Mayor Michael Dylan Brennan called the regular meeting to order at 7:04p.m.

Roll Call:

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

Also Present: Law Director Luke McConville
Clerk of Council Kelly Thomas
City Engineer Joseph Ciuni
Fire Chief Robert Perko
Police Chief Dustin Rogers
Building Commissioner James McReynolds
Communications and Civic Engagement Mike Cook
Community Development Patrick Grogan-Myers
Economic Development Susan Drucker

Approval of Minutes from December 17, 2018

Mrs. Pardee noted 2 corrections on page 3 change the word “appointed” to “elected” and page 6 change “led” to “LED”. There were no other corrections to the December 17, 2018 Council minutes.

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to approve the Council minutes from December 3, 2018 as corrected. On roll call, all voted “aye,” except Mr. Ertel and Mr. Sims who both “passed.”

Comments from Audience

Ms. Kate Uhler, 2448 Fenwick was present to inquire about the 2018 budget and asked for an explanation as to why the expenditures exceeded the expenditures of 2017 by a large amount. Ms. Uhler also asked Council members why they allowed that amount of spending to occur. Lastly Ms. Uhler presented a records request for the year-end expenditures for 2018.

Mr. Mark Schildhouse and Ned Wasserstein, owners of the Waterstone Medical Building. Mr. Schildhouse stated that the Waterstone Building has been in University Heights for over 40 years and in the last year there has been approx. $50,000 in upgrades done to the building. Noting that they are committed to being good corporate citizens of University Heights, Mr. Schildhouse commented that they are directly affected by the University Square property and have had a loss of several long-term tenants due to University Square. With that said Mr. Schildhouse made the following request: (1) that the City’s Sign Ordinance be revised to allow LED lighting; (2) either remove, make smaller or move the existing monument sign 30ft. so that it doesn’t block cars visibility entering and exiting onto Cedar Road and; (3) consider allowing an entrance way off Miramar Blvd.

Mr. Wasserstein noted that the fire line has been ruptured ever since University Square was built. Noting the disruption of business for his tenants when University Square was built, Mr. Wasserstein explained why they wanted vehicle access to Miramar Blvd. in event any work is done to University Square. Over the years Mr. Wasserstein stated that they have loss 30% of their quality tenants and if the City doesn’t help it may limit their ability to have quality tenants.

Mrs. Shelia Hubman, 2532 Ashurst noted that months ago the city had said the chair lift at City Hall would be replace and asked for a progress report on that project.
Mr. Ciuni responded to Mrs. Hubman question and reported that bids were accepted in November 2018 for the chairlift, only one bid was received. The Administration decided to go out for bids a second time to see what other companies would bid. Mr. Ciuni said that he personally contacted and provided the specifications and legal notice for the chairlift to 10 different contractors. But again, only one bid was received for the bid opening on December 21, 2018. Mr. Ciuni stated that he was in the process of speaking with the contractors who did not bid to see why? Mr. Ciuni commented that he did hear from Gable Elevator and although they provided a price quote of $52,000 back in July 2018 but they refused to bid in either opportunity because of several reasons one of which are all of the turns, angles and head room that the lift has to make and that the lift may fail, and their reputation is more important. Mr. Ciuni added that the same company that bid the first time bid the second time and he is again talking with the other companies to see why they didn’t bid. Mr. Ciuni said that he has not made his recommendation to Council yet but if and when Council decides to move forward the timeline is 9 weeks for the lift to be built and then 2 to 3 days for installation.

Mayor’s Report

Tonight I begin with a major announcement. The results of the University Heights Name that Chicken Contest.

There were many proposed names submitted. Names like Patty, Tender, Nugget, Curry, Picatta, Cordon Bleu, Extra Crispy, Marsala, Lincoln Park – these delectable names were all submitted by adults and thankfully were not valid entries in the contest, as we accepted entries only on behalf of children. There is one winning name but two winning entrants, as two children nearly simultaneously submitted the same winning name.

It is my honor to announce that the winning name is (drum roll please) …. Cooper.

“Cooper” is the name of the University Heights chicken.

Clare Dolan (age 13) and Jackson Lovato (age 9) both provided the winning entry. I understand Clare is here with her mom Christy and some (three) other family members. Jackson is here with mom Lisa and a few family members, including brother Peyton who submitted the name “Ken.” Also clever, but there can be only one winning name, and Cooper is it. We have here a good bag for both winners, and I’m happy to present them now, and get a photo.

One year and four days ago, I presided over my first city council meeting as your mayor. In the last year, no day has ever been routine. Every day has brought new challenges, new opportunities, and new insights. We got a lot done in 2018. And there is more to come. I will be reporting to the people of University Heights at my first The State of the City address, on February 13, 2019 at 7pm at the Jardine Room at JCU. And because I’ll be reporting then, you are all relieved from getting a blow by blow now.

But let us now talk about leaves. As of yesterday, Sunday, January 6, 2019, the 2018 Leaf Collection season has reached a conclusion. I have been reviewing the process from this year, what worked, what didn’t, and we will be implementing some changes with respect to staffing, temporarily banning street parking on the streets our crews are on to allow them room to work and prevent people from being skipped, and reversing the effects of global warming so that the leaves all come down in an orderly fashion. Except for that last one, these are just some of the measures this administration is considering.

Two weeks from tonight is Martin Luther King, Jr. Day. In celebration and in honor of Dr. King’s memory, I invite children of all ages living in or attending school in University Heights to enter an essay contest in celebration of Martin Luther King, Jr’s 90th birthday. Dr. King’s message remains important today as we still are striving to make his dream a reality. It will soon be the responsibility of the next generation to further implement Dr. King’s vision and goals.

Participants are asked to respond to the question below in 500 words or less.

What do the words of Martin Luther King, Jr. mean to you and how do they apply to the world today?
Award winners will be invited to City Hall for an awards presentation. One winner will be chosen per participating school (public, private, and home schoolers as a whole).

Submissions can be sent to City Hall or emailed to info@universityheights.com. They should include the school and the grade of the student. Essays must be received by Tuesday, January 15, 2019 at 4:30 pm.

Upcoming meetings here at the city.

Our city CIC will have its first meeting tomorrow night at 6pm in the conference room.

The Memorial Day Parade Committee will have its first organization meeting tomorrow night at 7pm here in council chambers.

The Citizens Committee on Parks and Recreation will meet on Tuesday, Jan 22 at 6:30pm here at CITY HALL. Agenda items will include potential improvements to the community park, and the potential installation of a seasonal ice rink.

**Agenda Items:**

A. Motion to Accept Planning Commission Recommendation 4419 Churchill Boulevard Ronald Kluchin, Architect (Andrew & Isa Lefkowitz) request for a 18.4% Land Variance to build an attached private indoor pool house

Neither Mr. Kluchin nor Mr. or Mrs. Lefkowitz were present.

Mr. McConville stated that the Planning Commission met to consider the application of Andrew and Isa Lefkowitz and presented by their architect Mr. Kluchin in which was proposed an addition onto their home at 4419 Churchill in conjunction with both a demolition and rebuild of the adjoining homes that they own on Groveland that back up to the parcel on Churchill. Mr. McConville added that the reason for the demolition that was provided to the Planning Commission was that the demolition and rebuild proposal on Groveland was that there is no other way to access the back of the property on Churchill. For purposes of construction, the building or addition that is being proposed to be added onto the home on Churchill will house an indoor swimming pool. According to city regulations the allowable land coverage is 25% and the applicant needs a 18.4% variance from the land coverage requirement. Mr. McConville stated that the Planning Commission members to approve the site plan along with approving the demolition and rebuild; subject to some contingencies. The most notable contingency was that the applicant enters into a development agreement with the City. The agreement would contain bonding which would be sufficient to ensure that the home on Groveland would both be demolished and rebuilt in a narrow timeframe and giving the City the ability to access funds to build a home on the property if the applicant did not. Secondly, is the approval and granting of the land coverage variance from the Board of Zoning Appeals.

Mr. McConville addressed the topic of receiving the land coverage variance from the Board of Zoning Appeals. Noting that having the variance be vetted by the Board of Zoning from the Planning Commission is a change in procedure for the City and is the result of the change and composition of the Board of Zoning Appeals that was effective last year and the removal of Council as an appellate body to the Board of Zoning. Previously any Board of Zoning Appeals decision could be appealed to Council, so Council served as the final decision within the City for any Zoning decision. However, when the Zoning Board was reconstituted that layer or any layer of appeal of a Board of Zoning Appeal decision be directed to the Court of Common Pleas. As a result, City Council no longer serves as the final auditor of Zoning matters and therefore it is no longer appropriate for the Planning Commission to consider variances request that end up before Council. This brings the City more inline with what other Municipalities do in terms of the approval of plans and the granting of variances. Mr. McConville added that Council would not be approving the variance itself but approving the site plan with any contingencies that Council wanted to put on the approval provided that the variance that needed will be heard by the Board of Zoning Appeals.
Mayor Brennan added that because neither the applicant nor the architect was present, and that Council would benefit from hearing from them it may be best to table this item and the next item until Mr. Kluchin could be present.

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS to table agenda item “A” the site plan for the proposed attached private indoor pool house located at 4419 Churchill Boulevard Ronald Kluchin, Architect and Andrew & Isa Lefkowitz homeowners until a representative can be present to present the project and answer questions. On roll call, all voted “aye.”

B. Motion to Accept Planning Commission Recommendation Ronald Kluchin, Architect (Andrew & Isa Lefkowitz) to Demolish house located at 4458 Groveland (721-21-007)

There was no further discussion for this item.

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS to table agenda item “B” the approve to demolish the house located at 4458 Groveland (721-21-007) until a representative can be present to present the project and answer questions. On roll call, all voted “aye.”

C. Motion Accept the Vacation and Dedication Plat for University Blvd. Median Area

Mr. Grogan-Myers stated that he discovered that this parcel has been owned by the City since 1955 when it acquired it via a tax foreclosure and sale from the Van Swearingen Company. Mr. Grogan-Myers identified the land as being the treelined median on University Boulevard near Fairmount Circle. This is the only treelined median in the City that is actually a parcel, all other treelined medians are dedicated public right away.

Mr. Ciuni added that the City of Shaker Heights will also be Vacating and Dedicating the portion of median that it is in Shaker Heights, that portion also has its own separate parcel number.

Mr. Sims clarified that there was no intent to change the use/purpose of this parcel and that this was an administrative action.

Mr. Ciuni replied that the Administration wants this parcel to become a dedicated public roadway and part of the public roadway is the grass median area. Currently this is a piece of property that is sitting in the middle of the road.

Mr. Rach added that it was discussed at the Planning Commission meeting that University Heights will continue to be managed and maintained the median.

MOTION BY MR. SIMS, SECONDED BY MRS. WEISS to accept the Planning Commission recommendation to accept the Vacation and Dedication Plat for the University Blvd. Median Area. On roll call, all voted “aye.”

D. Resolution Motion to seek bids to abate the public nuisance at 3765 Meadowbrook Boulevard (PPN 722-22-016)

Mr. Grogan-Myers noting that this was the same property that Council declared a public nuisance in June 2018 and that this is in effort to request authorization to seek bids for the interior clean-up and sealing of the property located at 3765 Meadowbrook. The City has continued to try to reach the homeowner with no avail. Two administrative warrants have been obtained from Shaker Heights Municipal Court; one was for the initial inspection to declare the property a nuisance and the second was recently in relation to a complaint that windows were broken and allow the Administration to secure the property.

Mr. McReynolds added that the owner continues to pay the property taxes but hasn’t attempted to contact or return any of the letters or phone calls made by the City.
Mr. Wiseman asked if the City had contacted the Land Bank because they have staffing who jobs is to go to out and assess properties such as this and provide an estimate of the cost to remediate it and make it a house again. Mr. Wiseman also noted and asked if the City could contact the law firm that fixed up the house on Silsby Road because just taking action and placing the cost on the tax duplicate may only delay the process a little more. Mr. Wiseman added that he would be in favor of anything that the City can do to clean it up and to make it a house again. For the record this is only to clean the house up and not to demolish it.

Mr. Rach asked if the owners were local and who is maintaining the yard.

Mr. McReynolds stated that the owner may not be local, within the area to serve court papers.

Mr. Grogan-Myers commented that via google searches he has been able to find 3 local addresses, but so far 2 of those letters have come back to the City undelivered. It’s not known who has been cutting and maintaining the grass.

Mayor Brennan added that it appears that the mortgage and property taxes are all current. So, someone is placing occasional money and care into this house on a certain level but not at the level that prevents it from being a nuisance.

**MOTION BY MRS. PARDEE, SECONDED BY MR. RACH to seek bids to abate the public nuisance at 3765 Meadowbrook Boulevard (PPN 722-22-016).** On roll call, all voted “aye.”

**E. Motion to Accept City Engineering Service Rate Fees from GPD Group for 2019**

Mr. Ciuni stated that GPD Group held it’s rated for 2017 into 2018 and are now asking for a modest increase for 2019. Mr. Ciuni noted that the rates are the same for all the municipalities the GPD Group represents.

Mayor Brennan recommended that Council approve the increase in rates charged by GPD Group.

**MOTION BY MR. ERTEL, SECONDED BY MRS. WEISS to Accept City Engineering Service Rate Fees from GPD Group for 2019.** On roll call, all voted “aye.”

**F. Ordinance 2019-01 Updating Chapter 14 of the Codified Ordinances by Enacting Sections 1424.11 Entitled “Cancellation Fee” and 1424.12 Entitled “No Charge Permit.”**

Mr. Grogan-Myers explained that this legislation allows that cancellation fee of $100 can be charged to contractors, landlords, property managers, real estate agents, etc. who cancel an appointment with less than 24-hour notice. The no charge permit is the City’s standard practice when it hires any contractor to do work. The contractor still has to register and get the required permits for any work but there is no cost for the permit(s).

Mr. Sims asked for clarification because Mr. Grogan-Myers indicated that if a party cancels an appointment that the City “may” charge a fee. Mr. Sims felt that the wording should be “shall” charge.

Mr. Grogan-Myers said that the language is written so that he would have a little bit of administrative discretion only in the case of extraordinary circumstances.

Mr. McConville voiced his concern about that type of administrative discretion because the law should apply equally and that everyone who negates in canceling an appointment prior to 24 hours be charge the fee without expectation.

Mr. Wiseman suggested that when inspection appointments are scheduled that literature stating the policy for cancellations be provided to protect the City.

Ordinance 2019-01 was placed on first reading.
G. Motion to hold an executive session immediately following this regular meeting for the purpose of discussing personnel, legal and real estate matters

Mayor Brennan noted the need to hold an executive session for real estate matters.

MOTION BY MR. WISEMAN, SECONDED BY MR. ERTEL to hold an executive session for the discussion of real estate matters.

Directors’ Reports

Finance Director – Mayor Brennan read Mr. Goffe’s report.

Paperwork is being finalized with Leasing 2 Inc. for the financing of the Fire Department 2019 Sutphin heavy-duty 100-foot mid mount aerial ladder truck.

Implementation of VIP Fusion Accounting and Payroll System: The Finance Department is working on the implementation of the new accounting system. The issuing of purchase orders and payments through the VIP Fusion general ledger is expected to begin this week. The switch of payroll processing from ADP to the new accounting system is not expected to occur until February of 2019. Due to the switch between accounting systems Council should expect to see a supplement to the temporary appropriations on the next Council Agenda in order to re-appropriate carryover fund balances associated with carry over 2018 purchase orders.

Law Director – Luke McConville provided the follow updates:

Property at 3958 Silsby ~ the Probate Court has ruled in favor of the guardianship of Ms. Rhoda Miller application to sell the property. Mr. McConville added that he has been in touch with their legal consul and anticipates having a signed purchased agreement within 24 hours with a closing date of February 7, 2019.

The Speedway at the Cedar and Green intends to sign the plat this week.

An administrative warrant will be filed on the formal KFC property located at Cedar and South Taylor Road so that the City’s appraiser can walk the exterior of the property and issue an appraisal for the purposes of pursuing ownership.

Police Department – Chief Rodgers provided the following hiring updates. There are four patrol officer positions available – two new officers started last week; and both have prior police experience. Two officer candidates are having background checks done and it is hoped that the new administrative position will be fill the first week of February.

Fire Department – Chief Perko reported that just prior to the Council meeting the department held its formal swearing-in ceremony for the 4 new hires and the 5 officers who were promoted. The 4 new hires have completed their four-weeks of orientation training. Additional hiring is still ongoing. The Prevention Office is opened, and the new Administrative Assistant has also started working in the Department. Four CPR classes will be held in 2019 – the first class will be on January 24 at the University Heights Public Library. Chief Perko also reminded residents to properly discard their live Christmas trees so that they don’t dry out and become a fire hazard.

Mr. Ertel asked about the grant for residential smoke detectors.

Chief Perko replied that the grant hasn’t been awarded yet.

Service Department – Jeff Pokorny reported that leaf pickups have ended. Tree pruning project has begun in the Ashurst/Edgerton/Dysart area.
Building Commissioner – James McReynolds reported that Planning Commission met the previous week; the Mikvah project continues to move forward and they will be evaluating the sewer lines to assess if opening the street pavement will be necessary and if so to what extent. Bellefaire is continuing with their work on Building “G” the foundation is in and the concrete block walls are being placed. There are six cases on the housing docket. And, lastly the Board of Zoning meets on Wednesday.

Communications and Civic Engagement – Mike Cook reported that planning for the Memorial Day Parade kicks off with a meeting on Tuesday, January 8.

Economic Development - Susan Drucker reported she continues to visit and promote the local businesses. Working with Fire Prevention to create a retail data base with various types of information; i.e. square footage, vacancies, etc.. Continuing to work with Mr. Grogan-Myers in updating the Zoning Code as well the policy for the Storefront Improvement Program.

Mr. Sims asked Mrs. Drucker if she has been in contact with the owners of the Waterstone Medical Building to help them with their issues of maintaining and getting tenants. And noted that he thought it would be the Economic Developments area to assist in their concerns and economic issues.

Mrs. Drucker replied that she has met and is working with Mr. Wallerstein, Mr. Minch and their retail broker.

Community Development – Patrick Grogan Myers reported that the Housing Department is working on cleaning up and organizing the 2018 records/permits. The Department is also working on its annual report. The Heritage Loan Program reported that it spent 169 hours on inquires, site visits and technological assistance signed 3 loans in 2018 for a value of $116,000 compared to 4 loans in 2017. The City has the Community Recycling Awareness Grant via the Cuyahoga County Solid Waste District where maybe a refrigerator magnet will be distributed.

Lastly, Mr. Grogan-Myers provided a brief presentation showing the new GIS Program he is working on that will in part be use for educating new residents on City regulations such as trash day, who their Council representative is, where waterlines are, etc.

Mr. Sims asked about the resident tax abatements for home improvements; where does the program stand, where can residents get the applications and at what point/time do home improvements qualify.

Mr. Grogan-Myers replied that the Community Reinvestment Area (CRA) program is in progress, the application is being developed. The Building Commissioner is the named housing officer for the CRA with the Building Department accepting the applications.

Mr. McConville replied that any investment that occurred from the date of passage of the Ordinance can have an application submitted for review to see if it met the requirements. Specifically, the minimum dollar amount of investment and dollar amount of increased evaluation that is necessary for the abatement to apply. Secondly, from an administrative standpoint the CRA has been approved by the Ohio Development Services Agency so the program does exist, there is a CRA. The City can begin to accept applications as soon as it is done with developing the applications.

There were no other director reports.

Standing Committees

Building Committee – Councilman Wiseman reported that a meeting is needed to review how allowing Chickens in University Heights has been going. The policy has been in effect for almost a year.

Finance Committee – Vice Mayor Pardee reported that the Finance Committee along with the Financial Advisory Commission will meet at the City Hall annex 2245 Warrensville Center Road on January 31, February 7 and February 14 at 7pm.

Civic Information – Mrs. Cameron reported that the Civic Information will meet soon regarding the “Move to Amend Bill”. Mrs. Cameron also provided personal heartfelt comments regarding her position as a Councilperson.
There were no other committee reports.

MOTION BY MRS. PARDEE, SECONDED BY MR. RACH to resume the regular Council session. On roll call, all voted “aye.”

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

There being no further business, the meeting was adjourned.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council