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

Roll Call:

Present: Mrs. Pamela Cameron  
          Mr. Phillip Ertel  
          Mr. John Rach  
          Mr. Steven Sims (7:09)  
          Mrs. Michele Weiss  
          Mr. Mark Wiseman

Absent: Mrs. Pardee

Also Present: Law Director Luke McConville  
              Clerk of Council Kelly Thomas  
              Police Chief Dustin Rogers  
              Fire Chief Robert Perko  
              Service Superintendent Jeffrey Pokorny  
              Communications and Civic Engagement Mike Cook  
              Economic Development Susan Drucker  
              Housing/Community Development Coordinator Patrick Grogan-Myers

MOTION BY MR. S. CAMERON, SECONDED BY MR. RACH to excuse the absence of Mrs. Pardee and Mr. Sims. On roll call, all voted “aye.”

Approval of Minutes from May 6, 2019

There were no corrections to the May 6, 2019 Council Minutes.

MOTION BY MR. ERTEL, SECONDED BY MR. RACH to approve the Council minutes from May 6, 2019 as presented. On roll call, all voted “aye.”

Comments from Audience

Mrs. Barbara Blankfeld, 2588 Saybrook was present to announce her candidacy for the November 2019 City Council slate.

Mayor’s Report

Perhaps the most significant thing I have to report is in regard to the Heights Hillcrest Communications Center Board of Trustees. The Board oversees the operations of our Regional Dispatch Center, which dispatches police, fire/EMS calls for University Heights, Cleveland Heights, Shaker Heights, South Euclid, and Richmond Heights. We elected a new officers last week, and I now have the honor of serving as chair of the Heights Hillcrest Communications Center Board of Trustees. I am delighted to be working with Vice Chair and Richmond Hts. Mayor David Roche, Treasurer and CH City Manager Tanisha Briley, Secretary and Shaker Heights Mayor David Weiss. My sincere thanks to Tanisha Briley as both the outgoing Chair, and the first chair of the board as regional dispatch got off the ground here. Also, I thank William Gruber, Shaker Heights Law Director, for his ongoing work serving the board. A year and half into operations, we are still making adjustments and improvements to better serve the community. I look forward to working with Director Nick DiCicco and all the police chiefs and fire chiefs in the communities served by our dispatch center to improve dispatch safety services throughout the Heights-Hillcrest Communities.

We are seeking volunteers to serve on this year’s Beautiful Homes Awards Committee overseen by the CIC. If you wish to be considered for appointment to this year’s Beautiful Home Awards Committee, you are welcome to apply. We are asking all interested prospective applicants to please provide a written statement of interest setting forth the reasons they wish to be appointed to the committee. This
may be emailed to Rachel Mullen at rmullen@universityheights.com or mailed to or dropped off at City Hall. The deadline is extended **Friday, May 24, 2019**.

The Memorial Day Parade has over 70 entrants, and will prove again to be our largest annual city event (so far this year anyway). The parade is at 11am on Memorial Day, and the pool will be open on Memorial Day!

We had the chicken keeping seminar on May 14. Bethany Majeski of the North Chagrin Nature Center in Willoughby Hills of Cleveland MetroParks will be presenting her seminar again on Sunday, May 26 at 10AM at the North Chagrin Nature Center. I am aware of at least one UH resident who intends to attend that seminar, and I have provided Ms. Majeski with the certificate form for any UH residents who attends this Sunday.

Reminder for all city employees and members of council, that Friday May 31, at JCU from 10am to 1:15pm is Public Records training. Anyone who handles public records, including elected officials, are encouraged to attend. Free CLE as well, for the lawyers. We will be closing city hall so during those hours to allow as many of our employees to attend as possible. Register in advance: [https://www.ohioauditor.gov/trainings/publicrecords/Default.aspx](https://www.ohioauditor.gov/trainings/publicrecords/Default.aspx)

**A. Ordinance 2019-23 Authorizing the Creation of a Property Maintenance Grant Program to be Administered by the City’s Housing and Community Development Department**

Mr. Grogan-Myers explained that the grant stemmed from an evaluation of recent resources that are available to resident via the Heritage Home Loan Program and various County programs. It was apparent that more assistance could be made available to low income residents. The program will authorize grants up to $2,500 with a minimum 10% match by the homeowner for a grant to repair any exterior maintenance work on cited property violations that have been generated by the Housing/Community Development Department. There are income guidelines from the US Department of Housing and Urban Development and is based on household size. For example, a household the size of two (2) has an income limit of $45,250. The program is designed for low income families and senior citizens on a limited income.

MOTION BY MR. RACH, SECONDED BY MRS. CAMERON for the approval of Ordinance 2019-23 Authorizing the Creation of a Property Maintenance Grant Program to be Administered by the City’s Housing and Community Development Department as submitted with the attached exhibits (1) Contract Information; (2) Program Process and Responsibilities; (3) Required Attachments Sheet; and (4) Property Maintenance Grant Program Restrictions and Guidelines. On roll call, all voted “aye.”

**B. Ordinance 2019-25 Submit a Grant Application to The Ohio Department of Natural Resources (ODNR) for Funding of The Purvis Park Tennis Courts Rehabilitation Project**

Mr. Grogan-Myers stated that this was the application for the other half of the tennis courts. The original courts were constructed in 1962 and in previous years the courts have been sealed coated. This project would bring this half of courts in line with the other courts that were rehabbed 2 years ago. Mr. Grogan-Myers noted that the City’s Engineer, Mr. Ciuni estimated the project cost at approximately $200,000 with the City seeking reimbursement for 75% of the total cost. The application for the grant is due June 1, 2019.

Mr. Rach asked how many grants would be awarded.

Mr. Grogan-Myers replied that every County would receive so many funds or partial grant funding.

Mr. Rach asked what would happen if the City did not receive the full award.

Mr. Grogan-Myers stated he would have to check with the City Engineer for possible options in the even the City only receives partial funding.
Mr. Ertel asked if the required 25% match was covered in the budget.

Mr. Goffe replied no because the funding/project has not been finalized yet.

Mr. Grogan-Myers noted that the City will not know if it has been granted the funding until September/October 2019 and construction on the tennis courts would not begin until 2020. Funding would be placed in the City’s budget for 2020.

Mr. Grogan-Myers added that Ordinance 2019-25 is on emergency so that it would be effective at the time the application is due.

MOTION BY MRS. WEISS, SECONDED BY MR. ERTEL approving Ordinance 2019-25 Submit a Grant Application to The Ohio Department of Natural Resources (ODNR) for Funding of The Purvis Park Tennis Courts Rehabilitation Project. Roll call on Suspension of the Rules, all voted “aye,” and roll call on Passage, all voted “aye.”

C. Ordinance 2019-26 Enacting Codified Ordinance Section 1620.05 Entitled “Inspection Required Prior to Occupancy,” Mandating Pre-Occupancy Fire Safety Inspections for Commercial Building

Chief Perko said that this would allow that fire safety checks are performed on all fire safety systems to make sure the occupancy is code compliant before the business becomes operational and before the doors are opened to the public.

MOTION BY MR. SIMS, SECONDED BY MRS. WEISS for the passage of Ordinance 2019-26 Enacting Codified Ordinance Section 1620.05 Entitled “Inspection Required Prior to Occupancy,” Mandating Pre-Occupancy Fire Safety Inspections for Commercial Building. On roll call, all voted “aye.”


Mr. Grogan-Myers stated that it would be in good practice in terms of planning to have a Parks/Recreation District. The District would include City, State, County and Park District properties and would govern the eligible/permitted uses and accessory uses as outlined. The district would also institute a landscape buffering area of 5ft. Currently the City’s parks are located in U-1 districts and operate as a permitted use, so there is no buffering requirement.

Mrs. Weiss asked if there were any buffering requirements currently in place.

Mr. Grogan-Myers replied no and noted that current parks and recreation areas would be grandfather protected.

Mr. McConville confirmed that any existing park would be Grandfathered.

Ordinance 2019-27 was placed on first reading.

E. Ordinance 2019-28 Amending Codified Ordinance Section 1620.02 Entitled “Establishment of Bureau Fire Prevention,” To Clarify the Schedule of Non-Residential or Commercial Inspections and to Provide for Referral to the City Prosecutor

Fire Chief Perko stated that this Ordinance clarifies the fee/permit structure and adds language that allows a referral be made for repeated violations or non-compliance issues to the City Prosecutor.
Mr. McConville said that previously the Fire Department did not have a provision that allowed them to refer businesses or other persons that didn’t comply with issued citations or inspection reports to the City Prosecutor for potential criminal or civil penalty.

Mr. Rach noted the fees that were listed under (B) that list the cost of the operational permits for fire hydrants as $100 with $75 being considered a deposit. Mr. Rach asked if the $75 in addition to the $100 or is it included and asked if that small of a fee was enough to cover the cost of repair. Mr. Rach also asked what the $25 permit for “hot work” was for.

Chief Perko replied as long as there is no damage to the hydrant the fee is $25. The fees are consistent the other Fire Prevention Offices in the area and was recommended by the Officers in the Fire Prevention Bureau. The Hot Work permit would be for a flat tar roof and makes sure that everything is compliant to prevent a roof fire.

Mr. Rach asked how would the Fire Department know that “hot work” was being done; would the permit come from the Building Department first?

Chief Perko answered that the building inspection would occur first then it would be referred to the Fire Prevention Office for additional permits so that safety inspections can be performed.

Mr. Rach asked if mobile food truck were included in the required inspections.

Mr. McConville answered that the City enacted a separate Ordinance that allowed for the registration of food trucks, but that did not have a link to a Fire Department inspection.

Mayor Brennan added that obtaining a permit with fees is waived for City sponsored events.

Mr. Rach asked if the fee of $25 for witnessing inspection, testing, and maintenance of all Fire Protection Systems under section (E) was for each item or was it a total of $25.

Chief Perko replied the $25 is for each system.

Mr. Rach suggested making this section be corrected so that the fee is clear.

Mr. Wiseman suggested that Council be provided with redlined Ordinance so that they can see what is being changed.

Mr. Sims asked for clarification as to what a witness inspection entailed.

Chief Perko replied that the Ohio Fire Code states that there shall be a certified fire fighter safety inspector to witnesses the testing of devices such as fire alarm pull stations which have to be inspected by an independent company semi-annually to ensure that the inspections are done correctly. Chief Perko added that this fee was new.

Mr. Sims noted the fee for plan review of fire protection systems of $200 that is listed under (G) and asked if that was a complicated inspection because that fee was so much different for the other fees.

Chief Perko said that inspection depends on the type of occupancy and the types and level of complexity of the safety systems they have as well as the time frame it takes to complete the inspection.

Mr. Sims asked what criteria dictates whether or not there is a citation.

Mr. McConville replied that Code Section 1602.99 does not exist. After the 4th citation the case is then referred to the City Prosecutor.

Ordinance 2019-28 was placed on first reading.
F. Motion to Accept and Enter into Contract for 2019 General Yard Nuisance Abatement Program

Mr. Grogan-Myers reported that bids for the 2019 General Yard Nuisance Abatement Program were received and opened on Friday, May 17, 2019 at 12 noon. Two (2) bids were received and Top Level Lawn Service LLC provided the best and lowest bid. Top Level Lawn Service is also an MMC eligible company.

Mr. Grogan-Myers added that the majority of the program consist of cutting the lawns of properties receiving high grass notices where the grass exceeds eight (8) inches in height.

Mr. Sims asked what fee schedule will the City charge going forward.

Mayor Brennan replied that any fine would be in addition to the cost for the yard abatement.

Mr. Grogan-Myers stated that according to Code Section 1084 the City can access the cost of the abatement itself but the Code also includes a penalty of $100 for the first offense; $200 for the second offense and all other thereafter.

Mr. Sims asked if Top Level Lawn Service would be able to cut the number of lawns that need to be cut.

Mr. Grogan-Myers replied yes.

MOTION BY MR. SIMS, SECONDED BY MR. ERTEL accepting the bid from Top Level Lawn Service as the best and lowest bid and entering into Contract with Top Level Lawn Service LLC for 2019 General Yard Nuisance Abatement Program at a rate of $25.00 per property for Grass Cutting; $25.00 per hour for Shrub Trimming; $25.00 per hour for Leaf Cleanup and $20.00 per hour for Debris Removal. On roll call, all voted “aye.”

G. Motion to Accept and Enter into Contract with CTL Engineering for the Construction Management of the Warrensville Center Mid-Block Crossing and Bike Lane project

Mayor Brennan read Mr. Ciuni’s letter which stated that the Warrensville Center Mid-Block Crossing and Bike Lane project has NOACA Local project funding and a requirement of the grant fund is that the design engineer cannot perform the construction inspectors. Because GPD Group performed the design another consultant must perform CA/CI inspections. The City sent bid request to five (5) local consultant qualified by ODOT to perform CA/CI inspections. The City received two (2) bids and Mr. Ciuni recommended entering into contract with CTL Engineering.

Mr. Rach why Mr. Ciuni would not be allowed to represent the City.

Mayor Brennan replied that having a third party oversee the program was one of the grant’s requirements.

Mr. Goffe added that if Mr. Ciuni’s firm was allow to oversee the project the City would still be billed for the hours worked.

Mr. Rach asked about the benchmark of 25% and whether it constituted the number of visits on a weekly, bi-weekly or monthly basis and if there was a required matching fund amount.

Mr. Goffe stated that $264,970 was budgeted for the construction.

Mrs. Weiss commented about the City already paying $164,000 for this project and asked if this approval could wait until the Mr. Ciuni would be able to attend a Council meeting to explain and answer questions.

Mr. Rach remarked that if the City has already invested $130,000 in this project could the City then appeal the required 40-hour inspector overseeing portion of the contract.
Mr. Sims asked for clarification that this is the streetscape project that was started a few years ago on Warrensville Center Road and would remove some of the street parking.

Mayor Brennan replied yes and that parking would be removed from one side of the street to allow for the bike lane.

Mr. Grogan-Myers noted that because Warrensville is a County road the requirement for a 40-hour overseeing inspector was a condition from ODOT (Ohio Department of Transportation) as well as there being two (2) separate engineer firms.

Mr. Sims asked if Mr. Ciuni’s firm (GPD Group) would charge less.

Mrs. Weiss asked what the time frame was from start to finish for the project.

Mayor Brennan replied he didn’t have that information.

Mr. Sims suggested that Council considers a motion with a not to exceed notation.

**MOTION BY MRS. WEISS, SECONDED BY MR. SIMS to Accept and Enter into Contract with CTL Engineering for the Construction Management of the Warrensville Center Mid-Block Crossing and Bike Lane Project in an amount not to exceed $30,000. On roll call, all voted “aye,” except Mr. Rach who “passed”.

H. Motion to Accept and Enter into Contract with Midwest Parking Lot Maintenance, LLC for the 2019-2021 Pavement Marking Program

Mayor Brennan read Mr. Ciuni report which stated this was a joint project with Shaker Heights. The contract is for three (3) years with only the first (1) year being guaranteed. The contract can be renewed year 2 and year 3. The low bidder was Midwest Parking Lot Maintenance. Mr. Ciuni stated that Shaker Heights has already entered into contract for their portion of the project and recommended that University Heights also enters into contract with Midwest Parking Lot Maintenance.

Mrs. Weiss asked if this was a three (3) year contract and if the pavement stripping was needed every year.

Police Chief Rogers stated that this would be the first year with the option for two additional one-year contracts. All lines in the city are repainted every year.

Mayor Rogers added that the lines need to be repainted yearly because of the harshness of the weather.

Chief Rogers added that it takes approximately one month to completely restripe the entire city and it scheduled so that it is completed by August 10 of each year.

Noting the cost of $44,500 for the first year; $45,585.70 for the second year and $46,229 for the third year Mr. Sims asked if the second and third year were at the City’s discretion.

Mrs. Weiss asked if the cost would change if the portion of Miramar Blvd. in front of the Middle School no longer needs to have the special stripping when the school is gone.

Mr. Wiseman asked who was the liaison for the City was noting last year the intersection near Silsby and Groveland it rained the day after it was painted so the paint looked horrible after the cars ran over it and tracked the paint.

Chief Rogers commented that he serves as the liaison and added that the City does a quality control to check the contractors work and status. The City also creates a punch list of things that are done and needs to be done.
Mr. Wiseman asked if there was any way to alert the residents when the stripping is done in their neighborhood so that they can be prepare to keep their windows closed to lessen the noise and talking they hear from the contractors.

Chief Rogers replied that he would try to notify the residents.

Mr. Wiseman asked about the line painting on Green and Baintree near the sign that says do not block intersection.

I. Ordinance 2019-29 Authorizing the Mayor to Enter into an Animal Service Agreement with A & S Animal Control

Chief Rogers stated that the City of South Euclid had provided University Heights with animal control services for the last 25 years. On March 25 South Euclid notified the City that they would be unable to provide this service any longer.

Chief Rogers said that A & S Animal Control has been in the heights area for 30 years with positive feedback from its clients. The fees are comparable with those of South Euclid and in some aspects less costly. There is a monthly retainer fee of $425 but with that comes a guaranteed 24-hour service. A & S also provides a much more comprehensive service for residents where not only will they enter into the homes, they educate residents on how to solving problems and removing conditions that create pest problems prior to setting traps.

MOTION BY MR. ERTEL, SECONDED BY MRS. CAMERON Approving Ordinance 2019-29 Authorizing the Mayor to Enter into an Animal Service Agreement with A & S Animal Control in the amount of $7,500 along with the submitted terms of agreement. On roll call, all voted “aye.”

J. Ordinance 2019-22 Repealing Previous Non-Bargaining Employee Compensation and Fringe Benefit Ordinances

Noting the conversations from the previous Council meeting Mr. Wiseman asked Mayor Brennan if he was concerned about the gap between the readiness of the employee handbook and the Ordinance that speaks to salaries.

Mayor Brennan replied no.

Mr. Wiseman asked if the main concern was erased.

Mr. McConville stated that the prior version that was read at the previous Council meeting indicated that certain ordinances would be repealed in total, ordinances that contained provisions in respect to benefits and salaries were changed. Only the sections that pertained to benefits were specified and the other sections were left intact.

MOTION BY MR. WISEMAN, SECONDED BY MR. RACH for the Passage of Ordinance 2019-22 Repealing Previous Non-Bargaining Employee Compensation and Fringe Benefit Ordinances to the extent that they are spelled out an amended. Roll call on Suspension of the rules, all voted “aye.” Roll call on passage, 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

Mayor Brennan stated there was no need for an executive session.
**Directors’ Reports**

**Finance Director** – Mr. Goffe reported that extension to file the GAAP paperwork has been approved. Therefore, the new due date to submit the unaudited GAAP financial paperwork to the State Auditor July 29, 2019 and the deadline for the audit is 30 days later. In regards to pool preparations orientation was held for the pool staff and there is a new point of sale system (First Data), the same system will be rolled out for use at various City Hall departments for use with credit cards. Also, for inventory management at the pool the City will be using a hand full of vendors instead of purchasing inventory with multiple trips to different vendors.

Mrs. Weiss asked if credit cards could now be used on line.

Mr. Goffe replied not at this time.

**Law Department** – Mr. McConville stated that he continues to work on the following legislation: fire prevention, parking and the use of indoor furniture outdoors.

**Police Department** – Chief Rogers announced that Patrolman Tim Burgess will be retiring at the end of the month after 30 years of service. The electronic speed sign is placed on Washington Blvd. to monitor westbound traffic between Fenwick and Edgerton.

**Fire Department** – Chief Perko reported that a junior from Fuchs Mizrachi will be shadowing in the department. The department participated in the Regional Training with East Cleveland, Shaker Heights, Cleveland Heights and South Euclid the training was hosted by the East Cleveland Fire Department and offered by the Ohio Fire Academy. The Fire Prevention Bureau that been attending training outside of the department.

**Housing Director** – James McReynolds reported that the Board of Zoning met and approved the eight items that were up for renewal. The Architectural Review Board met to review two (2) home additions, five (5) garage builds and one (1) remodel of a rear home addition. Mr. McReynolds stated that he also attended the chicken keeping seminar. The chairlift at City Hall had its annual inspection and has been certified and deemed to be safe.

Mr. Wiseman asked about the status of the previous request to knock down a home on Groveland by its owner. Mr. McReynolds replied that the project is on hold by the applicant.

**City Engineer** – Mayor Brennan read Mr. Ciuni’s report. The Washington Blvd. waterline project will begin the week after Memorial Day. Mr. Ciuni added that he continues to work with Patrick Grogan-Myers on Community Development Block Grants projects.

**Communications and Civic Engagement** – Mike Cook reported that he will be attending the Census 2020 training session. Mr. Cook added it is important to find out what the County will be doing to educate the public to ensure this census is very successful because it is very important for University Heights and the State of Ohio for Federal Funding of projects. Mr. Cook said he would also be getting Council, John Carroll, the school system and other stake holders in University Heights involved in the census.

**Economic Development - Susan Drucker** reported that the six (6) unit shopping center at 13890 Cedar Road currently has 3 of the 6 units filled; K’s for Men, Liz Nails and Lox Stock & Brisket. The two corner units are being renovated – one will be a soul food restaurant and the other will be a sea food restaurant called the “Sauce”. The old Lens and Eye store is being renovated by the building’s owner. The Residential Tax District legislation will be on the June 6 Planning Commission meeting agenda. Lastly, the Heights Hillcrest Business Expo was a big success and the City was well represented.

**Housing/Community Development Coordinator** – Patrick Grogan-Myers reported that the Housing Department was approximately halfway done with surveying all the exterior of houses in the city. Mr. Grogan-Myers stated that he continues to work on the ODNR Grant application.

There were no other director reports.
Standing Committees

Building Committee – Mr. Wiseman said he attended the Chicken Keeping seminar and found it to be very informative. Mr. Wiseman added that he is working with Mr. Grogan-Myers to finalize the plans for a proposal for the Rental Registration legislation and hopes to have it to Council for review before summer break.

Safety Committee – Mr. Rach stated that the Safety Committee meeting will tomorrow, May 21 at 7pm to further discuss signage at the park, update from the Police Chief regarding the towing policy, Fire Prevention legislation and on street/overnight parking permits.

There were no other committee reports.

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 at 9:32pm.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council