

**MINUTES COUNCIL MEETING
CITY OF UNIVERSITY HEIGHTS, OHIO
APRIL 2, 2018**

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

Roll Call:

Present: Mrs. Susan Pardee
Mrs. Pamela Cameron (7:40pm)
Mr. Phillip Ertel
Mr. John Rach
Mr. Steven Sims
Mrs. Michele Weiss
Mr. Mark Wiseman

Absent: Mrs. Pamela Cameron

Also, Present: Law Director Luke McConville
Finance Director William Sheehan III
Clerk of Council Kelly M. Thomas
Police Chief Dustin Rogers
Fire Chief Robert Perko
Service Superintendent Jeffrey Pokorny
Community Development Patrick Grogan Myers

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

Approval of Minutes from Regular Meeting March 19, 2018

There were no corrections or additions to the Council minutes from March 19, 2018.

MOTION BY MR. RACH, SECONDED BY MRS. WEISS to approve the Council minutes from March 19, 2018 as submitted. On roll call, all voted “aye,” except Mr. Sims and Mrs. Pardee who “passed.”

Approval of Minutes from Special Meeting March 26, 2018

There were no corrections or additions to the Special Council minutes from March 26, 2018.

MOTION BY MRS. WEISS, SECONDED BY MR. ERTEL to approve the Special Council minutes from March 26, 2018 as submitted. On roll call, all voted “aye.”

Comments from Audience

1. Jeff Green, 2568 Eaton Road – stated that a group of concern citizens and registered voters have formed a coalition against the proposed chicken ordinances. In referring to data from the County Auditor Mr. Green said despite similar ordinances in related to chickens in other municipalities those locations are not comparable to University Heights. Beachwood requires 1.1 acre of land to house chickens; the University Heights proposals is greatly less; the house density (not population) in units per sq. mile the respective cities are Beachwood 588; Shaker Heights 1123; Lakewood 1400; Cleveland Heights 1590; and University Heights 21090. Mr. Green added that an acre equals 43,560 sq. ft.

How does this qualify for emergency measure – what is the definition?

Mr. McConville replied that it was the desire of Council was to allow residents to purchase chicks in the timeframe that would allow them to raise the chickens the beginning this year and that was the justification for the emergency.

Mayor Michael Dylan Brennan noted that by considering the Ordinances on emergency they would take effect upon the Mayor's signature and if it were not passed on emergency it takes 30 days to be effective.

Mr. McConville stated that the vote would be differential if the reading was suspended, but in this case the reading rule because there have been two meeting regarding this as required by the City's Charter. The reason why there is a vote differential in this instance is because the Planning Commission ruled a recommendation for Council not to approval this Ordinance. If Council is going to go against the Planning Commission recommendation it requires a super majority and requiring 5 affirmatives.

What will the complaint process be?

Mr. McConville replied that the revisions being proposed has the applicant make application to the building department for review as to whether it is within the confines of the Ordinance. If it is then the Building Commissioner will issue the Special Permit and that permit will stay in effect for one (1) year, after which time the Special Permit will go before the Board of Zoning Appeals for renewal and at that point a hearing would be held, and an appearance would be required for the renewal; if it's not the application will be denied.

Under the stated pilot program wouldn't it be more appropriate to have the Ordinance terminate the use at a specified time and then be properly reevaluated and then enacted more fully once it is deemed acceptable? Instead, the apparent burden of proof to terminate falls to those who bring light to any problems. Therefore, this appears despite the wording a full Ordinance to be redacted with problematic evidence instead of a pilot program that would be reevaluated as specified. Contrary to a universal recommendation this regulation for an entire City it appears that this was customized to reach the individual specifications of an individual residence.

2. Paul Miller, 2370 Charney Road – asked that Councilmembers Pardee, Rach, Wiseman and Weiss explain why they are for allowing chickens in University Heights.
3. April Urban, 3590 Meadowbrook Blvd. – stated she was in support of the Ordinance allowing chickens and that communities across the Nation are adopting this type of legislation.
4. Resident, 3830 Faversham – stated they were not in favor of allowing chickens in University Heights and they moved here for the urban feel. They also like being unique and not being like everybody else.
5. Cindy Olser, 2440 Eaton Road – commented that she grew up with chickens and supports allowing chickens in University Heights. Chickens are friendly pets and provide educational value. Only simple hand washing is required to stop diseases. Chickens also provide pesticide-free pest control.
6. Arlene Tempsey, 3873 Grenville – remarked that the distances between the houses are too close in University Heights. And when speaking with the City of Beachwood, they said that only a small section of households would qualify for chickens. Allowing chickens is asking for a lot of unnecessary trouble. Reconsider the amount of required space.
7. Richard Passow, 2604 Saybrook – spoke to the proposed rental ordinance and asked what the differences were? Should have to verify what the County has what the home has; i.e. extra bath space. At the March 26 Council meeting there was a discussion about old laws regarding commercial parking.
8. Nick Tunison, 2544 Traymore – in not in favor of allowing chickens. But to make it fair for everyone and if this is going to be approved increase the dimensions: space, size and distance that the chickens would have to be in. When Council tabled this at the last meeting it was mentioned that Mr. Wiseman said he had discussed this with Mrs. Pardee and he knew that she was for allowing chickens; does that have any ramifications with open meeting/sunshine laws, because it seemed to him the it was manipulated?

Mr. McConville stated that no sunshine law violation that is created by a conversation among Council members. The sunshine law is violated when if a quorum of Council members or other members of a municipal body gather and discuss business. There is no evidence that that has occurred, there have been numerous public meetings on this topic; including committee meetings at which Council members during setting that are open to the public can voice their opinions. Mr. McConville stated he thought Mr. Wiseman was referring to public statements Mrs. Pardee has made, there is no evidence of sunshine law violation.

Mrs. Pardee added that she did attend Building Committee meetings where this topic was vetted in depth and at length. It would have been very clear that she was in favor of this (chickens) because she was favorably disposed as it was discussed in the Building Committee meeting and tried to work out the best way to craft legislation to make this happen, if it made sense.

Mr. Wiseman said he did called and discussed this with Mrs. Pardee, as he is allowed to as a Council member. Four Council members can't meet in a group to discuss how they will vote because that is a majority; but two members can talk. If two Council members couldn't talk before meeting and between meetings nothing would get done and meetings would 18hours long. Mr. Wiseman added that he would think the residents would want Council members to speak/communicate with one another. Mr. Wiseman said he didn't want anyone to think the members of Council violated or came close to violating the sunshine laws because it is taken very seriously by Council members.

9. Kyle Francis, 3605 Meadowbrook Blvd. – commented that he and his wife are fighting for rights that they should have in providing for their family. Mr. Francis urged Council to make their decision on the facts and not preconceived notions.
10. Bert Siebert – stated he didn't see why University Heights needs chickens.
11. Justin Gould, 2200 Edgerton - commented that government should get out of his yard with regulations. The Ordinances are outdated and noted his hopes that the ordinances pass.
12. Susan Delany, 2603 Edgerton – noted that she is a realtor in University Heights and needs to have knowledge of if there was full transparency at the March 26 meeting when Council tabled the ordinances regarding allowing chickens and asked why the vote was tabled. Ms. Delany also asked how the Ordinance would be enforced if passed and suggested that fencing be required around the entire house and not just the chicken coop so that the neighbors don't have to view the coop.

Mr. Wiseman replied that the Ordinance was on emergency measure and needed 5 affirmative votes for approval. In light of the absence of Vice Mayor Pardee and her affirmative vote; it was clear that there were then only 4 votes present and to allow Vice Mayor Pardee to have a vote this vote was tabled. Mr. Wiseman added that nothing underhanded was done.

Mr. McConville added that Council had not previously been given the ramification of the Planning Commission's vote and recommendation at the start of the March 26th meeting.

Mr. McConville spoke to the setback requirements and stated that the Building Commissioner will review that application for the Special Permit to verify that all the required regulations have been met and if so he will issue the one (1) year Special Permit. If the regulations are not met, then the Building Commissioner will deny that application and the applicant can appeal to the Board of Zoning. If the Special Permit is issued, then prior to the renewal the Building Commissioner will inspect the property and issue a report to the Board of Zoning.

13. Jamie Feldman, 2591 Traymore – asked why Council was considering going against the Planning Commission recommendation not to allow chicken coops. This should be placed on the ballot for residents to vote on.

Mayor Michael Dylan Brennan commented that he believed that if the Planning Commission were to have a re-vote it would go the other way. Noting that there are a lot of residents present at this meeting speaking against the proposal; there are a lot more people who he has heard from on both sides via phone, email and in person and it not nearly as one-sided there as it seemed to be in the council chambers.

14. Mary Fox, 3620 Meadowbrook – commented that the City should also consider requiring the applicant have a homeowner's policy in the event the chicken escapes the property and something happens.
15. Laura Francis, 3605 Meadowbrook Blvd., stated that she dreams of suppling her family with fresh eggs.

There were no other audience comments

Mayor's Reports and Communications to Community

Mayor Michael Dylan Brennan provided the following updates:

- April Urban has been appointed to the open Planning Commission seat
- University Heights will have its first bike lane stripping
- The Service Dept. will hold another tree pruning seminar on Monday, April 16 at 6pm
- The rain barrel workshop on May 23rd from 6pm – 8pm
- The backyard composting seminar is June 5th at 7pm

Agenda Items:

A. Ordinance 2018-14 Amending Codified Ordinance Section 1250.02 of the Planning and Zoning Code Entitled “Permitted Uses” To Permit Chicken Coops in a U-1 District upon issuance of a Special Use Permit (on second reading and emergency)

Mr. Wiseman stated that he hoped that the City could move forward with the approval of this Ordinance allowing chicken coops and noted that Council has done the best they could in taking all the resident comments, except for not approving the Ordinance, into account. The Ordinance tonight has been changed in light of those comments. Mr. Wiseman added that this is not a permanent change but a pilot.

Mr. Ertel noted his disagreement with Mr. Wiseman's comments and stated that there was a lot still wrong with the new legislation. There will be buckets of waste within 5ft of a neighbor. Mr. Ertel stated he was still against allowing chickens in University Heights.

Mr. Sims noted he was also against allowing chickens and that he didn't see the value in it.

Mr. Rach thank the residents for their feedback and noted that there had been 12 different amendments to the Ordinance since the initial draft. Mr. Rach added that he was in support because residents have always been able to have chickens based on the current Ordinance; but now there will be more and stricter guidelines and rules. For example, only 4 chickens will be allowed, classes have to be taken, the rear yard has to be fenced in, etc. and not all households will fit the qualifications.

Mrs. Pardee stated that she wasn't in favor of allowing chickens at the beginning until Mrs. Francis provided information but is now in support of allowing chickens in part because it has worked in neighboring cities. Noting the City's Zoning Code needs to be changed and that the current Council is in favor of having it updated, this Ordinance will again be reviewed in February 2019 and again when the zoning code is thoroughly reviewed. Mrs. Pardee added that this is a risk for anyone who takes out a Special Permit because of the necessary monetary investment. It is a possibility that after 1 year that this program won't go forward, and they have to remove the chickens and the coop from their property. There is risk on both sides.

Mrs. Weiss commented that these discussions have shown democracy at its best. Nothing has been taken lightly and even though she was in favor of allowing chickens with this pilot program, personally she doesn't want any chickens in her yard.

Mrs. Cameron added that anytime a disputed topic comes before Council time is taken to look at both the pros and cons; nothing is taken lightly. And, no decision is made without due diligence.

Mayor Michael Dylan Brennan thanked everyone for making their opinions known and even though there are 5 minutes and 15-minute rules, those rules were relaxed so that resident would know that the City is listening and willing to hear the public out. Mayor Brennan noted this discussion about chickens started in May 2017 and he has heard from 15 households who may be interested in having chickens. Mayor Brennan continued to say that when this was before the Planning Commission with the early version of the Ordinance he did not vote for it; but, with the proposed amendments which were added due to the concerns that residents raised he would be happy to sign the Ordinance if it is approved.

Mr. McConville cited the 3 changes that had been made since the previous Council meeting; (1) requirement of a 20ft. setback from any outdoor recreational improvement (includes: patio, porches, decks, pools, hot tubs, water features, but in not necessarily limited to these items); (2) application has to be submitted directly to the Building; and (3) the Ordinance numbering because it fits better into Title 14 Building and Housing section of the code. The Zoning provision will read chickens will be a permitted use upon issuance by the

Building Department of a Special Use Permit and in keeping with the regulations under Codified Section 1478.251.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to amend the portion of Ordinance 2018-14 to change Board of Zoning Appeals to “Building Department” and the cross-reference Ordinance section from 1618.25 to “1478.251” as stated by Law Director - On roll call, all voted “aye.”

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to approve Ordinance 2018-14 on emergency. On roll call, all voted “aye,” except Mr. Sims and Mr. Ertel, who voted “nay.”

- B. Ordinance 2018-15 Enacting Codified Ordinance Section 618.25 Entitled “Keeping of Chickens” to Establish Regulations for the Keeping of Chickens, and Amending Codified Ordinance Sections 618.18 Entitled “Number of Animals Limited” and 618.20 Entitled “Proximity of Dwellings,” for Consistency with the Regulations for Keeping of Chickens. (on second reading and emergency)**

There was no discussion.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to approve amending the language of Ordinance 2018-15 Enacting Codified Ordinance Section 618.25 Entitled “Keeping of Chickens” to Establish Regulations for the Keeping of Chickens, and Amending Codified Ordinance Sections 618.18 Entitled “Number of Animals Limited” and 618.20 Entitled “Proximity of Dwellings,” for Consistency with the Regulations for Keeping of Chickens. On roll call, all voted “aye.”

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON approve Ordinance 2018-15 Enacting Codified Ordinance Section 618.25 Entitled “Keeping of Chickens” to Establish Regulations for the Keeping of Chickens, and Amending Codified Ordinance Sections 618.18 Entitled “Number of Animals Limited” and 618.20 Entitled “Proximity of Dwellings,” for Consistency with the Regulations for Keeping of Chickens. On roll call, all voted “aye,” except Mr. Sims and Mr. Ertel, who voted “nay.”

- C. Ordinance 2018-19 Authorizing the Transfer of Funds from the General Fund (101) to Funds (601), (201), (401) and (204) and Declaring an Emergency**

Mr. Wiseman asked if these were monies that have already been allocated for 2018.

Mr. Sheehan replied yes and noted that the Ordinance needed to be amended to reflect the correct the Fire Pension Fund number to (602).

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS to amend the title and body of Ordinance 2018-19 to reflect the correct Fire Pension Fund number (602). On roll call, all voted “aye.”

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to approve Ordinance 2018-19 as amended. Roll call on suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

- D. 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 first reading)**

Mr. Grogan-Myers reported that there were 20 University Heights rental properties that are delinquent on - the property taxes of those 20; 4 are on payment plans, 1 has made payment and 15 are still in delinquency.

Mr. Sims asked what would happen to the 15 homes that are in jeopardy if this Ordinance passes.

Mr. Grogan-Myers stated that it is hoped that this Ordinance would trigger notification from the Building Department that if property owners don't come current with their property tax or enroll in a budget payment plan they could lose their rental permit license in University Heights.

Mr. Sims asked how would the program work?

Mr. Grogan-Myers said that this legislation would allow the City to revoke the rental permit.

Mr. McConville added that in other Cities the response has been very immediate and good for delinquent home owners to pay the property taxes.

Mr. Wiseman read 1280.10 (h) Penalty. “Whoever violates any provision of this section is guilty of a misdemeanor of the first degree and shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six months, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.”

Ordinance 2018-20 was placed on first reading.

**E. Ordinance 2018-21 Enacting Codified Ordinance Chapter 262 Entitled
“Economic Development Director” and Declaring an Emergency**

Mayor Michael Dylan Brennan read section 262.01 of Ordinance 2018-21 Established; Duties. There is hereby established the position of City Economic Development Director. The Economic Development Director will be responsible for the co-development, planning, implementation, and coordination of the City’s economic development program and the economic development portions of the master plan. This will require working on business retention, business attraction, expansion, and redevelopment. There will be a special emphasis on the city’s existing economic districts, and especially University Square, Cedar Taylor, and Cedar Center. There will be further special emphasis on working as a team with Community Development and the Mayor in helping realize the vision of expanded districts and targeting areas for redevelopment. The Economic Development Director will participate in community planning, economic development policies and tools, land use controls (zoning), and will work with developers, elected and appointed officials, merchants, and the general public.

Mr. Sims stated that he was fully in support of the Ordinance. Noting that a Chapter in the City Code is being modified Mr. Sims asked if it were appropriate in memorializing via name; i.e. Cedar Center, Cedar Taylor, etc., because these commercial areas may not always be an important focus. It was agreed that the section would be changed to read “There will be a special emphasis on the city’s existing economic districts. There will be further special emphasis on working as a team with Community Development and the Mayor in helping realize the vision of expanded districts and targeting areas for redevelopment.”

MOTION BY MR. SIMS, SECONDED BY MR. WISEMAN to amend Ordinance 2018-21 as recommended by Mr. Sims. On roll call, all voted “aye.” Roll call on suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

F. Resolution 2018-22 Supporting the School District Board of Education’s Resolution Rejecting House Bill 512; and Declaring an Emergency

Mayor Michael Dylan Brennan explained that House Bill 512 would transfer most of the powers of the Elected State Board of Education and Department of Education to a Governor appointed Cabinet Agency. The he as well as the Cleveland Heights/University Heights School Board suggest that this would decrease accountability and transparency concerning public education in the State of Ohio. And, that as voters be able to continue to elect our State School Board and have them act in that capacity rather than have the State Governor appoint a Cabinet level person to handle responsibilities.

Mrs. Weiss commented that she agreed that the School Board should elect the State School Board, but personally she didn’t think that this should be on the City Council agenda.

Mrs. Pardee asked Mr. McConville if she would have any conflict of interest in that she works for the School Board.

Mr. McConville replied that he didn’t see any conflict of interest in her participation in this matter.

MOTION BY MR. SIMS, SECONDED BY MR. RACH to approve Resolution 2018-22 Supporting the School District Board of Education’s Resolution Rejecting House Bill 512. Roll call on Suspension of the Rules, all voted “aye,” except Mrs. Cameron who was not present at the time of vote. Roll call

on Passage, all voted “aye,” except Mrs. Cameron who was not present at the time of vote and Mrs. Weiss, who “passed.”

G. Resolution 2018-23 Urging the State and the Ohio Department of Education to Revise the Existing System of Ranking Schools; and Declaring an Emergency.

Mrs. Pardee noted that in Section 1 of the Resolution it requests that the Ohio Department of Education formulates an enlist the stakeholders (the parents, school board members, civic leaders, school administrators, and other school patrons) to develop an accountability system.

Mrs. Weiss noted her thoughts that Council should not be dealing with this matter. The ranking of school systems in theory. Of the failing districts, few are in Cuyahoga County.

Mr. Rach commend that people leave cities because of failing school districts. The rating system should be fair across the board.

Mr. Ertel added that people aren't just leaving because of performance but because of the cost (taxes) as well. Our school district has the highest millage rate in the State of Ohio.

Mr. Sims noted that academic performance are more global than in the past.

Mrs. Pardee suggested meeting with the School Board member to have any questions answered.

Mr. Sims added that the Resolution, if passed, needs to be sent to people beyond those listed in the legislation.

MOTION BY MR. RACH, SECONDED BY MR. SIMS to approve Resolution 2018-23 Urging the State and the Ohio Department of Education to Revise the Existing System of Ranking Schools. On roll call, all voted “aye,” except Mrs. Weiss, who voted “nay.”

H. Motion to Authorize Mayor to Seek Demolition Funding for 3654 Raymont Blvd. (722-03-058)

Mr. Grogan-Myers stated that the Administration continues to find ways to keep homes and is partnered with the County Land Bank so that they can conduct their own independent home inspection.

Mr. Ertel asked what the difference was between the City's Land Bank and the County's Land Bank.

Mr. Grogan-Myers replied that the County has the staffing and funding. Although the determination (demolishing) is up to the County, University Heights would locally manage the unproductive land.

Mr. McConville added that the County Land Bank allows the City to acquire the property if it has a lien on the property under the Ohio Revised Code.

Mrs. Pardee asked for clarification that nothing is demolish in the City without coming before City Council for approval.

Mr. McConville stated that Codified Title 12 allows the applicant to apply to the Building Department for a demolition permit and if the property falls into one of the four categories then the Building Commissioner would have the authority to issue the permit. Mr. McConville said there are four conditions/factors and if any 1 of the 4 conditions/factors are met then the Building Department is to issue the permit.

Mr. Grogan-Myers added that both properties were declared public nuisances by Council on February 19, 2018.

Mrs. Pardee commented that she was under the impression that anything came back to Council so that they would know what the outcomes were.

Mr. Sims stated he was opposed to home demolitions unless absolutely necessary. Mr. Sims added that he had the opportunity to speak with several individuals who are with local development corporations in the City of Cleveland who are willing to speak to University Heights about the approaches that they use to

create interest in homes that may even seem beyond repair in order to encourage the redevelopment of those properties. Mr. Sims said he would pass this information on to Mr. Grogan-Myers in hopes that the city would take advantage of it. Mr. Sims added that he was on board with the motion because he was under the impression that at the end of the day Council would have a say on the demolition. But now he has the impression that if the city is granted the demolition funding and the County Land Bank findings is to demolish the house the city would then proceed with that decision. Given that Mr. Sims said he was not sure he would be in support of that approach.

Mr. McConville read code 1242.14 Demolition Permit Required – no building or structure shall be wholly or partially demolished unless the Building Commissioner has issues a demolition permit in accordance with these regulations. All demolitions shall comply with applicable requirements of the Ohio Building Code; Subsection B – no demolition permit shall be issued unless one or more of the following requirements are met. The fourth requirement is that the City Council determines that the structure/building is a safety hazard or public nuisance. So, it is the public nuisance that would trigger the Building Department ability to issue the permit for demolition.

Mr. Grogan-Myers added that the City can't advertise that it has homes for rehab because the City doesn't own the homes. But, the County Land Bank can clear the title and demolish homes.

Mr. Sims commented and asked if the City had the needed staff and resources and could acquire the property through the City Land Bank would the City Council still have the same options to make a determination about what it wanted to do. And, if the City did would it be able to better control what happens with the outcome of the property. A property that might take \$100,000 to improve and if somebody could purchase it for \$1 or \$100 they might be willing to invest the \$100,000. Mr. Sims added that those were his concerns; does the City really want to tear down properties and is that really preserving the economic base of the community. If the City continues to pursue this approach, then it needs some type of in fill-in stagey. The City can't just tear down properties and have a bunch of vacant lots.

Mr. McConville stated that there can be a mechanism for the City to acquire property if it had a lien on a particular property. Mr. McConville noted that once the Land Bank has title to the property it will then check with the City to see if they want the property.

Mr. Wiseman remarked that there had been discussions many times during the previous Administration regarding how the City's Land Bank works; what are the procedures, what are the protocols. Mr. Wiseman said he would like to cover this under his Building Committee as the it could be effective but there are a lot of issues that go with it. Mr. Wiseman said he would like the County Land Bank visit the properties to see if they can be rehabbed and that he would be in favor of demolishing them if that was the Land Bank's ruling because that is where their expertise is. It is better for the neighborhood to have an extra yard instead of an ugly vacant house.

Mayor Michael Dylan Brennan assured everyone that he doesn't want to take down houses but added that there is a short window of time in which to apply to get funding.

Mr. Sims said his concerns were not in opposition and voiced his hope that Council would be approached before houses become public nuisances. Mr. Sims also stated that he was confident that the City was moving in a positive manner.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN authorizing the Mayor to Seek Demolition Funding for 3654 Raymont Blvd. (722-03-058). On roll call, all voted "aye."

I. Motion to Authorize Mayor to Seek Demolition Funding for 3673 Washington Blvd. (722-03-012)

Discussion regarding this item was joined with agenda item J. There was no additional discussion.

MOTION BY MRS. PARDEE, SECONDED BY MR. RACH authorizing the Mayor to Seek Demolition Funding for 3673 Washington Blvd. (722-03-012). On roll call, all voted "aye."

J. Motion to Enter into Agreement with Burgess Ambulance Sales for the Purchase Contract for a new 2017 Road Rescue Ultramedic Ambulance in an amount not to exceed \$170,017.00

Fire Chief Perko stated that the purchase of this ambulance was originally approved in 2016 but the ambulance was never order under the previous Fire Chief. Chief Perko also stated that upon review of the original purchase order he discovered what was presented to and approved by Council was the \$159,000 base ambulance and not what was recommended by the equipment committee.

Mr. Rach asked about the cot system that was installed in the other ambulance was consider for this one.

Mr. Perko answered not at this time but will seek funding for the cot system in June from the BWC grant.

Mrs. Pardee asked what items were taken out.

Chief Perko replied that the baseline ambulance did not have any of the add on safety features such as; air horns, scene lighting (to help find addresses, etc.), compartment lighting, extra charging outlets for equipment, wiring compatibility for electronics and USB devices, electronic radios/antenna, etc. 6 bids were received with the best and lowest bid being \$346,236.00 from C.A. Agresta Construction Co. and noted that the City Engineer Joseph Ciuni recommended awarding the project to C.A. Agresta Construction Co.

Mr. Wiseman asked how something that Council authorized the purchase of not get ordered and if the Fire Chief can strip down the order and remove items because he believed the City was spending too much for the ambulance?

Mr. McConville replied that he could not speak as to way the ambulance wasn't ordered but that it would be an Administrative function to enter into the contract and to finalize the purchase of the vehicle. To Mr. Wiseman's comment about the purchase being cut down; it was to his understanding that was not the way in which it occurred. The ambulance that was presented to and approved by Council was the \$159,000 stripped down ambulance to begin with. Mr. McConville stated he was asked if the Administration needed to come back to Council for approval and it was his judgement that the Administration did need to go back to Council for approval because this is a different vehicle with a different price and therefore a different contract.

Mr. Wiseman commented that this would then just be an Administrative follow that would dictate to Council to make sure the purchase is completed and asked Chief Perko who the Ambulance Committee was composed of and if the Mayor as Safety Director was also on the committee.

Chief Perko said that the previous Fire Chief had selected three members; one from each shift – Captain Pucella, Firefighter Calo and Firefighter Curkowicz. Chief Perko said he continued with the same committee and noted Mayor Brennan's input is also welcomed.

Mr. Sims asked if the original approval was in the 2017 budget.

Chief Perko replied that he asked that it be placed in the 2018 budget.

Mrs. Pardee noted that because the ambulance was approved in 2017 but not ordered it became part of the surplus.

Mr. McConville stated that funds would have to be appropriated in the current year for this contract purchase.

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS authorizing the Mayor to enter into Agreement with /burgess Ambulance Sales for the Purchase Contract for a new 2017 Road Rescue Ultramedic Ambulance in an amount not to exceed \$170,017.00. On roll call, all voted "aye."

K. Motion for Authorization to Participate in the ODOT (Ohio Department of Transportation) 418-19 Summer Fill Contract for Road Salt

Mr. Pokorny stated that the participation in this summer salt fill contract would replenish the salt that has been used out of the University Heights on-site salt storage bin.

Mrs. Weiss asked if the total amount was adjusted for the potential salting of sidewalks.

Mr. Pokorny replied this would give the city enough salt to carry through May 2018.

Mr. Sims noted that in the past he had seen the option of purchasing as little as 80% and up to 120% of the agreed amount of salt purchase and asked whether that option was still available? Mr. Sims also asked whether it was customary for the City to order salt and not know the cost?

Mr. Pokorny replied that it was customary to order salt and not know the cost. The previous State Contract required 80% minimum purchase up to 120% that has changed to 90% minimum to 110%. Mr. Pokorny said he was anticipating the percentages to be the same.

Mr. Sims added that he remembered having a great amount of conversation in the past over the price per ton that the City would have to pay for salt and now Council is being asked to purchase salt without any idea of the cost.

Mr. Pokorny said that previously salt was bid at \$29.12 per ton, this price was lower than in many previous years. Three years prior to that the cost was around \$51/52 per ton. Mr. Pokorny said he anticipates the cost to go back up to @ \$30 a ton. The City has the ability to get out of the contract within 24 hours of the bid opening.

Mr. Wiseman added that last year cost was \$29 per ton and years past it was \$50 per ton. Will those two numbers serve as the price markers? Mr. Wiseman also asked if a Council meeting would be needed if the City decided to get out of the contract.

Mr. Pokorny said the price should be in between the two and if decided the Mayor can get out of the contract with a written letter.

Mr. McConville said terminating the contract would be an administrative function.

MOTION BY MRS. CAMERON, SECONDED BY MR. RACH to authorize participation in the ODOT (Ohio Department of Transportation) 418-19 Summer Fill Contract for Road Salt. On roll call, all voted “aye.”

L. Motion for Authorization to Enter into Contract with Kurtz Brothers, Inc. for Yard Waste Disposal Service.

Mr. Pokorny reported that previously the city contracted with Cleveland Heights for the disposal of yard waste, but Cleveland Heights has proposed increasing their charge from \$7,000 to \$44,000 per year.

Mr. Pokorny received 4 price proposals and recommended that the City enter into contract with Kurtz Brothers, Inc.

MOTION BY MR. ERTEL, SECONDED BY MRS. WEISS to authorize that the City enter into contract with Kurtz Brothers, Inc. for yard waste disposal service. On roll call, all voted “aye.”

M. 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 that there was need for an executive session.

MOTION BY MR. WISEMAN, SECONDED BY MRS. PARDEE to hold an executive session for the purposes of real estate and personnel matters. On roll call, all voted “aye.”

Director's Reports

Finance Director William Sheehan reported that he has been working with contractors for wiring for phones and should have quotes soon.

Law Director Luke McConville stated that he was working on a draft Ordinance for tax abatement.

Police Chief Dustin Rogers said the Department has purchased a portable electronic speed radar sign. The sign is solar powered and records the driving habits data. It will first be placed at the intersection of Silsby and South Belvoir then Washington and Edgerton/Claver intersection. The sign will not issue tickets, it only monitors and displays the speed of vehicles. The stop bar will be repainted at the Traymore/Saybrook intersections. Swenson's is checking on adjusting the times that their delivery trucks come to help the noise complaints.

Fire Chief Robert Perko reported that the Fire Engine should be back in service soon and that there have been 99 calls: 55 EMS, 44 Fire, 19 Mutual Aid

Building Department James McReynolds reported that Bellefaire has started their new dormitory project and that the department has begun to use search warrant policy when necessary for inspections.

Community Development – Patrick Grogan-Myers reported that the NOPEC agreement has been signed and that he would be referring to the Service and Utilities Committee for possible projects. The City received CDBG Funding and a public hearing will be held on April 19 at 6:30pm.

City Engineer Joseph Ciuni reported that the Silsby Street Resurfacing Project pre-construction contractor meeting would be on April 3 and their deadline to complete the project is May 21, 2018.

There were no other Director reports.

Standing Committee Reports:

Building Committee: Mr. Wiseman reported will meeting on April 9 at 7pm at the University Heights Public Library the discussion items: Land Bank, moratorium for code section 1280.02 regarding 3 unrelated persons and rental registrations and Bushnell Road street signs.

Governmental Affair: Mrs. Weiss stated that the committee would hold a meeting on April 9 at 8pm at the University Heights Public Library to review tax abatements on new construction.

Finance Committee: Mrs. Pardee thanked everyone for the help with the budget and that the committee would meet in the next few months.

Safety Committee: Mr. Rach stated the committee will be meeting on April 17. Some of the topics will be a kickoff for safety; neighborhood watch program.

Service Committee: Mr. Sims stated the Service Committee would meet on April 10 at 7pm.

There were no other committee reports.

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS 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 11:17pm.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council