

**MINUTES COUNCIL MEETING  
CITY OF UNIVERSITY HEIGHTS, OHIO  
JUNE 18, 2018**

A reception honoring and celebrating Walter Stinson's (Director of Senior Affairs) 90<sup>th</sup> Birthday was held prior to the Council meeting.

Mayor Michael Dylan Brennan called the regular meeting to order at 7:05p.m.

Roll Call:

Present: Mrs. Pamela Cameron  
Mr. Phillip Ertel  
Mr. John Rach  
Mrs. Michele Weiss  
Mr. Mark Wiseman

Absent: Mr. Steven Sims  
Mrs. Susan Pardee

Also Present: Law Director Luke McConville  
Clerk of Council Kelly M. Thomas  
Police Chief Dustin Rogers  
Fire Chief Robert Perko  
Building Commissioner James McReynolds  
Community Development Patrick Grogan-Myers

**MOTION BY MR. WISEMAN, SECONDED BY MRS. WEISS to excuse the absence of Mr. Sims and Mrs. Pardee. On roll call, all voted "aye."**

Approval of Minutes from Regular Meeting June 4, 2018

Mayor Brennan asked for a motion to table the Council Minutes from June 4, 2018 because Mrs. Thomas was previously in a car accident, so the June 4, 2018 minutes were incomplete.

**MOTION BY MR. RACH, SECONDED BY MRS. CAMERON to table the Council minutes from June 4, 2018. On roll call, all voted "aye."**

A moment of silence was held for the loss of Andrea Battle Sims, wife of councilman Steve Sims. Andrea passed away on June 8, 2018. Mayor Brennan stated that Mrs. Sims had touched more hearts in 61 years than many of could touch in 100 years.

**Comments from Audience**

Eighteen people from the audience spoke for a little over 1 hour about their displeasure and concerns about the increase in rental registration fees. The concerns included but weren't limited to: not knowing about the proposed increase in a timely fashion prior to Council voting on it, taking away homeowners ability to invest in the City, the fees are unjust, apartments should have to pay the same fees, requested that a study be conducted on the level of occupancy of homes, the City should embrace rental properties, conducting inspections every 2 years is reasonable, many John Carroll students rent and the fee increase is obsessive and unjust, what will the extra inspections accomplish, how where the dollar amount of the fees decided, neighboring Cities rental fees are nowhere near these fees, more research should be done and the Ordinance should be frozen or tabled so that the landlords can work with the City to develop a better plan.

During a portion of the Audience Comments Mayor Brennan thanked everyone and noted that the City was honoring and congratulating Mr. Walter Stinson on the occasion of his birthday and asked if there could be a motion to take a break during the audience portion so that Mr. Stinson could be recognized and then return to the audience comments for any remaining comments and then continue with the remainder of the agenda.

**MOTION BY MR. ERTEL, SECONDED BY MRS. CAMERON to move up the agenda item "A" a Resolution to Honor and Congratulate Walter Stinson on The Celebration of His 90th Birthday and Designating June 24, 2018 "Walter Stinson Day" before the Mayor's Report to the Community. On roll call, all voted "aye."**

## **Mayor's Reports and Communications to Community**

Mayor's Report: June 18, 2018

Before I begin, I would like to acknowledge the loss of Andrea Battle Sims, the wife of Councilman Steve Sims. Andrea left us on June 8<sup>th</sup>. She was 61 and touched more hearts in 61 years than most of us can hope to do in 100. I ask for a moment of silence in remembrance of her. Thank you.

Today marks our last meeting before the summer legislative recess. Our work as a city continues, both in administration, and legislatively. While our next regular meeting is not until Tuesday, September 4, 2018, the day after Labor Day, I anticipate at least two special meetings, at least one of them in July. On the anticipated agenda for those meetings: (1) approval to go to bid, and then to accept the bid, for the Silsby pocket park; (2) provided our application for CDBG funds for the Cedar-Green project is accepted, then we will need approval to go to bid, and then a meeting to accept the bid; (3) we have to develop and implement a small cell ordinance and pass it by July 31, when state law on small cell wireless facilities ("mini towers") takes effect; (4) we have on first reading tonight an ordinance establishing a Community Reinvestment Area in our city, which is needed for the residential tax abatement program we are working on. We have submitted our housing report to the state, and we are awaiting preapproval from the state. In the meantime, we are having a first reading on the ordinance for the proposed CRA and anticipate having a second reading and vote at a special meeting after we hear back from the state.

Since our last meeting in my capacity as safety director, I attended the Cuyahoga County Emergency Management Summit, held by the Cuyahoga County Office of Emergency Management. Speakers included representatives of FEMA, Homeland Security, and the Ohio Emergency Management Agency. We had an extensive discussion and analysis of the multi-department effort to respond the fire at the ARCO Dump.

Last week we held, and I attended, the free seminar on Backyard Composting presented by the Cuyahoga County Solid Waste District. Even if you missed the seminar, composting containers and tools, competitively priced, are available from the county solid waste district.

This past Monday, June 11, the city began accepting applications for Police Officer. Applications will continue to be accepted from the first 100 applicants and must be returned by no later than 4:00 p.m., this FRIDAY, JUNE 22, 2018. The notice, including qualifications and details for the exam, are available on the city's website.

While we are on the subject of employment opportunities with the city, I posted the position of city Finance Director on June 7. Applications are already being submitted. The city has also posted the positions of part time refuse collector and full-time assistant mechanic. We will soon be posting for two additional hires in the building department, one on the administrative/office side, one to serve as an additional rental inspector. We have approximately 915 registered rentals in this city, more than this city has ever seen, and with the rise of neglectful absentee landlords and in the interest of protecting and preserving our neighborhoods, the increase of enforcement of our rental ordinances is paramount. We are in the thick of the process of selecting an economic development director and a communications and civic engagement coordinator. Look for announcements in the next few weeks.

Last Thursday, was the first concert in our city summer concert series, and with that, the first food truck of the summer. Kyle Primous and the K Street Band entertained us while Off the Griddle fed us. This Thursday at 7pm we will have the smooth jazz of the Barbara Knight Quintet together with Chef Grey Wolf's food truck. We visited the Chef Grey Wolf truck today at Legacy Village, and among us had the hummus, falafel, stuffed grape leaves, quinoa salad, lamb patties and gyro meat. So, this Thursday, go to the JCU Hamlin Quad, go hungry, leave happy. The Quad is located between the Dolan Science Center and the Administration Building. Enter JCU at the main gate off Fairmount Circle, veer to the right, drive past the science center, and you'll see it. Bring a blanket or a bagged chair and enjoy.

Tomorrow, Tuesday, June 19, Yoga in the Park resumes. That's at Community Park from 6:30 to 7:30pm, every Tuesday evening through August 15.

Also, this week, we are having a meeting with Dominion East Ohio gas to discuss their ongoing failure to restore properties where they have performed gas work. I have a list here of properties on Green Road, on Churchill, on Groveland, on Silsby, on Campus Rd, on Northwood, on Meadowbrook, where the gas company performed work, promised to restore the land, the grass, the pavement, etc., and they have so far failed to fulfill their promises. We are not going to let them get away with it. I have had too many residents come to city hall, at wit's end, wanting to sue to get what they rightfully have coming, just to have their property restored. And I have called a meeting. They're coming down here, and they're going to have to explain why they haven't done it, and we're going to explain what they're going have to do to fix it. The residents are tired of putting up with their delays and excuses, and we will work to get satisfaction. We will hold the gas company to their promises and obligations.

We will be having a Community Safety Meeting on Wednesday August 1<sup>st</sup> at 7:00pm at Donahue Auditorium at the Dolan Science Center at JCU. Featured speakers will include Interim Police Chief Dustin Rogers, Interim Fire Chief Robert Perko, Law Director Luke McConville, Prosecutor Michael Astrab, and myself as city Safety Director. This is an opportunity to learn more about our city's increased efforts in law enforcement and public safety, and also an opportunity for residents to ask questions of us on these subjects. This concludes Mayor's report.

**A. Resolution 2018-34 Honoring and Congratulating Walter Stinson on The Celebration of his 90<sup>th</sup> Birthday and Designating June 24, 2018 "Walter Stinson Day"**

Mayor Brennan read Resolution 2018-34.

**MOTION BY MR. ERTEL, SECONDED BY MRS. CAMERON to approve Resolution 2018-34 Honoring and Congratulating Walter Stinson on the Celebration of his 90<sup>th</sup> Birthday and Designating June 24, 2018 "Walter Stinson Day." On roll call, all voted "aye."**

**B. Confirmation of Mayor's Appointment of Steven Dlott to the Civil Service Commission**

Mayor Brennan introduced Mr. Dlott and stated that Mr. Dlott was longtime resident of the city and meets the qualifications for appointment to the Civil Service Commission. Mayor Brennan voiced his delight in having Mr. Dlott's willingness to serve on the Commission as it is a valuable and important three-member Commission in the city and his looking forward to having him serve the city in the capacity of being a member of the Commission.

Mayor Brennan noted for the record that this appointment would be to serve an unexpired term. The terms are normally six-year terms and the City is in the process of normalizing and readjusting where the terms are supposed to fall. This particular term was off by a one-year, so Mayor Brennan commented that he believed the balances for an additional three years on this term was in order to normalize it and put it in line with the other terms that are presently in effect and held by the other two board members

**MOTION BY MR. WISEMAN, SECONDED BY MR. RACH to appoint Mr. Steven Dlott to the unexpired Civil Service Commission term of Mr. Thomas Belden. On roll call, all voted "aye."**

Mayor Brennan administered the Oath of Office to Mr. Dlott.

**C. Declaring 3765 Meadowbrook a public nuisance**

Mayor Brennan stated that Members of the City's Administration along with the Police and Fire Departments entered the property at 3765 Meadowbrook to conduct a court approved inspection and give the floor to Building Commissioner James McReynolds and Community Developer Patrick Grogan-Myers to inform every one of the findings.

Photos of the exterior and interior of 3765 Meadowbrook were provided to Council members. Both Mr. McReynolds and Mr. Grogan-Myers McReynolds spoke to the conditions they found the house in upon entry stating that it was obvious that the house had been abandoned for some time.

Mr. Grogan-Myers added that part of the reason we initially sought the administrative search warrant because of complaints from the neighbors which had been occurring for quite some time regarding the presence of rodents coming to and from home. It had gotten so bad that neighbors starting to pay pest control for extermination of these pests on their own. Debris was found all over the house to the extent that you were walking on debris and not the actual floor. It was apparent that things that had been collecting over the years, dirty dishes and food were piled high through the kitchen, etc. this continued all throughout the house. There has been minimum contract with the property's owners and the property is adversely affecting the neighbors.

Mr. Wiseman commented that Council had passed a vacant property statute to help the City go after the responsible parties for these types of conditions. Mr. Wiseman added that he hoped that the Administration would double their efforts even after the house is declared a nuisance to find who the property owner is or to go after somebody to get their attention because at the very least it would help to have is a clear title. Perhaps if we approach the party they may see some of the pictures and would hopefully say we don't want it so you (the City) take it. Then it'd be easier to get the land back to remedy the situation. In the case of this property Mr. Wiseman said he appreciated the Administrations work. This is very clearly a health hazard for the people around it, it stopped being a house a long time ago. Mr. Wiseman asked Mr. McReynolds if structurally speaking how did the house look, during the inspection were an even though there was no electricity did it

appear that were any possible working moving parts, i.e. the furnace, air conditioner, etc. Since the property hasn't been looted is it possible that once the property is cleaned up that maybe somebody could make it into a livable house over a period of time.

**MOTION BY MR. RACH, SECONDED BY MR. WISEMAN Declaring 3765 Meadowbrook (ppn 722-22-016) as a public nuisance. On roll call, all voted "aye."**

**D. Presentation by Invisible Fence Company ~ Donation of Pet Oxygen Mask to Fire Department.**

Fire Chief Perko introduced Scott Munson, General Manager from Invisible Fence.

Mr. Munson informed everyone that Invisible Fence was donating two new pet oxygen masks to the Fire Department and First Responders. Each mask comes equipped with a large medium and a small pet oxygen mask and is made from surgical grade materials. Mr. Munson demonstrated how the mask on Zeus (dog) and noted that each mask comes with its own tube that fits onto the oxygen tanks that the First Responder is wearing. The kit is very versatile and is small enough for hamsters and very puppies. Mr. Munson added that the masks have saved tens of thousands of pets and congratulated the Fire Department for having the mask in the fleet of equipment, so that the next time tragedy strikes pets will have a better chance to live.

Noting the lock boxes the Fire Department started placing in homes to help aid them to gain entrance in home during an emergency, Mr. Wiseman asked Chief Perko if there was something that could be recommend for people to place on their houses to let the department know a pet was inside. Many years ago, there used to be pet saver stickers that owners could homeowners place on their windows.

Chief Perko said he would look into it, adding that the department aids human lives first.

**MOTION BY MR. WISEMAN, SECONDED BY MR. ERTEL accepting the donation of two (2) pet oxygen masks to the Fire Department from the Invisible Fence Company. On roll call, all voted "aye."**

Mayor Brennan thanked the representatives from Invisible Fence for bringing Zeus and for the generous gift of pet oxygen mask.

Mr. Ertel excused himself from the meeting at this time.

**E. Approval for Fire Department Entering into an Annual Subscription with Lexipol, LLC for Ohio Fire Policy Manual, Daily Training Bulletins with SPS Procedural Content and Implementation Support in an amount not to exceed \$14,999.00**

Fire Chief Perko said that when he was appointed one of the first orders of business was to start looking at the Department's policy manual as it had not been updated for approximately 15 years. In fact, one manual is somehow morphed into seven different manuals that kind of contradict each other and have conflicting policies. Lexipol will provide a much-needed approach to cleaning up the Fire Department's policy procedures. With Lexipol holds the market so it stays specific. Lexipol offers accreditation and reporting training that is all web-based so if there's a policy or procedure that needs to be referenced out in the field it can be looked up on the computers in the apparatus when a new policy is vetted or rolled out. A training process is also included so that all members go through and sign in that they've actually completed the training and so that administration knows that the members understand and accept the policy's ideas. This will also aim to lower litigation claims within the fire department or in the city.

Police Chief Rogers added that in both Police and Fire packets there is a map of State of Ohio that shows the different agencies both police and fire not only in Northeast Ohio but statewide, a few other talking points are provided in the packets.

Mr. Rach noted that this program was presented at the Safety Committee meeting.

Mr. Wiseman asked for clarification that the City will be paying for two things; (1) update the policy procedure manuals and; (2) provide the City with updates on an ongoing basis for various updates for changes in law, case or procedure. Mr. Wiseman asked if the cost would be prorated since the contract would be entered in July.

Chief Perko replied that there would be a standard cross-reference of things and that the fire department has over approximately twelve hundred pages of policy. The police department may have more for them to take a look at to see if all of those policies are applicable or not and to see how they apply to their current system. The City will receive a 10% discount if both police and fire join and then they will also wave the extraction charge which is where they take all of our recommendations as a new customer moving forward for implementation. The number of hours can be shared between police and fire. The current cost to have the policy procedures manual updated would be \$14,000 a year the annual subscription and then going forward the cost would be \$8,000.

Mayor Brennan added that if we're looking only at this contract with respect to fire it is within the mayor's spending authority. But one of the reasons we brought this before Council was because we're looking to enter into two separate contracts with Lexipol and the two combined would exceed the \$15,000 spending limit. It seemed to make sense to bring it to council and not treat it as two separate expenditures but as a singular one.

Mr. Wiseman commented that he was sure that the Law Director was familiar with the proposal and the services being offered.

Mr. McConville replied that he was familiar with the product from another municipality and that municipality's Police and Fire rave about Lexipol and in particular the training portions. Mr. McConville said he was presuming that the City would be paying for a one-time cost for the policy manual and then a annual fee for the updates and education.

Chief Perko stated that the annual fee going forward after implementation would be \$7,352.00.

**MOTION BY MR. RACH, SECONDED BY MRS. WEISS to approval the Fire Department entering into an Annual Subscription with Lexipol, LLC for Ohio Fire Policy Manual, Daily Training Bulletins with SPS Procedural Content and Implementation Support as presented. On roll call, all voted "aye."**

Mr. Wiseman asked if the motion needed to include a dollar amount.

Mr. McConville noted the motion was fine as stated because the expenditure does not exceed the Mayor's spending authority, so it would require Council's approval.

Mr. Rach added that he was in agreement with the motion in that the contract was transparent and well within the Mayor's spending authority.

**F. Approval for Police Department Entering into an Annual Subscription with Lexipol, LLC for State and Federal Specific Policy, Policy Training, Automatic Policy Updates, Compliance with Office of Criminal Justice Services Certification Process/Ohio Collaborative in an amount not to exceed \$14,999.00**

Police Chief Rogers reported that the constant monitoring of policy, especially in law enforcement when certain policies are considered high risk policies. These will be constantly monitored and reviewed at least twice a year. The policies are created to identify and acknowledge best practices while monitoring case law that could impact specific policies, especially those of high risk on a real-time basis. The annual subscription with Lexipol includes providing clear benefits of State and Federal specific policy, policy training, automatic policy updates, etc. The fees are prorated starting in August 2018 throughout years end for \$4,794.00. The cost of year two, 2019 would be \$11,506.00. The total cost for the first year is \$14,999 and that is the amount that would be due in August 2018. Chief Rogers added that this system doesn't just require the officers to read the policies but to also take part in scenario trainings.

Mrs. Weiss thanked the Chief for bringing this before Council even though it is below the Mayor's spending authority and that she believes it will be a great resource.

Mr. Wiseman questioned if the City would be bound to the contract for any amount of time.

Chief Rodgers replied not that he saw but also added that it will take 8 to 10 months to enact the program.

**MOTION BY MRS. CAMERON, SECONDED BY MR. RACH to approval the Police Department Entering into an Annual Subscription with Lexipol, LLC for State and Federal Specific Policy, Policy Training, Automatic Policy Updates, Compliance with Office of Criminal Justice Services Certification Process/Ohio Collaborative in an amount not to exceed \$14,999.00. On roll call, all voted "aye."**

**G. Ordinance 2018-33 Implementing Sections 3735.65 through 3735.70 of The Ohio Revised Code, Establishing and Describing the Boundaries of a Community Reinvestment Area in the City of University Heights, Ohio, designating a Housing Officer to Administer the Program, and Creating A Community Reinvestment Housing Council and A Tax Incentive Review Council (on first reading)**

Mrs. Weiss updated everyone and stated that currently the City is waiting for the State to review the submitted report. This Ordinance will provide a 10 – 15-year tax abatement on current home additions or constructions. This program will be great for the City and the hope is that citizens will utilize this to update their homes and stay in the City.

Mr. McConville stated that this allow for the creation of a community reinvestment area and that the municipality is then mandated to designate an area and in this case City Council has designated the entire City as the community reinvestment area in which abatements can be granted. The statues also call for the City to submit a substantial housing report to the State Department of Development for their review and approval. The point of the housing report is to demonstrate instances in which investments have been discourage in the City. The report has been prepared and submitted to the State by Mr. Grogan-Myers.

Mr. McConville pointed out that Section 4 of the Ordinance sets thresholds so in respect to residential housing any investment between \$2,500 and \$25,000 is eligible for a 100% abatement for 10 years and any investment over \$25,000 is eligible for a 100% abatement for 15 years. Mr. McConville noted that the abatement is not one the amount invested, it is on the increase of assessed value of the property as a result of the investment. For example, if someone invest \$75,000 on an addition to their home and the assessed value of the home goes up by \$25,000 they would be eligible for a 100% abatement for 15 years for the \$25,000 increased evaluation.

Mr. Wiseman asked what date would the work start date need to occur to be eligible?

Mr. McConville replied as long as the work is completed after the passage of this legislation it would be eligible.

Mr. Wiseman asked about the Section C of the Ordinance that states 15 years of abatement where the structure or dwelling don't contain more than 25 housing units. Is that 25 new home constructions or an apartment building with 25 units.

Mr. McConville replied that a apartment building with more than 25 units would be considered a commercial building for purposes of abatement. The issue is if your build a structure that has for example 10 units in it – under the abatement statue the community reinvestment area ordinance they would be eligible for a 100% abatement for 15 years but once a structure is considered commercial the building gets a 50% abatement unless they get an agreement with the local school district to go above that amount. Typically, any abatement that is in excess of 50% relating to a commercial structure that involves an agreement with the school board and also a commitment of other tax revenues to the school board to make up the difference. Essentially the City needs to be willing to pay out of its own pocket to provide abatements to promote the development. Mr. McConville recommended that Council give serious thought as to what that number should be because the number 25 is no magical number. Different municipalities have set that number at different thresholds; it depends on what the City is comfortable with.

Mr. Wiseman asked if University Square would qualify for the type of abatement because of how it is zoned.

Mr. McConville stated that it would depend. But, yes University Square is in a part of the reinvestment area.

Ordinance 2018-33 was placed on first reading.

## **H. Authorization to Bid Seasonal Staffing**

Service Director, Mr. Pokorny stated that seasonal staffing is used for leaf/brush collection, janitorial services, storm cleanup and that the wages are based on an hourly rate from a temporary staffing agency.

Mr. Wiseman noted for the record that in his years of being on Council this was the first time Council was asked for approval to seek bids for temporary seasonal staffing.

**MOTION BY MRS. CAMERON, SECONDED BY MR. WISEMAN to Authorize the City to seek bids for Seasonal Staffing. On roll call, all voted “aye.”**

## **I. Approval of the Cost of Computers, Printers and necessary IT equipment for the City Annex Location at 2245 Warrensville Center Road**

Mayor Brennan informed everyone that this to supply newly acquired office space for the City’s Economic Director, Community Development Director, City Prosecutor and Special Project Coordinator with the necessary office equipment.

Mr. Rach noted that these are items necessary to conduct work at City Hall, so he was in favor of the purchase.

**MOTION BY MRS. CAMERON, SECONDED BY MRS. WEISS to approve the cost of computers, printers, and necessary IT equipment for the City Annex Location at 2245 Warrensville Center Road.**

**MOTION BY MRS. CAMERON, SECONDED BY MRS. WEISS to amend the motion to include the dollar amount of \$2087.25. On roll call, all voted “aye.”**

## **J. Approval of the Cost of Office Furniture for the City Annex Office Location at 2245 Warrensville Center Road**

Mayor Brennan stated that the lowest and best bid was received from Rite Office Products Inc. in the amount of \$5,300.00.

**MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON for Office Furniture for the City Annex Office Location at 2245 Warrensville Center Road from Rite Office Products, Inc. in an amount not to exceed \$6,000.00. On roll call, all voted “aye.”**

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

There was no need for an executive session.,

## **Directors’ Reports**

Police Chief Dustin Rogers reported that the City’s Road Stripping Project is almost complete. Researching the possibility of creating the position of Honor Guard to the Department depending on the interest of the police department. This position would provide duties such as parades, promotions, retirements, funerals etc. Lastly the electronic sign was returned to the vendor because it wasn’t capable of handling the city’s needs, the department is waiting on a new model to be shipped.

Fire Chief Robert Perko stated that the residential lock box program has started with 4 units being installed at various homes and another approximate 6 more units waiting for installation. The department’s first CPR class (opened to the committee and not just University Heights residents) committee has been formalized to discuss the purchase of a new ladder truck. Lastly the department wants to thank Mr. Adler and the people from the Mivka for allowing the department to train in the house located at 2588 South Green before they had it demolished.

Building Commissioner James McReynolds reported that Bellefaire’s large project is underway with the garage addition with a proposed completion date during the third week of July. After that Bellefaire will start on the demolition of Building G.

Community Development Director Patrick Grogan-Myers reported that the CDBG application for the Cedar Business District has been submitted for funding. The project came in at \$156,000 and the max funding is listed as \$150,000 but the City's Engineer Joseph Ciuni believes the bids will come in lower than the \$150,000.

There were no other Director reports.

**Standing Committee Reports:**

Building Committee: Mr. Wiseman said a committee meeting will be scheduled for some time during the summer.

There were no other committee reports.

**MOTION BY MR. WISEMAN, SECONDED BY MR. RACH to adjourn the meeting. On roll call, all voted "aye."**

There being no further business, the meeting was adjourned at 9:48pm.

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Michael Dylan Brennan, Mayor

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Kelly M. Thomas, Clerk of Council