Mayor Michael Dylan Brennan called the regular meeting to order at 6:01 p.m.

Roll Call:

Present:  
Mrs. Susan Pardee  
Mr. Phillip Ertel  
Mr. John Rach  
Mrs. Michele Weiss  
Mr. Mark Wiseman

Absent:  
Mrs. Pamela Cameron  
Mr. Steven Sims

Also Present:  
Mr. Luke McConville, Law Director  
Mr. Nick Finley, Representative from Engineer’s Office

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

Agenda Items:

A. Approval of the Revised Exhibit A to Ordinance No. 2019-40 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 legislation regarded the memorandum from the City’s Economic Development Director Susan Drucker. At the last Special Council meeting Council passed a repeal and release of the lien of the Special Assessments and exhibit “A” was discovered to have had some incorrect information on it. Upon checking with Cuyahoga County offices, the information was very close but there were a couple of discrepancies that the City’s Administration wanted to clean up for the sake of the record.

Mayor Brennan added in order to make absolutely sure that there would be no confusion; the City is in fact releasing exactly what it intended to release at the last Special Council meeting. Also added to the legislation was an asterisk with language that the City was provided by Mike King from the County; the exact wording stated at the bottom of Exhibit A “removing all Municipal Special Assessments, delinquent and current, on parcels 721-01-001, 721-01-003 and 721-01-147”. The intention is to pass this legislation on emergency revised Exhibit A to coordinated with Ordinance 2019 - 40 which was passed at the last Special Council Meeting.

Mr. Wiseman clarified that this was something that Council had already done, but there were some housekeeping or typographic errors within the documents (legislation) that we used for our decision. So that this would just be ratifying the same thing with those particular changes.

Mayor Brennan replied he thought that the information that was used at the previous Special Council meeting to support the decision was generally the same; it’s was the exhibit itself that needed to be more precise as to what the City was exactly parcels are being released.

Mr. Wiseman clarified that the current information was correct and that it came from the County Fiscal Office and that the City is working with them and that the County Fiscal Office would be the ultimate party to receive the majority of those taxes.

Mayor Brennan replied that ultimately neither the County, the School District nor University Heights will be deprived of these tax dollars. These were monies intended for the TIFF which would have gone to the bond holders.
MOTION BY MRS. WEISS, SECONDED BY MR. ERTEL for the Approval of the Revised Exhibit A to Ordinance No. 2019-40 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. Roll call on Suspension of the rules, all voted “aye,” roll call on passage, all voted “aye.”

B. Motion for the Appointment of Three (3) Members to the City’s Assessment Equalization Board

Mr. Goffe stated that objections to the Special Assessment process which necessitates the City appointing the three (3) members to the Assessment Equalization Board and holding an Assessment Board Hearing. City Council as the legislative authority is required by the by to others and with that cyclisation morning long council isolation authority is required under the Ohio Revised Code to appoint the three (3) members who resided and own property outside of University Heights but within the boundaries of Cuyahoga County. City Council is also required to name the date, time and place for the Assessment Board Hearing. Mr. Goffe recommended that meeting to occur sometime between August 27, 2019 and September 4, 2019.

Mr. McConville noted that if Council wasn’t ready to appoint the three members at this time they would have to hold another Special Council meeting and that meeting could be just prior to the Assessment Board Hearing.

Mrs. Pardee asked due to the importance of this committee would it make sense to have an alternation member.

Mr. McConville replied he did not see any reason why an alternate member could not be appointed just as long as it was specified as such.

MOTION BY MRS. PARDEE, SECONDED BY MR. WEISS to Table the Motion for the Appointment of Three (3) Members to the City’s Assessment Equalization Board until the next Special Council meeting. On roll call, all voted “aye.”

C. Motion Scheduling the Date, Time and Place for the Assessment Equalization Board Meeting

Mayor Brennan asked Mr. Goffe is he has a suggestion for the timeline as to when to hold the Assessment meeting.

Mr. Goffe replied somewhere between Tuesday August 27 and prior to our regularly scheduled council meeting on Tuesday.

Mr. McConville noted that notification to the effected parties has to be provided.

Mr. Goffe replied that the effected parties have to be notified via mail (certified) five (5) days before the meeting.

MOTION BY MR. WISEMAN, SECONDED BY MR. RACH to set the Assessment Equalization Board Meeting either: Tuesday, August 27; Wednesday, August 28 or Thursday, August 29, 2019 at 6:30 p.m. in the School Board Conference Room should it be available. On roll call, all voted “aye.”

D. Resolution 2019-41 for the Submission of a Grant Application to the Cuyahoga County Planning Commission for The Healthy Urban Tree Canopy Grant Program

Mr. Pokorny stated that the Cuyahoga County Executive Armond Budish has pledged million dollars a year up to five million dollars over five years for the healthy tree canopy program. The University Heights Administration desires participating in that program. Cities are limited to a maximum of $50,000 each. The funds would be used on would be to train some of the young trees that have been planted over the last five years up to 500 of them by placing mulch around them, fertilizing them to help them grow and mature. The application is due by July 29, 2019.
Mrs. Pardee noted the small 5% match.

Mr. Pokorný said that the require 5% match is available in the Tree Fund.

MOTION BY MR. WISEMAN, SECONDED BY MRS. WEISS approving Resolution 2019-41 for the Submission of a Grant Application to the Cuyahoga County Planning Commission for The Healthy Urban Tree Canopy Grant Program. On roll call, all voted “aye.”

E. Ordinance 2019-42 the 2019 Permanent Appropriation Supplement #1 (This is additional appropriations for the paving of Washington and Groveland)

Mr. Goffe stated that this would be for the anticipated funding of item F the 2019 Street Improvement Program $688,894.50. Noting that the bid came in substantially higher than what was initially appropriated for the project so this supplement is for the difference.

Mrs. Weiss asked if the Administration knew why the bid came in so much higher.

Mr. Fini replied that there were several companies on the bid holders list but only one bid was returned; that bid was from The Shelly Company who is reputable company. The belief is that the price was influenced by the time of the year and the work load that the contractors currently have. In speaking to the bid holders that didn’t submit proposals commented that they could not commit to timeframe for completion. Mr. Fini also explained that the asphalt prices came in as estimated, but the cost for subcontracting concrete work came in higher than anticipated.

Mayor Brennan also offered that in speaking with Mr. Ciuni another possible explanation was that due to the many rainy days that occurred in June, 2019 many of the contractors are already behind in their contracted projects and are not taking on other projects.

Mr. Rach asked if this project were to be pushed ahead to 2020 would the City receive a more favorable bid.

Mayor Brennan replied that may be the case, but noted that this project was initially to be completed last year. And, the Washington Boulevard residents have an expectation especially due to reports on Cleveland.com that the County erroneously stated that they would be contributing to this project but then discovered it was not eligible for the contribution of a quarter million the County was making.

Mr. Wiseman asked what was the budget for the project.

Mr. Goffe replied $550,000 was budgeted.

Mrs. Weiss commented that the City should never be in this position and it needs to be very cognitive that bids such as this don’t go out in July because it is already known in January what streets are to be paved.

Mr. Wiseman asked if it was to late to re-bid the project.

Mayor Brennan replied no, it would just put the project off by another month. But, we don’t know what bids would come in; would The Shelly Company bid again, would another company bid, would the bids be lower or higher? It would mean taking a chance.

Mr. Ertel stated he would be in favor of accepting the bid now because the residents on the effected streets have been through so much.

Mrs. Weiss agree, but added that Mr. Ciuni be made aware the getting the bids out early enough is a priority.

MOTION BY MRS. WEISS, SECONDED BY MR. ERTEL to Ordinance 2019-42 the 2019 Permanent Appropriation Supplement #1 (This is additional appropriations for the paving of Washington and Groveland) on emergency. Role call on suspension of the rules, all voted “aye,” roll call on passage, all voted “aye.”

F. Motion to Accept Bid from The Shelly Company for the 2019 Street Improvement Program as the best/lowest bid and the Entering into Contract with same in an amount not to exceed $688,894.50

Mr. Fini noted that a portion of this project is in Cleveland Heights and that Cleveland Heights will cover $100,000 of the total cost for their portion of Washington Boulevard.
Mayor Brennan commented that the Administration has been in communication with Cleveland Heights but that University Heights is still required to budget for the total amount of the project and then be reimbursed by Cleveland Heights for their portion.

**MOTION BY MRS. WEISS, SECONDED BY MR. ERTEL** accepting the Bid from The Shelly Company for the 2019 Street Improvement Program as the best/lowest bid and the Entering into Contract with same in an amount not to exceed $688,894.50. On roll call, all voted “aye.”

**G. Discussion and Consideration of possible legislation for Issuance of a General Obligation Note for debt financing of the paving of Washington and Groveland**

Mr. Goffe explained that in response to being informed by the County that the million dollars that the City thought was grant monies as well as in increase in out of pocket due to the higher dollar amount of the bid. Mr. Goffe stated he spoke with Dollar Bank to look at the possibility of lending a Note to the City. If Dollar Bank does lend the Note legislation would come back to Council for approval. The Note would be a one (1) year debt or general obligation debt and then in the following roll it over to a Bond in order to pay it over a long period of time. A general obligation debt allows the City to spend the funds on improvements to the City. Mr. Goffe added that at this time he still is gathering information from Dollar Bank but was just looking to see whether or not Council would be in favor of obtaining a Note for this.

Mr. Wiseman replied he would not be in favor of obtaining a Note for this project.

Mrs. Weiss replied that she was completely against debt financing for this project because most of the cost has been in the budget and there is money in the General Fund that can be transferred over. It is not a good path to start taking on debt.

Mr. Ertel stated he was opposed also.

Mr. Rach agreed with his colleagues until Council is provided with a financial forecast.

Mr. Goffe commented that by doing this, the debt now would provide more flexibility going into longer term planning because it would retain more fund balances in the City’s coffers as is than it would have as it gets into five (5) year forecast if this wasn’t pursued.

Mr. Rach stated that he understood that but, in the years past the City has had a robust road project and it continues to do that. Mr. Rach said that he did not want to roll this year’s program into next year, the year after, etcetera. University Heights does a very good job of maintaining the roads and it is paid for through the General Fund.

**H. Motion to hold an Executive Session immediately following this Special Council Meeting for the Purpose of Discussing Personnel, Legal and/or Real Estate Matters**

Mayor Brennan stated he had two (2) real estate matters to discuss in Executive Session.

**MOTION BY MRS. PARDEE, SECONDED BY MR. RACH** to hold an Executive Session immediately following this Special Council Meeting for the Purpose of Discussing Real Estate Matters. On roll call, all voted “aye.”

**MOTION BY MR. RACH, SECONDED BY MR. WISEMAN** to resume the regular Special Council meeting session. On roll call, all voted “aye.”

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

There being no further business, the meeting was adjourned.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council