Mayor Michael Dylan Brennan called the regular meeting to order at 7:00p.m.

Roll Call:

Present: Mrs. Pamela Cameron  
Mr. Phillip Ertel  
Mr. Steven Sims  
Mrs. Michele Weiss  
Mr. Mark Wiseman

Absent: Mrs. Susan Pardee  
Mr. John Rach

Also Present: Law Director Luke McConville  
Clerk of Council Kelly Thomas  
Finance Director James Goffe  
Police Chief Dustin Rogers  
Fire Chief Robert Perko  
Building Commissioner James McReynolds  
Service Director Jeffrey Pokorny  
City Engineer Joseph Ciuni  
Communications and Civic Engagement Mike Cook  
Economic Development Susan Drucker

MOTION BY MR. SIMS, SECONDED BY MRS. WEISS to excuse the absence of Mrs. Pardee, Mr. Rach and Mr. Ertel. On roll call, all voted “aye.”

Approval of Minutes from Special Meeting July 23, Sept. 4 and Sept 17, 2018

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to table all outstanding minutes due to the change-over in the email server and the inability to retrieve them. On roll call, all voted “aye.”

Comments from Audience

Mr. T. Natus, Mr. Nikhil Chun and Mr. Adam Fleischer each are residents of Cleveland Heights and small business owners were presented in representing Citizens for Heights Municipal Broadband. The group has drafted legislation to create a community driven net neutral, revenue neutral, privacy focused internet service provider with services being provided for Cleveland Heights and potential University Heights. The group seeks funding in the realm of $50,000 to $100,000 to conduct an independent comprehensive feasibility study otherwise know as a Broadband Master Plan. Once the study is completed the group intends to create a ballot initiative so that the voters can decide on implementation on the legislation that was crafted by citizens and driven by a number of community driven ISPs for example: Fairlawn, Ohio; Hudson, Ohio; Fort Collins, Colorado and Chattanooga, Tennessee. Thus far the legislation has been presented to the City of Cleveland Heights, CH-UH School Board and the CH-UH Public Library all with overwhelming appeal. The proposed ISP would inject free market competition and of the monopolies and duopolies that are currently offered to the homes in Cleveland Heights and University Heights. The initiative will address growth in areas such as economic development, home values and equitable access to the internet. This is driven by the guarantee of neutrality, personal privacy. The ISP cannot harvest or sell internet usage data about citizens. The ISP will be revenue-neutral and not meant as a profit generating entity of the City, if there is any overage that will be used to reduce the subscription cost. Lastly the group would like to create the formation of a City Municipal Broadband Oversight Committee. Additional details can be found on Heightsbroadband.com. Mayor Brennan stated that he had personally looked at the programs in Hudson and Fairlawn and noted he was excited that there was an interest to explore the feasibility in the Heights.
Katie Uhlir stated that she has submitted a FOIA request for all employees pay rates/salaries and job descriptions and voiced her concerns about the City’s finances in conjunction with the five to six new hires. Ms. Uhlir what was the need of their positions and how often will they be reporting out to the public what they are doing.

Representatives from John Carroll University’s Student Committee for Community Relations Mike Bishop, Senator John Carroll Student Union and Jacob Schup, Student Union President were present to address the issues that occurred at the beginning of the school year on Warrenville Center Road which resulted in several students being charge with disturbing the peace. Mr. Bishop assured everyone of John Carroll statements in that all students enrolled at JCU are expected to uphold community standards and act in a manner that show respect for others, oneself, property and authority. Students are expected to uphold University rules and values even when they are off-campus. Mr. Bishop stated that persons should contact JUC’s Government and Community Relations Manager Kate Malone with incidents that are not of the emergency bases and provided his email address to members of City Council.

The following audience comments were in regards to an upcoming Planning Commission agenda item: 4419 Churchill Boulevard /Ronald Kluchin, Architect (Andrew & Isa Lefkowitz) to demolish the 2 houses 4454 Groveland, 4458 Groveland and consolidate all 3 Parcels into 1 Parcel.

- Todd Weber, 4477 Groveland read a statement that voiced his position against allowing the demolishing of two houses. Mr. Weber stated that properties being purchased for the purposes of rental should be maintained not torn down to expand the size of a backyard.
- Steve Hershkowitz, 4481 Groveland stated that the street is changing and that he was opposed to the approval of demolishing the two homes and that he wants to keep the street quiet.
- Gerald Fuerst, 4453 Groveland commented that people were present because they heard that they would not be allowed to speak at the Planning Commission meeting and noted his position against allowing the demolition of the homes.

Law Director Mr. McConville explained the Planning Commission process for the benefit of the audience members. Mr. McConville stated that neighbors to the project received notice of the Planning Commission meeting because it is a statutory requirement. The application is an application that will require variances be approved. That means that the applicant has to meet certain evidentiary standards and the Planning Commission would have to agree with those standards with respect to the project. The fact that an application has been filed by no means suggest that the City has an opinion about the project. The Planning Commission is an independent body and by no means a rubber stamp. Whatever decision the Planning Commission makes with respect to the project will ultimately go before Council for final review and approval. At any Council meeting anyone who wishes to speak for or against the project will be given that opportunity.

- Rachel Peril, 4469 Groveland noted that half of the block was rental property and that the possibility of having two houses demolished was concerning to her.
- Heather Feldman, 4472 Groveland added that she has noticed the street being more transient and noted that the applicant also owns the two houses next door to her and if this is approved will it then be setting a precedent for other houses to be knocked down and then combined. Mrs. Feldman asked how will the City ensure that the pool is really for private use and not be rented out for camps and other community members.
- Sandy Gershkowitz, 4481 Groveland noted that the physical condition of the block is offensive to her, you can tell who rents and who owns. Over the last 10 years the neighborhood has gone done and this project is another major hit. Ms. Hershkowitz commented that the noise and traffic with be another aesthetic hit. This project is not appropriate for a residential block.
- Adam Levine, 4465 Groveland reiterated that this project was an extremely distasteful. The paradigm of the community will be completely changed. This will set a horrific precedent.
• Ruth Weider, 4433 Churchill stated that she would like to maintain the integrity of her property and asked if legally a person is allowed to buy adjacent property and then say they would like to package it all together as one parcel. Are there any parameter in University Heights for how large of a parcel someone can own to build on?

Mr. McConville replied that the parcels are already delineated (exist), in order for any party to consolidate two parcels to create a larger lot they have to come before the Planning Commission. Mrs. Weider asked what the Planning Commission look at because there is clearly a revenue issue. Mr. McConville replied that the Planning Commission looks at a variety of factors; i.e. whether the proposed project fits into the neighborhood, whether it is well planned, what kind of impact it will have on neighboring property owners. Those are the kind of considerations that are typical.

• Carole Nardini, 4436 Groveland noted that this was very disturbing to her.

Mayor’s Report

• City Hall will be opened on Columbus with regular rubbish pickup schedule
• In celebration of the Cleveland Indians making the playoffs again and every Indians playoff game (either home or away) will be Cleveland Indians Spirit Day as the University Heights City Hall and all city offices employees will be permitted to wear Cleveland Indians clothing to work.
• Mayor Brennan, Susan Drucker and Patrick Grogan Myers met with Jane Holly, Department of Regional Collaboration. The Department of Regional Collaboration is looking for ways in which to enhance its relationship with the 59 communities that make up Cuyahoga County so that the County can work with the communities to better serve the residents.
• Mayor Brennan, Susan Drucker and James McReynolds attended Bellefaire’s groundbreaking ceremony for its new pediatric psychiatric unit. The unit is expected to be opened December 2019.
• Mayor Brennan, Mike Cook and Patrick Grogan Myers met with Gina Fromet, Guide Studios to discuss the final draft of the new City branding logo and positioning. A presentation will be made at the next Council meeting with intentions to release the new branding logo at the Civic Awards dinner which is scheduled for November 14, 2018.
• Coffee with a Cop had a great turn out.
• Fire Department Open house is on Sunday from 11:30am – 2:00pm
• Planning Commission meeting on October 4 at 7pm to discuss the proposed demolition of two houses at 4454 and 4458 Groveland and then the consolidation of those parcels with 4419 Churchill.
• Joint meeting with the Cleveland Heights/University Heights School Board on October 29 at 7pm at the School Board location on Miramar Blvd.
• Pedestrian and crosswalk improvements at Cedar Green are schedule to begin on Monday, October 8, 2018.

Agenda Items:

A. Ordinance 2018-38 Creating the University Heights Community Improvement Corporation and Authorizing the Mayor to File Appropriate Articles of Incorporation

Mr. McConville explained that Ordinance 2018-38 was referred to the Governmental Affairs Committee. Council indicated that they wanted to modify the Board structure for the Community Improvement Corporation (CIC). In particular they indicated that they would like to change the Board from a five-member board to a seven-member board. The Board would consist of the Mayor, the Community Development Coordinator, the Economic Development, the Vice Mayor, 2 at-large members of Council and one member appointed from among the residents. In addition, Council wanted to clarify that any Board member would only hold their Board seat for any period of time in which they hold any appointed or elected office with the City. If this Ordinance is passed then the Administration will have the authority to file Articles of Incorporation with the State of Ohio and
Council will be charged with appointing members to the Board so that the Board can meet and adopt a code of regulations, a conflict of interest policy and begin its operations.

Mrs. Weiss noted that this is another piece to the City’s economic development future which is headed in the right direction.

Mr. Sims agreed that this was a step in the right direction. Mr. Sims added that he thought it would be in the better interest of the committee to have not just residents and elected officials. But, also residents who are familiar with business and development because they bring a prospective that would be very beneficial. If not part of the official committee Mr. Sims said he would encourage the Mayor to make sure that there was some type of Advisory Committee that is associated with this process because everybody is needed to be a part of the process - people who are business owners and people who understand business.

MOTION BY MRS. WEISS, SECONDED BY MRS. CAMERON for the passage of Ordinance 2018-38 Creating the University Heights Community Improvement Corporation and Authorizing the Mayor to File Appropriate Articles of Incorporation. On roll call, all voted “aye.”

Mayor Brennan asked if agenda item H could be moved out of order so that it could be the next item.

MOTION BY MR. WISEMAN, SECONDED BY MRS. CAMERON to move agenda item H out of order so that it could be the next item. On roll call, all voted “aye.”

For the purposes of these minutes the agenda items are listed in the correct alphabetical order.

B. Ordinance 2018-58 Supplemental Appropriation with an Advance and Declaring an Emergency

Mr. Goffe stated that this appropriation removes monies within the General Fund between appropriation groups and noted that there were additional appropriations coming out of the fund balance for the Ohio Board of Building Standards Assessment Funds. The Board of Building Standards Assessment Fund is where a portion of the fee monies collected from the building permits is remitted to the State of Ohio. This fund was under appropriated so there is a carryover balance in addition to the ongoing fees that are collected. Lastly, this appropriation Mr. Goffe stated that he didn’t do the advance to place temporary money in the fund for the EMS grant that was approved at the previous Council meeting.


MOTION BY MR. WISEMAN, SECONDED BY MRS. WEISS to re-enter regular session. On roll call, all voted “aye.”

C. Motion Authorizing Mayor to enter into Contract with Software Solutions for the VIP Fusion Payroll Processing Software in an amount not to exceed $153,400

Mr. Goffe noted that the software isn’t just for payroll but the entire accounting suite where the Terrell processing software is a component of that suite. Mr. Goffe added that the Finance Department did they due diligence in researching upgrades to the existing accounting software system. The best software candidate options for the needs of University Heights were Civica and VIP Fusion by Software Solutions. Mr. Goffe stated that based on conversations and recommendations from other Finance Directors he felt that Civica would not serve the needs of University Heights and recommended entering into contract with Software Solutions for the VIP Fusion software which was also the better price quote. The cost is $15,400 for 2018 and there is money in the current appropriations for that and the remainder of the system would be paid for over the next two years. There is also an annual maintenance fee, but aside from that fee the City would own the software
outright until it would be deemed that it was no longer useful. The department’s current software has been in place since 1999.

Mrs. Weiss asked what the conversion time would be.

Mr. Goffe replied that in reviewing the current system and the inconsistencies in the data and the duplication of multiple vendors the intention is not to transfer any data over but to do a complete fresh start. That will allow for a chart of accounts being built into the budget and a faster time line of conversion. Payroll will be brought back in house. Finance will be up and running on the accounting system January 1, 2019, some of the other products will be rolled out throughout 2019, including the workflows which will allow for the electronic request for purchase orders and electronic approval for invoices. In regards to payroll in order to go live payroll has to run with the current ADP system for two payrolls without any substantial issues; the hope is for that to occur for the two payrolls in December 2018 so that the switch over would occur January 1, 2019. If for any reason the two payrolls in December have issues, then the department would have to run ADP for another payroll or two. The current server will be kept so that there is access to the e-gov system and old data to look at any historical data but in terms of the accounting system it will be a fresh start.

Mrs. Weiss asked how is it easier to run payroll in house as opposed to using a payroll processor.

Mr. Goffe replied because using a payroll processor does not save time because all the information has to be imputed in our office so we are just one click away from printing the checks. Also, all pension reports still have to be generated in house.

Mrs. Weiss asked if everything, i.e. the conversion, the workflow, payroll, etc. was included in the $153,400?

Mr. Goffe replied yes, the workflow and payroll are included the only items not included are the single server license and that was not included in either price quote. There will also be the hardware upgrades needed for the server that was purchased earlier this year. That hardware upgrade will add more memory and additional solid-state hard drives that will have the actual database on it.

Mrs. Weiss asked how much the additional hard drives and hardware upgrade cost as well as the annual fee.

Mr. Goffe said he didn’t have that information with him but he believe it was under $6,000. The annual fee was in the quote for $20,750 per year.

Mrs. Weiss asked if that included unlimited tech support.

Mr. Goffe replied yes, it included tech support, updates over time, updated tax tables every year, etc.

Mr. Sims asked Mr. Goffe when the annual fee would be due.

Mr. Goffe referred to the quote and stated that the software assurance maintenance and support fees are $20,750 annually and begin three months after the scheduled go-live date. If we go live January 1, 2019 the payment would be due the beginning of April 2019.

Mr. Sims asked Mr. Goffe since he would be starting fresh and new would that mean there would not be any historical data.

Mr. Goffe replied that the City would continue to keep the server that has the historical data from our existing e-gov system which is VIP’s older software. Because we will be staying with the same vendor as we have now and upgrading the software and since there would be no writing to the old software the City would not have to continue to pay the license agreement fee from the old e-gov system but will still have unlimited read access to it.

Mr. Sims suggested that that language be place in the contract so that in the future there’s no surprise fee that needs to be paid to access the historical files.

Mr. Wiseman asked about the current cost of ADP.
Mr. Goffe said that ADP is paid every payroll based on the number of employees or typically $2,000 and $2,500 per pay.

Mr. Wiseman stated so about $5,000 every month so this software would give a savings would be $60,000 yearly even with the $20,000 a year maintenance fee. Mr. Wiseman added that ADP was to save the labor in the department, but this software will save the department time in terms of labor and what it will do for the city.

Mr. Goffe replied that would be a potential possibility, in terms of labor it will take a few years.

**MOTION BY MRS. CAMERON, SECONDED BY MR. WISEMAN Authorizing Mayor to enter into Contract with Software Solutions for the VIP Fusion for Accounting and Payroll Processing Software in an amount not to exceed $153,400 and with the annual maintenance and support fee of $20,750.00. On roll call, all voted “aye.”**

Mr. Sims stated that with all things considered the city should save over $200,000 over a 10-year period.

**D. Resolution 2018-59 Authorizing the Petition of Tax Commissioner to move remainder of ODNR Recycling Grant Fund to General Fund**

Mr. Goffe spoke to this agenda item as well as agenda items d, e, f and g.

Mr. Goffe said that at the Government Finance Officers Association conference he learned at the start of year the legislation in the Ohio Revised Code which provided for the method of being able to move monies in a fund when operations were done with it into another fund (typically the general fund) had changed from petitioning the Court of Common Pleas in a complicated form to a simplified filing form with the Tax Commissioner at the state level. Each of the next four Resolutions ask for authorization to file that petition. After the Resolutions go into effect the City will submit the petition filing with all the details of where the monies are moving from and where they are moving to, what the sources of money were, why the monies are still sitting in the fund. In summation this is housekeeping of funds that the city has not used in quite some time.

Ordinance 2018-59 was placed on first reading.

**E. Ordinance 2018-60 Authorizing the Petition of Tax Commission to Move the remainder of the Community Emergency Planning Grant Fund to the General Fund**

Ordinance 2018-60 was placed on first reading.

**F. Ordinance 2018-61 Authorizing the Petition of Tax Commission to Move the remainder of the NOPEC Grant Fund to the General Fund**

Ordinance 2018-61 was placed on first reading.

**G. Ordinance 2018-62 Authorizing the Petition of Tax Commission to Move the remainder of the Issue 2 Public Works Grant Fund to the General Fund**

Ordinance 2018-62 was placed on first reading.
H. Ordinance 2018-57 2018-63 Authorizing the Release of the Lien of Special Assessments Relating to Certain Cleveland-Cuyahoga County Port Authority Special Assessment/Tax Increment Revenue Bonds, Series 2001 (University Heights, Ohio – Public Parking Garage Project) and Cleveland-Cuyahoga County Port Authority Subordinate Tax Increment Revenue Bonds, Series 2001B (University Heights, Ohio – Public Parking Garage Project) (on emergency)

Mayor Brennan stated that this was an action that the City was endeavoring to take to remove some of the obstacles that presently exist in regards to the redevelopment of the University Square parcels. Mayor Brennan said that this was something that in working with the County it came to the City’s attention that it should want to release the special assessments and if the City informs the County that it is repealing the special assessments that exist and were imposed on the on the property back when University Square was developed serves as a green light to the County that University Heights as a community is asking for steps to be taken by County to allow the redevelopment to proceed. Monies that have been taxed to be collected by way of special assessments are not at this point ever actually going to be collected. This is not any kind of giveaway, this is money that will never actually ever be collected or be collectible. It’s money that would actually be paid to the bond holders and it is the bondholders who are in essence asking the City to do this so that the property can be redeveloped.

Mr. McConville reminded everyone that the mechanics of the assessments were made so that anytime there was a shortfall in debt service that was owed to the bondholders and the purpose of the assessments was to secure the bondholders interest but once the bondholders acquired the property in foreclosure that special assessments that were designed to help them actually began to hinder them in terms of their ability to market property. None of the assessments would lead to any revenues for the city. The bondholders are making this request after many years of attempts to market the property unsuccessfully. In conversations with the bond council and the city prosecutor the County will remove special assessments if the assessing body ask for their removal. This request has to be made by November 16, 2018 in order for the assessments to come off and not appear next year as encumbrances on the property.

Mr. McConville added that where the city had considered eminent domain or deeding the property initially into the County Land Bank it was discovered by working with the prosecutor that that would not be necessary.

Ms. Lorna Gleason, UMB bank Minneapolis was present and pointed out the special assessments were basically made to make up any real estate tax payments that were not sufficient to make dept service. It was really an obligation of the developer and the developer is now the trustee. Ms. Gleason added that when they go to sell the property they will need to deal with the other assessments; the tax assessments through the land bank. So, although this action helps them tremendously in reducing the fees and the interest that have accrued on the property as it relates to the special assessment they still need to go through the land bank process. Ms. Gleason thanked Council for the passage of legislation that authorized the previous Mayor to sign an amendment not to further assess the property in the future and noted that this action will take that one step further and wipe out the assessments that have been assessed on the property in the past.

Ms. Gleason introduced well known Cleveland Developers Lance and Bryan Osborne and stated that they have been in discussions with each other regarding them (Osborne’s) and their businesses buying the project across the street for redevelopment. There isn’t a signed contract yet, but they are working diligently with the Osborne’s as well as the other third parties – Macy’s and Target in particular to come up with a development plan that is acceptable to the Osborne’s and the two partners on the corner Target and Macy’s. Ms. Gleason said that although there is plenty to do beyond the parties they are getting closer and closer to the realization of a plan that would be acceptable to the three parties.

Mr. Brian Osborne provided a general vision of what they have been working through over the last eight months with the four different parties (bond holders, Ms. Gleason, Target and Macy’s) all of which have full approval rights on the ultimate project. Mr. Osborne stated that they are close to a
vision that kind of works for everybody. Basically, the vision would include a senior living component of the Warrensville tower, that building would be redeveloped into independent assisted living as well as memory care. The Cedar tower would be completely demolished. Parking garage - the top two floors (levels 4 and 5) would be removed, level 3 is Target’s main entrance and they have agreed to shut their 5th level entrance off and kind of redo their 3rd level main entrance which would then be open to the sky. So, there would then be three levels remaining of the garage. The front Cedar building would be demolished to allow for three out parcels. The development entity also owns the ground level of Cedar property underneath Target and there they are proposing having a junior box (small retail) between 25,000 and 40,000 sq. ft. Target is exploring having a kind of vertical transportation element that would be attached to the Cedar fronting side of the garage, that would really open up the walkability off Cedar Road and provide its clients off Cedar Road with multiple escalators, elevators, etc. and allow the carts to go up and down. Mr. Osbourne said they are dramatically reducing the density of the project.

Mr. Wiseman if the Port Authority had to give their approval in the changing of the parking garage.

Mrs. Gleason replied that the Port Authority has been extremely flexible in helping them in trying to get this done. The Port Authority own and will continue to own the entire garage once everything is done. That is so that no more taxes are assessed against that parcel. The Port Authority is supporting what the market is saying and the parking garage has been the largest hindrance to any development there. Another part of the whole process will be the re-issuance of the bonds. It is a very complicated massive transaction that will be done. But the belief is that all of the old bonds will be canceled and new bonds would be issued and at the request of the Port Authority use them as the issuer of those new bonds.

Mr. McConville said that he has been in contact with the Port Authority’s legal counsel and that they have reviewed the Ordinance and from the Port Authority’s standpoint they support what the City is doing. Mr. McConville added that although the Ordinance was on emergency, it was his understanding that the Administration is not asking Council to vote on it at this time but wants it to go through the normal two readings so that people in the community become aware of it. The emergency clause was added in case it ended up being referred to committee or if there was any type of delay the November 16, 2018 deadline could still be met.

Mayor Brennan agreed with Mr. McConville statement and said that he was not asking for a vote at this meeting because it was in the public interest not to rush this. Mayor Brennan noted his intention to refer this to the Finance Committee meeting which will be held on October 10 at 7pm for the singular purpose of the proposed Ordinance.

Ordinance 2018-63 was placed on first reading.

I. Ordinance 2018-64 Modifying the Geographical Area of the City’s Community Reinvestment Area (on emergency).

Mr. McConville noted that earlier in the year Council passed legislation creating a community reinvestment area and that area was defined as the entire city for the purposes of being able to provide tax abatement on residential and commercial development that met certain thresholds. In going through the process with the county and bondholders in connection with the assessment issues relating to University Square and as redevelopment appears to be coming sooner rather than later the bondholders have articulated a potential desire to finance new development through the issuance of a replacement TIFF. Whereas the current TIFF would be retired, and a new TIFF would exist in connection with a new development. In order for any TIFF to function appropriately the tax revenues that have been generated from the parcels need to be utilized for the purposes of payment of the debt service. The idea of offering tax abatement on parcels that could be subject to a TIFF could create an obstacle towards the use of the financing mechanism that the bondholders have suggested they may wish to utilize.

Mr. McConville informed Council that in order not to defeat the purposes of tax abatement Council would have to actually take those parcels out of the CRA so that the tax payment cannot be offered
on them. In doing so will allow the bond holders the flexibility they need to go out and get the financing that they want for redeveloping the project. From a mechanical perspective this means that the application that is currently pending with the State Department of Development will need to be updated so that the map that the State is looking at excludes these three parcels from the CRA. Mr. McConville read section 5 of the Ordinance “For purposes of determining the eligibility of any particular parcel for tax exemption, the City’s Community Reinvestment Area shall be deemed to have been created upon the passage of City Ordinance 2018-33,” and stated that taking this step and by the passage of Ordinance 2018-33 the City is not precluding any one who may have otherwise applied for tax abatement from applying in. In other words, entities can still get a tax abatement on a project that started prior to passage of this Ordinance.

MOTION BY MRS. WEISS, SECONDED BY MRS. CAMERON for the Approval of Ordinance 2018-64 Modifying the Geographical Area of the City’s Community Reinvestment Area. Roll call on suspension of the rules, all voted “aye,” roll call on passage, all voted “aye.”

J. Motion Approving and Authorizing entering into Contract for the 2018-1 Tree Pruning and Removal Project

Mr. Pokorny stated that bids were opened on September 28, 2018 and four bids were received. The low bidder was Parks Tree Inc. of Eastlake. Mr. Pokorny added that Parks Tree has performed pruning and removal services on previous projects and recommended awarding them the contract as the lowest and best bidder. Funds are available in the Tree Improvement Fund.

MOTION BY MRS. CAMERON, SECONDED BY MR. SIMS Approving and Authorizing entering into Contract with Parks Tree Inc. for the 2018-1 Tree Pruning and Removal Project as the lowest and best bid in an amount not to exceed $18,903. On roll call, all voted “aye.”

K. Motion Approving and Authorizing entering into Contract for the 2018-2 City Wide Fall Tree Planting Project

Mr. Pokorny stated that bids were opened on September 28, 2018 and three bids were received. The low bidder was Johnson’s Landscaping Inc. of Mentor, Ohio. Mr. Pokorny added that Johnson’s Landscaping has had two other projects with the city and recommended awarding them the contract as the lowest and best bidder.

MOTION BY MR. SIMS, SECONDED BY MRS. CAMERON Approving and Authorizing entering into Contract with Johnson’s Landscaping Inc. for the 2018-2 City Wide Fall Tree Planting Project as the lowest and best bid in an amount not to exceed $22,760. On roll call, all voted “aye.”

L. Motion to Authorize entering into contract with Cleveland Jewish Publication Company to publish a University Heights Magazine with content and advertising focusing on the University Heights Community

Mrs. Drucker informed Council that the Administration would like to publish a magazine focusing on the University Heights community. There would be three issues per year and the issues would start in 2019 with a target date being the end of February/beginning of March. The second issue would be mid-May before Memorial Day and then the last issue in November. As part of the agreement the Cleveland Jewish publication company will issue payment of 30% of all sales from any advertising to University Heights. Mrs. Drucker noted that this is not meant to be a revenue generator, but it will help offset the cost to the city. An issue will be sent to each and every household and business in University Heights as well as a digital publication on the city’s website.

Mr. Ertel asked about the cost and what type of publication would it be.
Mrs. Drucker replied that each issue is budgeted at $5,500, Cleveland Jewish publication said that the city can make approximately $1,000 back from the sales in the advertising. The publication will be full color magazine with up to 32 pages. The content could include information about the community public officials, what is happening in the various departments of the city, advertising from the area stores, articles featuring a few city businesses, highlights on activities in the city, etc. The magazine content is up to the City, but it will not be a replacement for the monthly newsletter.

Mayor Brennen added that Mr. Cook will be responsible for much of the magazine.

Mr. Wiseman noted that it is great to show people what’s is going on in the city, but as long as this is reaching every household he would like it to have some sort of forum or some kind of way to highlight the businesses in the city. Mr. Wiseman asked if that would be possible.

Mrs. Drucker replied that the city is responsible for the content so that is really up to the Mayor and if Council members have recommendations we can do anything, it’s our magazine.

Mr. Wiseman noted that it can be cancelled if we notify them 90 days before the end of the year for the next calendar year.

Mr. Sims commented that it is wonderful way to brand the city and provides the businesses with an avenue to showcase themselves. It is a win-win situation.

Mrs. Weiss asked of the cost of postage should be included.

Mr. McConville replied if the city is paying for the cost of postage that figure should be included in the motion.

MOTION BY MR. WISEMAN, SECONDED BY MR. SIMS Authorizing the Mayor to enter into contract with Cleveland Jewish Publication Company to publish a University Heights Magazine with content and advertising focusing on the University Heights Community not to exceed $16,500 annually plus any cost for postage. 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 Brennan stated that there was a need to hold Executive Session for real estate matters.

MOTION BY MR. ERTEL, SECONDED BY MRS. WEISS to hold an Executive Session for real estate matters. On roll call, all voted “aye.”

Directors’ Reports

Finance Director – James Goffe reported the IT upgrades for City Hall are moving forward with PC Alternatives is providing various trainings on the new email system the departments and for members of City Council. Looking into upgrading the Council Ipad to Microsoft Surfaces with a cost of approx. $1,000 each for the larger screen to allow backups to the City server. The health insurance committee as required by the bargaining agreements met with the City’s health insurance broker in September and employees are beginning to fill-out the form fire medical history questionnaire so that the broker can begin to get price quotes for the next health insurance contract cost. Still working with department heads on their budgets for 2019. The unaudited financial statements and GAAP financial statements have been filed. On track to meet the current deadline to have the audit completed by October 31, 2018. Lastly, with the authority Mr. Goffe has under the investment policy the Finance Department is conducting an RFP for banking services. Preference will be given to banks located in University Heights or at least in the immediate vicinity, information will be dropped off at the local banks as well as being posted to the Ohio Municipal League and the Government Finance Officers Association websites.

Mr. Sims commented that the RFP’s need to have a weighted system for review purposes.
Mr. Goffe replied that he will be relying on the existing investment policy that grants the Finance Director authority over banking services. What will be looked at is the banking services; i.e. fee schedules, earned credits, etc.

**Law Director – Luke McConville** reported that in connection with the news that the Federal Government was considering proposing small cell regulations the Administration did offer a letter to the FCC prior to their review of the propose regulations indicating the City’s objection to the Federal Government legislating in this field and also describing to them the City’s local efforts to deal with the small cell carriers and to craft State legislation that seems to resolve the issues and at least conceived in a fair process. Currently the City is in a way and see mood. Several other local municipalities also let it be known of their opposition to the FCC federal regulation.

Last week the Board of Zoning held a special meeting and at that meeting in addition to the agenda item the Board held a work session. The work training session was held in the Conference Room of City Hall. The training consisted of reviewing the different legal standards that apply to the different types of variance request, reviewing certain procedural items that the city code presents and the topic of conflict of interest.

Mr. McConville updated everyone on the Epic Life Style case that was in regards to the public nuisance case with respect to the home on Silsby Road. There was a case management conference relative to the foreclosure part of the litigation. It currently appears that there is one small cloud on the title that the plaintiff needs to take some steps to remove. Once that is done the Court will enter a decree of foreclosure order on the behalf of the plaintiff and Mr. Tyson’s company will officially own the property. Mr. McConville added that his assessment was that minus the few hiccups the process has gone very smoothly and resulted in a positive result for the City.

**Police Department - Chief Rodgers** reported that the sign shop boom truck was out of service for a large portion of the summer and during that time some of the maintenance such as street/parking signs, traffic signs and signals got backed logged. But now that the truck has been repaired 17 different locations throughout the City have been addressed with either repairs or replacement of signs and the maintaining of traffic signals.

The coffee with a cop event at Jack’s Deli was well attended, very successful and a lot of positive feedback was received. Chief Rodgers added that he looks forwarded to continuing the event in the future.

Lastly, the Police Department will also be a part of the Fire Department Open House with community policing and the auxiliary police will assist with traffic control and parking.

Mr. Sims spoke of the City’s rebranding and asked Chief Rogers how many street signs were in the City and if they are made here or outsourced. Because for him the benefit of the rebranding is having the ability of being able to differentiate University Heights as much as possible. Signage goes a long way in terms of trying to differentiate the City. Mr. Sims said if the City decided to go in a new direction with the street signs he would be interested in knowing the cost.

Chief Rogers replied that historically many years ago the City’s sign shop had the capability of creating its own signs, to get back to that operation it would take at least $50,000 in equipment and it would be a two-person operation. For the last decade plus the department has been ordering signs. Going forward and acknowledging the re-branding of the City that would be a signification opportunity to acknowledge the rebranding and something that could be considered with the street signs in general.

**Fire Department – Mayor Brennen** read Chief Perko’s report. The department is preparing for its first Open House on Sunday, October 7 from 11:30am – 2:30pm. The event also kicks off the start of Fire Prevention Week, this year’s theme is “Look, listen, learn, be aware fire can happen anywhere.” Some of the activities for the Open House will include equipment demos, station tours, health screenings, bicycle registration, face painting and safety presentations. Parking will be located in the community park parking lot on Saybrook. Due to the Open House Silsby Road will be closed from Warrensville to Saybrook.
The new ambulance will be placed in service at the Open House during the welcoming announcement at approximately 11:45am.

**Service Department – Jeff Pokorny** reported that the department is gearing up for curbside leaf collection which will start October 15 until the first week or so of December (when the snow starts and covers the leaves). The City received a notice from Kurtz Bros. regarding recycling yard waste materials, so the Administration and Service Department will be placing more of an effort in public education for the use of the long leaf paper bags; what can and cannot go inside them. The same goes true for the City’s recycling program.

Mayor Brennan added the reminder that there will be a Sustainability Committee meeting on October 8 at 6:30 and some of the discussion will pertain to yard waste and recycling.

**Building Department – James McReynolds** reported that occupancy permits were issued for Blissful Foot Spa in the Cedar Green Shopping Center and for the Green Road liquor store. Mr. McReynolds also reported that Bibibop at Cedar Center has a temporary banner sign up and expect to open later in the month.

**City Engineer – Joseph Ciuni** reported that the waterline project on Groveland is proceeding, all houses are currently hooked up to the temporary water line. The street resurfacing project is moving along, as complains come in they get placed on the contractor’s punch list for handling. The paving of the City Hall parking lot take place after the Fire Department Open House. Work on the Green Road crosswalks will begin next week with completion before the end of October.

There were no other director reports.

**Standing Committees**

**Finance Committee** – Mayor Brennan reported that the Committee will meet on October 10th at 7pm.

There were no other committee reports.

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

**MOTION BY MR. SIMS, SECONDED BY MR. WISEMAN 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