Mayor Michael Dylan Brennan called the regular meeting to order at 7:03 p.m.

Roll Call:

Present:  
Mrs. Susan Pardee  
Mrs. Pamela Cameron (7:05)  
Mr. Phillip Ertel  
Mr. John Rach  
Mr. Steven Sims  
Mrs. Michele Weiss  
Mr. Mark Wiseman  

Also Present:  
Law Director Luke McConville  
Finance Director William Sheehan III  
Clerk of Council Kelly M. Thomas  
Police Chief Steven Hammett  
Fire Chief Robert Perko  
Service Superintendent Jeffrey Pokorny  
Building Commissioner James McReynolds

MOTION BY MR. SIMS, SECONDED BY MR. WISEMAN to excuse the absence of Mrs. Cameron. On roll call, all voted “aye.”

Approval of Minutes from Regular Meeting April 2, 2018

Vice Mayor Pardee suggested that the Council minutes from April 2, 2018 be tabled to allow Councilmembers time to review them.

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS to table the Council minutes from April 2, 2018. On roll call, all voted “aye.”

Comments from Audience

Mrs. Jeune Stantiz, 14157 Washington Blvd., stated she was a concerned inquiring about the passage of recent legislation. Mrs. Stantiz noted that during the April 2, 2018 Council meeting Dr. Jeffrey Reed asked “what is an emergency, in relation to the emergency legislation to permit residents to allow chickens and where the Law Director Luke McConville responded an emergency is an emergency. Mrs. Stantiz continued to say that Mr. McConville said it was the desire of Council to allow residents to purchase chicks in a timeframe that would allow them to raise them beginning this and that that timing was the justification for the emergency. Mrs. Stantiz said that Mayor Brennan continued the discussion stating that if it passes it becomes effective upon the signature of the Mayor; if not passed on emergency it would wait 30 days.

Mrs. Stantiz asked; why would the members of Council who voted in favor of passing the legislation choose to pass it as an emergency. It did not meet the Charter definition of an emergency as its passage was not necessary for the immediate preservation of public peace, health or safety. The legislation was clearly inappropriately characterized as an emergency and should be rescinded and respectfully requested that Council members to respond to the matter.

Mrs. Shelia Hubman, 2532 Ashurst spoke about the suggested banning of street parking on Busnell from 3:30pm to 6pm in accommodating the Middle School dismissal. Asked if all the residents were notified about this, noting if the City bans the street parking during the day, every day would be an inconvenience for residents like her who may have several drivers in the house and use street parking to keep the driveway free until nighttime. There should be uniformity in the street parking regulations in University Heights. Mrs. Hubman suggested that she went up to Bushnell around 2:25pm and between that time and 2:55pm it was bumper to bumper with cars picking up students. The only problem Mrs. Hubman suggested was that the City stops cars from...
parking too close to the stop sign because the school busses had a hard time turning the corner. Mrs. Hubman also spoke to the rental ordinance; how me any single houses are rental property, because the double and multi-unit houses were meant for rental purposes as well as the tax rebate issue which she felt should be a ballot issue.

There were no audience comments

**Mayor’s Reports and Communications to Community**

Mayor Michael Dylan Brennan provided the following updates:

- Reported that the City maintains to financial books on a cash basis throughout the year and at years end the account are converted from cash basis to accrued basis or what is known as a GAP Conversion (Generally Accepted Accounting Principles). The GAP Conversion is the accounting standard that many Ohio Public entities must follow. This needs to be done before the annual audit. The City’s GAP Conversion and Audit is handled by the James G. Gupta, CPA Inc. Due to the way the City’s books were kept in 2017, the City is not ready for the GAP Conversion. The problem began prior to the previous Finance Director arrival in April 2017; but continued during his tenure. In evaluation of what it will take to best remedy the situation so that the GAP Conversion and 2017 Audit can proceed it became evident that changes in the Finance Department would be necessary and better practices would have to also be implemented. Mr. Sheehan resigned his position as Finance Director on April 10 on that same day the then Assistant Finance Director Michael Frederick as interim Finance Director. In the short time Mr. Frederick has been with the City he has identified areas where better practices can be implemented.

- The position of Economic Development Director has been posted and the first wave of applicants have arrived. The job description is posted on the City’s website.

- The Suburban Council of Governments for the Cleveland Water Department needed a second representative for the Heights area. With the blessings of Cleveland Heights Mayor Carol Roe and Shaker Heights Mayor David Weiss, Mayor Michael Dylan Brennan has been appointed to that position. The Heights region is composed of; University Heights, Shaker Heights, Cleveland Heights, East Cleveland and Bratenahl.

- Attended and presented at the Heights Bicycle Coalition annual meeting regarding University Heights’ intention to make University Heights bicycle friendly and announced the intentions to re-strip Warrensville Center Road to add bike lanes with pedestrian islands as part of an NOACA project.

- Preliminary plans for the pocket park located 3578 Silsby Road. There will be a community meeting at the site on Tues., April 24 at 6pm. Notices were sent to nearby residents to encourage their attendance and input.

- There will be a CDBG Public Hearing on Thursday, April 19 at 6:30pm to gather ideas from the public regrading the City’s Community Development Block Grant/Community Development Supplemental Grant and Storefront Renovation Programs.

- There will be a chicken keeping seminar on Thursday, May 3 at 7pm. Per the new chicken keeping attendance at an approved seminar is required as a condition to obtaining a Special Use permit to keep chickens. The seminar will be led by Bethany Majeski, Naturalist at the Cleveland Metropark Rocky River Nature Center. Registration can be found on the City’s Facebook page.

- The Re-Brand Steering Committee is being finalized and the meetings will be scheduled for later in the month.

- Named Win Weizer, resident Jackson Blvd. as the Chair of the Municipal Future Committee which will look at the future planning the municipal facilities.

- Named Scott Kuoff, resident Saybrook Road, as the Chair of the Special Committee on Bicycling.

- Still in a need for one more resident to serve on the Fair Housing Committee. After which time the slate of three names will be given to City Council for conformation.
• Competing as part of the Mayor’s Team (along with Cleveland Heights Mayor Carole Roe and South Euclid Councilwoman Jane Goodman who is representing Mayor Georgine Welo) in the Reaching Heights Community Spelling Bee on Wednesday, April 18 at 7pm at Heights High School.

**Agenda Items:**

**A. Oath of Office for Interim Finance Director Michael Frederick**

Mayor Michael Dylan Brennan administered the Oath of Office to Interim Finance Director Michael Frederick.

Mayor Michael Dylan Brennan asked for a motion to move agenda item C before item B.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to take agenda item C out of order and move it before item B. On roll call, all voted “aye.”

But for purposes of these minutes the agenda items will be listed in their proper order.

**B. Ordinance 2018-20 Amending Codified Ordinance Section 1280.10 Entitled “Rental of One and Two-Family Dwelling Units in U-1 and U-2 Districts” For the Purpose of Regulating Rental Properties (on second reading)**

Mayor Michael Dylan Brennan commented that this would be adopted as a condition to obtaining a rental permit or keeping a rental permit where the homeowner must be either current on the property taxes (as a landlord) or be on a County approve payment plan for the delinquent taxes (as a landlord). This is to ensure compliance and/or the effort to become complaint with property taxes. It a landlord fails to be either current or on an approved payment plan for their property taxes then they will not be eligible to have or keep a rental permit in University Heights. Mayor Brennan added that other communities; i.e., Cleveland Heights, etc. that have adopted similar ordinances, and this has aided them in their collection of property taxes from delinquent landlords.

Mr. McConville stated that the legislation would not impact the rights of the tenants under the landlord tenant law. So, if a landlord is having difficulty with their taxes and can’t get a rental permit or rental renewal it won’t impact the tenant, this would handle through the court system. Mr. McConville added that in his experience in implementing this in another community, the City can anticipate some additional revenue flowing in fairly immediately once landlords who are delinquent in their taxes come up for their renewal period.

MOTION BY MRS. CAMERON, SECONDED BY MR. WISEMAN to approve Ordinance 2018-20 Amending Codified Ordinance Section 1280.10 Entitled “Rental of One and Two-Family Dwelling Units in U-1 and U-2 Districts” For the Purpose of Regulating Rental Properties. On roll call, all voted “aye.”

**C. Presentation by University Hospitals – Donation of EMS Equipment to Fire Department**

Fire Chief Perko stated that every year in the United States approximately every 40 seconds someone suffers from a heart attack. This results in approximately 800,000 deaths a year throughout the Country. The University Heights Fire Personnel works hard and take very seriously the emergency medical care they provide to the residents, this could be done without the partnership of the hospitals they transport to and more importantly University Hospital, who is the medical hospital the department functions under. Chief Perko added that the current cardiac monitors which were purchased in 2001 and 2003 are severally outdated, don’t provide the current technology and are currently out of service. The department is using loaners from the University Hospitals medical providers. Chief Perko added that the department would also like to start partnership with the residents, where they would be offered various life-saving classes.

Mr. Dan Ellenberger, University Hospitals and University Heights Director of EMS along with Mrs. Susan Juris, President of Ahuja Hospital were present to explained how they have partnered with the University Heights Fire Department in investing in building life safe communities for the health and care of University Heights residents. Where programs consist of providing and training people in Fire Departments and the citizens the use of CPR and defibrillators.

Mr. Sims remarked that this was a very generous gift of University Hospital and noted his appreciation of having the great assurance of knowing that this type of partnership with the hospital and the Fire Department exist.
MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to amend the agenda and add the approval to accept the donation of EMS equipment to the Fire Department. On roll call, all voted “aye.”

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON to accept the donation of a heart defibrillator and CPR machine to the Fire Department. On roll call, all voted “aye.”

D. Resolution 2018-24 In Support of State Issue 1 ~ Congressional Redistricting (on emergency)

Mayor Michael Dylan Brennan commented that the Resolution was a good government effort to avoid the extreme accesses of “jerrymanndering”. This is a situation where the desire is for people to be able to choose their representatives and not politicians choosing their districts.

There was no further discussion regarding this item.

Mrs. Pardee noted that this would serve as a benefit to the State.

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL to approve the passage of Resolution 2018-24 In Support of State Issue 1 ~ Congressional Redistricting. Roll call on suspension of the Rules, all voted “aye,” and roll call on passage, all voted “aye.”

E. Motion to Authorize Mayor to Seek Bids for the 2018 Road Improvement Program

Mr. Wiseman asked if the project included curbs for Groveland or if curbs could be done on the street corners and if Mr. Ciuni could explain crack sealing.

Mr. Ciuni replied that Groveland is be a part of the waterline replacement project for 2018 so it will be paved later in 2018 once the waterline project is finish. But, there is also money for curb replacements. Mr. Ciuni explained that it is cheaper to crack seal in the avoidance of getting pot holes in the streets. Crack sealing is always done 1 year after the resurfacing of the streets to serve as a good preventative method. It takes about 3 to 4 years to go through the entire city.

Mr. Sims questioned how the roads could be preserved and if creating a crack sealing program would be possible.

MOTION BY MR. RACH, SECONDED BY MR. SIMS to Authorize Mayor to seek bids for the 2018 Road Improvement Program. On roll call, all voted “aye.”

F. Motion to Authorize Mayor to Seek Bids for the 2018 Groveland and Washington Water Mains Replacement Project

Mr. Ciuni stated that Groveland (from Milton to Green Roads) and Washington (from Staunton to Taylor Roads) were selected by Cleveland Water and the project will be funded 100% by Cleveland Water

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS to add to the agenda authorizing the Mayor to seek bids for the 2018 Groveland and Washington Water Mains Replacement project. On roll call, all voted “aye.”

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON approving the Mayor seeking bids for the 2018 Groveland and Washington Water Mains Replacement project. On roll call, all voted “aye.”

G. Motion to Authorize Administration to Enter into Service Plan with Spectrum for 500mbps Fiber Internet Access for the Police Department based on 5 years with a cost of $1,282.00 per month and a non-recurring installation fee of $250.00

Mr. Frederick stated that the Joint Dispatch Center needs to be able to skype into the Police Department lobby in order to monitor it. Mr. Frederick also asked if the monthly allowed cost of $1,282.00 could be amended to $1,300 per month, this would allow him more room to negotiate the best deal between “WOW” and “Spectrum”.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to amend the agenda and add the approval to接受EMS设备捐赠给消防部门。在投票中，所有人投票“赞成”。

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON接受心脏除颤器和CPR机捐赠给消防部门。在投票中，所有人投票“赞成”。

D. 2018年支持州问题1～众议院重新划分区（紧急状况）

市长Michael Dylan Brennan评论说，该决议是政府的一个好努力，以避免“作弊”的极端情况。这是一种情况，人们希望选择自己的代表，而不是让政治家选择他们的选区。

没有进一步讨论这个项目。

Mrs. Pardee指出，这将对州政府有益。

MOTION BY MRS. PARDEE, SECONDED BY MR. ERTEL通过决议2018-24In Support of State Issue 1～众议院重新划分区。悬停规则的投票，所有都投票“赞成”，投票通过的投票，所有人投票“赞成”。

E. 授权市长寻求2018年道路改善项目投标

Mr. Wiseman询问该项目是否包括Groveland的路缘，或者是否可以在街角设置路缘，以及Mr. Ciuni能否解释裂缝密封。

Mr. Ciuni回答说，Groveland将是2018年水线更换项目的一部分，因此将在2018年铺设。但是，也有钱用于路缘更换。Mr. Ciuni解释说，这是更便宜的裂缝密封，可以避免在街道上形成坑洞。裂缝密封通常在道路铺装后的一年后进行，以作为预防方法。大约需要3到4年的时间来完成整个城市。

Mr. Sims询问如何保持道路，以及创建裂缝密封计划是否可行。

MOTION BY MR. RACH, SECONDED BY MR. SIMS授权市长寻求2018年道路改善项目投标。在投票中，所有都投票“赞成”。

F. 授权市长寻求2018年Groveland和Washington供水管道更换项目投标

Mr. Ciuni表示，Groveland（从Milton到Green Roads）和Washington（从Staunton到Taylor Roads）被Cleveland Water选中，该项目将由Cleveland Water全额资助。

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS将授权市长寻求2018年Groveland和Washington供水管道更换项目投标添加到议程中。在投票中，所有人都投票“赞成”。

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON批准市长寻求2018年Groveland和Washington供水管道更换项目投标。在投票中，所有人都投票“赞成”。

G. 授权管理机构与Spectrum签订5年500Mbps光纤互联网接入服务协议

Mr. Frederick表示，Joint Dispatch Center需要能够在Police Department会议室进行Skype监控。Mr. Frederick还询问，每月允许的成本$1,282.00是否可以调整为$1,300，这将使他有更多空间与“WOW”和“Spectrum”进行最佳谈判。

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN将授权管理机构与Spectrum签订5年500Mbps光纤互联网接入服务协议添加到议程中。在投票中，所有人投票“赞成”。“
Mrs. Weiss asked if this would be an upgrade to the security around the City Hall complex.

Police Chief Rogers said that the security cameras are new, but the internet was not updated to allow full use of the camera capabilities because the current speed is too slow.

**MOTION BY MRS. CAMERON** to authorize the Administration to Enter into Service Plan with Spectrum for 500mbps Fiber Internet Access for the Police Department based on 5 years with a cost not to exceed $1,300.00 per month and a non-recurring installation fee of $250.00.

Mrs. Cameron’s motion failed due to the lack of a second.

**MOTION BY MR. SIMS, SECONDED BY MRS. WEISS** to authorize the Administration to Enter into Service Plan with an Internet Service provider for 500mbps Fiber Internet Access for the Police Department based on 5 years with a cost not to exceed $1,300.00 per month and a non-recurring installation fee. On roll call, all voted “aye.”

H. Motion to hold an executive session immediately following this regular meeting for the purpose of discussing personnel, legal and real estate matters

Mayor Michael Dylan Brennan stated the need to have executive session for personnel and real estate matters.

**MOTION BY MR. WISEMAN, SECONDED BY MR. RACH** to hold an executive session immediately following this regular meeting for the purpose of discussing personnel matters. On roll call, all voted “aye.”

**Directors’ Reports**

**Interim Finance Director** William Frederick thanked Mayor for the opportunity and noted his willingness to assist Mayor, Council and University Heights residents.

**Law Director** Luke McConville spoke to the earlier comments and questions that were raised in the audience portion regarding the use of the emergency clauses. The peace, safety and health language that is in the University Heights Charter is also in Ohio Law and has been broadly interpreted by courts to give cities and municipalities wide girth and discretion in deciding what is an isn’t an emergency. As long, as it isn’t abused as a power and as long as the emergency is articulated in the ordinance. In respect to the chicken ordinances the Charter language was contained in the emergency clause in that ordinance. The courts have continually ruled that timing issue are justification for an emergency ordinance. In this case there are a couple of things occurring; there were 2 ordinances (1) zoning ordinance creating a new permitted and Council in their due diligence determined that, that particular use under the zone code would not as a practical matter go into effect for potentially up to 1 year if the ordinance was not passed on an emergency basis. (2) With respect to the regulation ordinance the city did not want gaps between implementation of the permitted use in the zoning code and then a gap where there would have been an absence of regulation if they both weren’t passed on emergency. Mr. McConville stated that those were legitimate uses of the emergency clause power and it was his legal opinion that those ordinances are sound and that there isn’t any basis to challenge the city’s use of the emergency clause with respect to either of the two ordinances.

Lastly Mr. McConville stated that there would be a hearing on the epic life style litigation, the litigation that relates to the house rehabilitation on Silsby Road. Where the receiver and the bank will be arguing their respectful positions. The receiver will be asking the Court for a lien on the property and there may be some rulings on this case at that time.

**Police Chief** Dustin Rogers reported that have been difficulty in mounting the electronic speed signs but would them in placed once everything is straightened out. The code-red mass communication system will be renewed. Chief Rogers said that he was still working with the City of Beachwood regarding the parking issues on Fenway.

**Fire Chief** Bob Perko review the equipment that University Hospitals donated for cardiac care and the care that is given by the paramedics to someone having a heart attack. Community education and re-establishing the city’s CPR classes for the public are key factors because 60% of the residents don’t know that they have high blood pressure and/or high cholesterol. Having a lower blood pressure can reduce the chances of a heart attack by 50%.

Mr. Sims commented that he hoped that the City would re-establish the CPR courses for residents soon.

**Service Department** Jeffrey Pokorny stated that the tree seminar was held just prior to this council meeting and hopefully the video will be on you tube soon.
Building Department: James McReynolds reported that the window in Council Chambers has been repaired and that he is fact finding about the needed repairs in the Fire Department kitchen and bathroom.

Community Development: reported that the April housing report is available and that the demolition application has been filed.

There were no other Director reports.

Standing Committee Reports:

Building Committee: Mr. Wiseman reported that the Building Committee met the previous Monday and that the following matters were discussed: (1) monitoring of renting to more than 3 persons – council is reluctant to make changes; double fees, shortage time will have to hire additional staff for building department; (2) City Land Bank – don’t have variable to create land bank; (3) no parking – Bushnell has approx. 50% rental properties that thought was to not allow parking on the street between 2pm and 6pm but that wasn’t well received so the time maybe 3:30pm to 6:30pm. And thus far the City has only received one request for chickens.

Governmental Affair: Mrs. Weiss stated that the committee met last week and discussed the tax abatement for construction on existing homes. Allowing tri-cycle ice cream vehicle on the city streets was also a topic of discussion. Another meeting will occur in May.

Safety Committee: Mr. Rach stated that the Safety Committee would be meeting the following day, Tuesday, April 17 at 7pm in Council Chambers. Discussion will regard updates from interim Police Chief Rogers, interim Fire Chief Perko for 2018, community policing and engagement like neighborhood watch, CPR training, installation of baby car seats, CERT program, lockbox program, etc.

Service Committee: Mr. Sims reported that the committee met on April 10 and that the discussions included; (1) ADA compliance including elevator/chairlift. This matter will continue to be studied but, in the meantime the city should continue to make accommodations as it is able to. (2) Road improvements – there are a lot of deferred maintenance on the city’s streets. The city needs to be more proactive in trying to address the conditions of the streets. The idea that the City could conduct crack sealing to preserve and extend the lives of the roads. (3) capital improvement that are in the 2018 budget and decided to push any procurements forward as soon as possible because many of those procurements have long lead times. (3) ordinance relating to women, minority and small businesses in the community – decided that there should be a level of annual reporting on the outcome of the companies that the city conducts business with and their level on engagement with those populations. (4) the committee would like to see matters that relate to service and utilities be placed before the committee before they are presented before council. The committee will meet again after June.

There were no other committee reports.

MOTION BY MR. RACH, SECONDED BY MR. WISEMAN to return to regular session. On roll call, all voted “aye.”

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN to adjourn the meeting. On roll call, all voted “aye.”

There being no further business, the meeting was adjourned at 10:01pm.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council