Mayor Michael Dylan Brennan called the regular meeting to order at 7:10 p.m.

Roll Call:

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

Absent:  
- Mr. Steven Sims

Also Present:  
- Law Director Luke McConville
- Clerk of Council Kelly Thomas
- Acting Finance Director Rita Drew
- Police Chief Dustin Rogers
- Fire Chief Robert Perko
- Service Superintendent Jeffrey Pokorny
- Economic Development Susan Drucker
- Housing/Community Development Coordinator Patrick Grogan-Myers

MOTION BY MRS. PARDEE, SECONDED BY MRS. CAMERON to excuse the absence of Mr. Sims. On roll call, all voted “aye.”

Approval of Minutes from September 16, 2019

Mr. Rach page 3 item F, paragraph 3 add the sentence that this project was part of the 2019 budget. And, asked that the Clerk review the audio and provide more details on where he withdrew his motion when he stated that he did not want to vote the project down.

There were no other corrections or additions to the September 16, 2019 Council Minutes.

MOTION BY MR. RACH, SECONDED BY MRS. CAMERON to approve the Council minutes from September 16, 2019 as presented with additional comments. On roll call, all voted “aye.”

Comments from Audience

Mr. Scott Watcher, 2224 Edgerton Road spoke to his efforts of the last 3 to 4 years for the “move to amend” movement. Mr. Watcher commented that South Euclid, Shaker Heights, Chagrin Falls and Mentor have passed legislation for this movement. While Mr. Watcher appreciated University Heights’ help by considering the passage of a Resolution supporting the “move to amend” movement, Mr. Watcher stated that he preferred to have the issue be placed on the ballot and not for the City to just pass a Resolution of support and was looking forward to further guidance from the City as to how to get this accomplished in University Heights. Mr. Watcher provided Council with a pamphlet of information.

Mayor Brennan asked if the Resolution had been approved by Council at a previous meeting.

Mr. McConville commented that the Resolution did not pass because of the requirement to hold an annual meeting and the Council was reluctant to bind this and other Councils to holding annual public hearing for this.

Mr. Watcher stated that the language in the legislation states that the meeting would occur every two years. Cleveland Heights and South Euclid hold their hearing every year and Shaker Heights every two years.
Mrs. Cameron added that the legislation for consideration is back at the drawing board.

Mr. Meir, 2172 Vernon was present to voice his complaints and concerns regarding The Sauce Restaurant, Cedar Road and added that he would like for the same restrictions that was placed on Subway be placed on this restaurant.

Mr. Greg Coleridge, 3616 Summerton Road Cleveland Hts. stated that he is also involved in the “move to amend” movement. Mr. Coleridge added that the information that Mr. Wachter provided gave two forms: (1) consideration for the passage of a Resolution consistent to what other communities have done around the country in declaring that money is not a form of free speech and corporate entities are not equal to legally constituted persons. This method does not require any type of public hearing. (2) the option would involve having public hearings either bi-yearly or annually. This would only occur if the Newburg Heights model was followed.

**Mayor’s Report**

Mayor’s Report 10/7/2019

I am happy to report that the our first ever Fall Fest and our city’s second Fire Department Open House for Fire Prevention Week were both a great success. These events were held yesterday, Sunday, October 6. The Fire Department Open House was even better attended than last year. Over a hundred people took the firehouse tour, and even more simply participated or interacted with the various displays set up in and around the garage and parking lot. Chief Bob Perko, Executive Captain Andy Bolan, the fire command staff, and all the fire fighters are to be commended for putting our Fire Department on display and opening their house to the community.

Yesterday proved to be a double feature, for as the Open House began at 11:30AM and continued into the early afternoon, the Fall Fest began at 1:00PM and ran till 5:00PM. We had pumpkin decorating with over a hundred pumpkins, a balloon artist, bounce houses, and over two dozen vendors, some of who sold out of their wares. We had a food truck, and I gave away cider throughout the event. We had the Springsteen tribute band “Jersey,” and while I am hardly a great fan of The Boss, their show was well executed, faithful to the material, and well received, or to put it bluntly, they rocked The Walt. I want to thank our Communications and Civic Engagement Coordinator Mike Cook, and our Special Projects Coordinator Rachel Mullen, for giving everything they had to the cause of creating this fantastic event. Both of them worked themselves sick at this, but we did something special, and have a template to do it again next year, even better. I also want to thank our uniformed officers who were present at the Fall Fest, and Stephen Tizzano, our custodian, who serviced the events on Sunday, keeping trash cans emptied, our restrooms stocked, our park and grounds clean.

The thing that really struck me, at both events, were the numbers of residents who came up to me, to thank us for what we have been doing these last twenty or so months. People of all ages, telling us that we have made University Heights feel like the community they always imagined it could be. I had a woman tell me that she has lived in this city for 61 years, and she has never seen anything like what we have done to renew community spirit and civic pride like what we have done. I have heard this quite a bit over the course of the last twenty months, and yet, it still catches me off guard. I’m never quite sure what to say, except that, it is an honor to serve.

University Heights has always been a great place to live, but for a long time, we left too many opportunities on the table. For too long, we sold ourselves short, acted as if we deserve less than other communities. That we can’t have nice things. Heck, that we can’t even have ordinary things. It’s just not true. And we cannot allow that to be true.

It has been twenty months, and in that time, we may have forgotten how bad it can be. To have an administration that didn’t fix broken windows. That didn’t maintain the boiler in the city hall basement. That didn’t actively seek economic development but just waited till it happened to us. That had no seeming desire for a coherent plan for handling IT, much less an actual plan for IT. That had a fire chief that belittled his staff and even rationed toilet paper by the roll. Misery things that were pennywise and pound foolish, that were cheap and short-sighted rather than merely frugal and cost-conscious. That were flinty rather than thoughtful, the couldn’t see past to the bottom line to look at the big picture.

We are still suffering the consequences of those times. As I set forth in the state of the city address earlier this year, the supposed surpluses this city had were slight of hand, enabled in part by mismanagement of our resources. By the ongoing deferral of necessary investments and critical
maintenance. For example, our 27 year old ladder truck, which is today off line and in need of substantial repairs. With our new ladder coming in January, passed unanimously by this council, we may have to do without and rely on our neighbors till then. Dispatch knows, and neighboring agencies will take care of our city while this ladder truck is again down, just as we have stepped up whenever our neighbors have needed help. This administration, and this council, swallowed hard and committed to the $1.4 million that was needed to replace this ladder truck. Running a city costs money, and that cannot be avoided. The safety of this community is of paramount importance.

Dovetailing into that is, as you’ve heard by now, the reorganization of the City Finance Office. I would like to take a moment to praise our departed Finance Director, James Goffe. The task we gave him was extremely difficult. The finance office we inherited, had not performed a bank reconciliation in over a year – all of 2017 and then going into 2018 – and had no materials that we could readily give to the auditors for the audit of the previous administration’s final year. We had to create all those things from the scant records we did have, and make some guesses based upon the records we didn’t have. In the time that Mr. Goffe was here, he did a lot of great work for us. We successfully passed two audits, we modernized and updated the finance office software and structure, we brought new Point of Sale systems to the pool, and the Building Department, and to the Fire Department. We began implementing best practices, cleaning up years – and I do mean years – of neglect and poor practices. Mr. Goffe provided an incredible amount of detail to the budgeting process for 2019. We – administration and council – passed a budget, the one that we are working under now, that acknowledged – with eyes wide open – that in the short term we would have to make up for the years of neglect of our resources, and deficit spend to catch up on acquiring the staffing and restoring the assets we need to properly serve this city, in the Fire Dept and in the Police Dept, especially, but in all departments overall. We are well within the budget the we passed, and overall we are well within the appropriations we made, and our encumbrances today are still well below that deficit in the budget this council passed and that I signed. We are coming in $1.5m below, $1.5m better than the budget we all agreed to. Spending that we agreed would be an investment in our city.

As responsible stewards of the taxpayers dollars, and as a matter of long term fiscal sustainability, we know that we cannot continue to deficit spend. That after making up for some lost ground, next year we will have to tighten our belts, and achieve balance. This administration is committed to the long term sustainability of this city, which will be accomplished in several ways, one of which is by having a balanced budget.

Towards these ends, we announced last week that we are bringing in a new finance director, Dennis Kennedy, the former finance director of Solon, the former finance director of Brooklyn, the former finance director of Beachwood, and soon to be former chief fiscal officer of Cuyahoga County. We recruited Mr. Kennedy because, for all the progress we have made, Mr. Kennedy will take us to the next level. Mr. Kennedy is joining us because he sees the strong work and commitment this city government has in improving our community, and he has seen it up close, because he lives right next door in South Euclid. Mr. Kennedy is the experienced sure hand. The Browns are playing tonight, so I’ll go ahead and say it like this, he is John Dorsey building upon the groundwork laid by Sashi Brown. Our Sun reporter was for many years a music writer, so I’ll also put it like this: he is Steve Vai, building upon the work of Adrian Vandenberg. We had the right person for the job in the summer of 2018 in James Goffe, and later this month, on October 23, 2019, we will have right person for the job in Dennis Kennedy.

During this time of transition, I want to assure the community that we continue to have the money and resources to serve this city. That there will be no disruption in services, that our switchover – while substantial in house – should feel outwardly seamless, and that all the commitments this city has undertaken and undertakes will be honored. To our council, we will have a finance director with whom you will have confidence. Historically, the finances of this city have been murky, and previous mayors and their finance directors played things too close to the vest, even withholding information. I have been, and remain committed, to not doing that. Our move up is, in part, to achieve that end as well.

And now, for the controversial portion of this evening’s report: leaf pickup season. I want to begin by repeating the mantra: Leaves Leave Faster When You Bag Them. Unbagged leaf pickup is a seasonal service, meaning, as long as you get your leaves out, by the end of the season, we will get them. There is no guarantee of a particular day leaves will be picked up, nor is there a particular minimum amount of time where leaves will be picked up once raked to the treelawn. That said, there are several things we are going to be doing differently in an effort to better serve the community. Weather and staff permitting, we will begin leaf pickup the week of October 14. For the first two weeks or so, we will have one crew out. At this time, come the first Monday in November, we will have temps in, much like
we have had in the past. Once we are at peak pick up, we will do the following things that are different from last year: we have sufficient equipment for four leaf crews, and so we will find a way to staff them consistent with the provisions and rulings that pertain to our collective bargaining agreement with our service employees. Having consistent crews out will enable us to better project which streets are next to be picked up. On those streets, we will place temporary No Parking signs, as vehicles parked in the street get in the way of leaf pickup. Cars left in these no parking zones may be towed. At the same time, residents should be aware that if the signs appear on your street, now is the time to rake to the tree lawn. We cannot guarantee that the leaf crews will be there by the next day, or in two days, or the same day. So don’t ask. Just get your leaves out. If you are looking for greater certainty, then I repeat the mantra: Leaves Leave Faster When You Bag Them.

Also, I would be remiss if I did not mention the position of the Cuyahoga County Soil and Water Conservation District, which recommends mulching your leaves into your lawn with the mulching setting on your lawn mower instead of raking leaves. Apparently, this returns nutrients to your lawn, and according to the CSWCD, mulching leaves in the Fall can result in a greener lawn with up to 80% less dandelions the following Spring.

Maybe this year is the year to try that, for science! And to lessen the burden on our hard working service employees.

Going forward, our review of our draft solid waste study has begun, with additional research and refinements underway. For the long-term sustainability of this city, to promote better recycling (and also economically), we will be looking at alternatives to our present backyard collection system. Because our present method of pickup still uses blue plastic bags for recyclables, this city is landfilling thousands of blue plastic bags every week. At a time when the county’s plastic bag ban is near, we cannot continue to do this in University Heights. We must accommodate the times, promote better recycling, and get the recyclables into a dedicated bin for pickup. It can be done for less money than what we spend now, and be more eco-friendly at the same time. More on this to come. To be continued…

Thank you, this concludes my report.

**Agenda Items:**

A) **Presentation University Hospitals Presentation ~ American Heart Association (AHA) Mission Lifeline Award to the University Heights Fire Department**

Fire Chief Perko stated that members from University Hospitals were at the meeting to present the American Heart Association Mission Lifeline Award. Chief Perko thank Mayor Brennan and City Council for their support and added that there are three key elements that he felt makes the Fire Department successful in the community; (1) having the right equipment, (2) proper training; and (3) the staff. Chief Perko explained the importance of receiving training and buying the proper equipment in order for the department to due their job especially when seconds matter between life and death. University Hospitals also partners with the City and has been the department’s medical control provider for almost 20 years in conducting weekly training and other helpful things.

Chief Perko introduced and thanked Medical Control Director Dr. Luke, Chest Pain and Quality Control Coordinator Jennifer Hoff, Director of EMS Institute Dan Ellberger, and Cleveland Medical Center President, Dr. Simon.

Dr. Luke thanked Chief Perko and the Department for their life saving treatments. Noting all of their efforts relating in timing heart attack and stoke care is recognized as making the community much safer. Dr. Luke stated it was his honor and privilege to recognize the University Heights Fire Department for achieving the Mission Lifeline EMS Silver Plus Performance Award for excellence in the care of cardiovascular patients. Dr. Luke noted that this award was granted to 127 EMS squads in the State of Ohio of which 54 are under the medic command of University Hospitals.

Mayor Brennan thanked everyone including the Fire Fighters, Dr. Luke, Mrs. Hoff, Mr. Ellberger and Dr. Simon.
B) Presentation by Concord Technology Group ~ City Hall IT Support

Mr. Andrew Lingenfelter, President/Managing Partner of the Concord Technology Group review his company’s history and stated that a while back his company was asked by Mayor Brennan to look at the IT structure for the City’s Administration. Mr. Lingenfelter met with at that time Finance Director James Goffe who was in touring the facilities and evaluating the IT structure (free of charge). Mr. Lingenfelter then provided Mayor Brennan with a multi-phase solution that would serve as a good starting point in correcting the problems the City was having its IT service and server. The first phase would be to take care of the server environment and email environment, etc. handled by virtualizing the environment as well as taking all of the current domains and consolidate them to make the environment more stable. Mr. Lingenfelter added that the current server was not setup under best practices and suggested implementing a 24TB storage array. Then the three (3) primary servers would be virtualized to setup a system that would allow for routine required maintenance to bring the system up to the 21st century technology. The equipment would include a Dell Computing Array, Dell Hand Switch that would function at the required 10gig speed to allow movement of storage from the drives to the server. This will also allow for good backups of files to avoid loss of data. Mr. Lingenfelter also reviewed components of the proposed invoice. Concord Technology Group not only sells all the main computer systems and components but also program, setup, configure and provide support of all the equipment as well as supply a help-desk for support.

Mrs. Pardee asked if they could explain why the current 1-year old server failed, aside from the way the server was configured, was it the equipment itself or could it have failed because of the physical environment the equipment was placed not kept in an ultima condition such as being kept cool enough state.

Mr. Lingenfelter stated that he had been in that room where the server is stored for several hours on a warm day and that room gets hot. Mr. Lingenfelter added that he had had conversation with Mayor Brennan about cooling that room.

Mrs. Pardee asked how does the City make sure that this doesn’t happen when we place a new piece of equipment in there.

Mr. Lingenfelter replied that (1) the proposed BM Ware software that is listed on the quote has a thermostat in it and will monitor the physical hardware and communicate with the thermostat. If it senses something is not right with the temperature, such as being too hot it will generate an email to me and I will then call City Hall to see if there is a problem and proceed to investigate from there.

Mrs. Pardee asked if a room air conditioner placed in the room with a door to close the room off would be sufficient.

Mr. Lingenfelter stated that could be done, but that is not always the correct way to do it because window air condition unit are not meant to run 24/7/365 and that it really what that server room needs. Having a window air condition unit is a cheap quick fix but you could possibility have to replace it every couple of months.

Mrs. Pardee asked if it wouldn’t it make sense to protect this equipment investment and purchase a decent air conditioner unit and asked if the cost of that was included in the proposed quote.

Mr. Lingenfelter replied no and that he and the Mayor had decided that should be treat as a separate purchase.

There are manufacturers who make room air conditioners that have a drain pipe that runs into a container and don’t need to vent to the outside.

Mrs. Pardee asked for an additional information on the purchasing of a refurbished unit.

Mr. Lingenfelter stated that when they came in to evaluate the current situation they determined that an Array Sand Server or storage solution was important. Mr. Lingenfelter stated he went directly to Dell and the price for a new storage unit was very high, approximately 5 times the cost of the unit that is proposed. In looking at the refurbished world – there is nothing wrong with choosing to purchase a refurbished unit that probably came from a lease. Mr. Lingenfelter added that they deal with a company
that takes refurbished equipment, completely inspects it and cleans/replaces any parts to assure it is in working order. An ongoing support contract can also be purchased for the refurbished units. Mr. Lingenfelter added that he was aware that the funding situation was tight so he wanted to be a frugal and still put forth a workable solution that made sense and would address a lot of the City’s issues. A refurbished unit makes sense because this product will also have the same warranty that a brand new one would have plus an extra 1-year warranty that can be renewed for years going forward. The warranty offers 24/7 next day brand new replacement warranty. This solution offers the City what it needs in a cost-effective manner.

Mrs. Pardee asked how much room for growth would the server have; what capacity does the server have.

Mr. Lingenfelter replied that currently the current server has approximately 7.5TG the proposed server would add 24TB. Mr. Lingenfelter added that the proposed software runs de-duplication that goes through the files and when it finds more than one of the same files it merges them into one file saving space. It is hoped that when this program is up on running it will find several of these types of files creating a savings of space. In summation the City should not run out of space for a while. The virtualization software will allow our team to get into the server when it is time for maintenance to do fixes and patches by moving the actual server over to the virtual environment and all the time the actual system continues to run without interruption.

It was explained that currently the server is a physical server meaning that each individual server runs its job so if a particular server does down so would whatever functions it was doing, i.e. emails would be down until that server is replaced. The new system will take the current 3 servers and repurposing them to be virtual host so that if a physical host server crashes the virtual servers would be move over to other servers so no time or work is loss. The current server has been backed up to an external location so that it can be wiped out, load VMWare.

Mrs. Pardee asked what the timeframe would be to setup everything up.

Mr. Lingenfelter estimated about 70 business hours/2 weeks.

Mrs. Weiss commented and asked since the backup are in another location and since the basement is so crowded why not move the server to another City Hall building.

Mr. Lingenfelter replied that would be advisable because all the cabling would have to be moved and redirected.

Mrs. Weiss asked if we would still need all three servers or if some of them could be sold. Mrs. Weiss further asked if a typical organization of the same amount of personnel and machines size would have three servers.

Mr. Lingenfelter stated that best practice is to have at least three servers for security fail over and high availability in the event something goes down. You could probably manage with two servers but if one were to go down the other server would not be able to run all the virtual servers by itself.

Mrs. Weiss asked what Phase 1 would be comprised of.

Mr. Lingenfelter explained Phase 1: the process of moving the files and creating a new virtualize host. Phase 1 is putting in the foundation work.

Mrs. Weiss noted that the City was currently in the budget cycle and didn’t know what the technology needs will be long term as well as the Tech Advisory Committee hasn’t met yet.

Mr. Lingenfelter said that his company had no problems working with or meeting with the Tech Advisory Committee and that anything they do would be under best practices.

Mr. Rach asked if the $1,229.00 1yr. VMware Support and Subscription cost was annual.

Mr. Lingenfelter replied yes if desired because it is an optional support feature. The City will own the software after purchase.

Mrs. Weiss asked if the virtual storage was cloud based.
Mr. Lingerfelter answered no the files are stored on software that is on another computer. But cloud-based storage can certainly be discussed.

Mrs. Pardee again reminded Mr. Lingerfelter to provide Mayor Brennan with information regarding air conditioner units because of the importance of maintaining a regulated temperature in the room where the server is located.

C) Motion to Approve Sales Quote from Concord Technology Group for the City Hall IT Support

Mr. Wiseman voiced his frustration and commented that he was not well versed in the technologic side of computers but from his perspective as a Council person being asked to approve this expenditure by the City the troubling thing is that Council did not know that the current server and server setup wasn’t done according to “best practices” with that being the case how does Council know that what being proposed meets “best practices?” Mr. Wiseman said he would be a lot more comfortable if someone who knew the language that Mr. Lingerfelter was speaking reviewed what was being suggested. Mr. Wiseman added that he didn’t doubt that the current computer system has been having problems and could go bad, but he wanted to make sure that 12 months down the road another IT company is brought in and say the same thing in that the proposed system was a bad choice.

Mayor Brennan stated that in general if Council wanted to reconvene the Tech Advisory Committee he would be favorable to that, but in this instance the Administration is experiencing failures from the computer server constantly. Mayor Brennan added that he didn’t believe he needed a committee to tell him what needs to be done at this point. Beyond what is before everyone currently and as the Administration looks to do other projects for things that need to be done for example the Police Department will need to upgrade their version of Windows because their current version will not be supported as of the end of 2019. In working for the long-term and in attempting to flush out the Administration’s IT needs for the future reconvening the Tech Advisory and having that level of citizen input would be welcomed.

Mr. Wiseman added that he wanted to make an informed decision.

Mrs. Weiss asked Mayor Brennan and stated that she was ok with approving Concord Technology for this emergency fix if other IT companies were considered.

Mayor Brennan replied yes other IT companies were considered.

Mrs. Weiss commended that going forward Council would need the Tech Advisory Committee to meet and interview other companies to put together a long-term vision of what the City’s IT needs are.

Mrs. Pardee stated that in response to Mr. Wiseman’s statement she was informed about the emergency nature of the City’s IT needs on Monday and she did seek out someone (not locally) who was an IT expert in hardware, software etc. and they said that this proposal sounded reasonable. Mrs. Pardee added that gave her some sense of comfort in what was being suggested based on what Council is looking at. Secondly, before that Council did attempt to reconvene the Tech Advisory for this purpose. Mrs. Pardee added that she knew that was a timing issue where there wasn’t a lot of time and then this became a crisis for the Mayor so things had to move forward. In reconvening the Tech Advisory it was discovered that several members have moved out of the city therefore we will be searching for new experts in the area and we will have a true reconvene with new members. Mrs. Pardee suggested that if Council members knew of anyone with this sort of expertise to give that information to the Clerk.

Mrs. Cameron stated that she liked what she heard in terms of security and the virtual server. These two areas will be worth their weight in gold in terms of day to day functions of the city and not having the server down.

Mr. Ertel commented that he agreed with Mr. Wiseman that the issue is frustrating in know how to ensure that the City won’t be in this same boat in terms of IT again. Noting that the Concord Technology Group has Shaker Heights as a client, Mr. Ertel added that he also works for Shaker Heights and has experienced their high standards.
There was no further discussion regarding IT Support from Concord Technology Group.

**MOTION BY MRS. PARDEE, SECONDED MR. ERTEL to Approve the two (2) Sales Quotes from Concord Technology Group for the City Hall IT Support: (1) not to exceed $10,125.00 for Labor and (2) not to exceed $12,817.87 for equipment.** On roll call, all voted “aye.”

D) Approval of Planning Commission’s Recommendation from June 6, 2019 for the Consolidation of Four (4) Parcels 722-01-068, 722-01-070 and 722-01-071 into One (1) Parcel in regards to 13485 Cedar Road / Pizza BOGO

Mr. McConville reported that this was in regards to the lot consolidation request that was made by Pizza BOGO and recommended by the Planning Commission. The plan itself for the business and the expansion was previously recommended and approved by the Planning Commission and City Council. At that time the Planning Commission was reluctant to recommend the approval of the lot consolidation because there was re-zoning that needed to occur because the parcels had separate zoning before the consolidation could occur. This approval of consolidating the four parcels is more of a formality in that each of the parcels are currently zoned the same.

Mr. Rach noted that he is a voting member of the Planning Commission and voted in favor of this consolidation. It is one project, one building on four parcels so the Planning Commission is recommending that this be one project, one building on one parcel.

Mrs. Pardee asked if there was going to be rental space above on the second floor.

Mr. Rach replied that having the rental space is proposed for future although having the second floor as rental space was also approved.

**MOTION BY MR. RACH, SECONDED BY MRS. CAMERON Approving the Planning Commission’s Recommendation from June 6, 2019 for the Consolidation of Four (4) Parcels 722-01-068, 722-01-070 and 722-01-071 into One (1) Parcel.** On roll call, all voted “aye.”

E) Ordinance 2019-61 Amending Section 2 of Ordinance 2016-39 by Updating Annual Compensation Rate of Specified Employees (on emergency)

Mayor Brennan reported that this Ordinance needed to be updated for some time now and had been identified by previous Finance Director Mr. Goffe and previous interim Finance Director, Mr. Fredrick. The salary bands in this Ordinance date back three or more years depending on the position of which are out of date and do not adequately represent what would be competitive wages for several positions. One position in particular being that of the Finance Director, in order to bring in Mr. Kennedy at the level appropriate to his experience he would be coming in well over the existing pay band which caps out at $95,000. The position was offered to Mr. Kennedy for $110,000. In addition, some of the listed positions has one employee who is already making compensation in excess of the assigned pay band, another employee is within $153 of the top of their pay band, another employee if he were to receive a 2.5% raise to be on par with the previous two years would place him over his pay band. While there was an immediate need to adjust the pay band for the Finance Director. After conferring with the Law Director, Mayor Brennan said he thought that to revisit this Ordinance without updating the other positions especially the position where there is an employee who is over or so close to their position’s salary ceiling this would be the appropriate time to make adjustments. Mayor Brennan added that he wanted to be clear that upon passage of this Ordinance as proposed that he would not be issuing raises for any position at this time and according to section 2 of the Ordinance which models the previous Ordinances states the Mayor shall advise City Council of all changes in salaries in the aforementioned positions at the next regularly scheduled meeting. Mayor Brennan noted that today every salary that exist at present would remain the same, the only difference is that the new Finance Director would be making $110,000 a year. In the event that this Ordinance is not passed, it is true that Mr. Kennedy would be making $110,000 between October 23, 2019 and the end of 2019 but at some point, his rate of compensation will exceed what is in the pay band. It would be tidy to straighten that out before Mr.
Kennedy begins, it would tidy to straighten out the issue of the position where we are paying in excess of the pay band and it would be appropriate to adjust the like bands according to keep things even.

Mr. Rach asked Mayor Brennan what was the logic in how he came up with the top of the pay bands because the percent increase varies from position to position and there was not a lot of consistency. The amounts increased from 6% to upward of 15% change.

Mr. Wiseman asked if this agenda item could be discussed in Executive Session for the purpose of personnel issues because he had several questions as well and all other concerns regarding this item.

Mr. McConville stated he didn’t believe this would constitute a personnel issue. This is a fiscal ordinance.

Mr. Wiseman asked how is the compensation of an employee not a personnel issue.

Mr. McConville again stated that he didn’t see this as a personnel issue, he saw it as a budgetary and fiscal issue.

Mr. Ertel noted that at the same time there is discussion pertaining to bringing the new Finance Director in for a specific amount of money.

Mr. McConville replied that would be a legitimate issue to talk about in Executive Session. Mr. McConville added that he was not sure if this was really a personnel issue or more of an awkwardness issue. This is a pay band structure, it is not really related to any particular employee except arguably to the future Finance Director’s compensation depends on the passage of this legislation. Mr. McConville added that no other Director’s compensation would be changed as result of the passage of this legislation or as the result of the denial of passage.

Mr. Wiseman spoke to the Mayor’s comment that someone is paid outside of their band and asked how was that allowed to happen.

Mr. McConville stated that he would argue that the pay band should reflect the actual appropriations and that is something that everyone should be more careful of in the future.

Mrs. Weiss asked if there was any repercussion if salaries are above their pay band.

Mr. McConville replied not as long as Council appropriated the funds.

Mr. Rach stated that although he was comfortable raising the salary caps every year the 2.5% or whatever percent Council appropriates in the next budget cycle. Mr. Rach said that he does not want to revisit this every two-years but when there is like a 13 or 15% jump that get his attention to ask what is the cause of that sort of increase along with the inconsistencies of the various position percentage of increase.

Mayor Brennan stated that there were several things that he considered. Regarding the Finance Director Mayor Brennan said he was proposing the jump from $95,000 to $125,000 because in his experience over the last 20 months of dealing with Finance Directors and in concurring with his fellow Mayors the limits and the challenge of the talent when it comes to being able to find even a subpar Finance Director but let alone a good one they are more valuable now than the salary ban suggest. The Mayor added that the bands should be thought of like the range in pay you would find in the Federal system in respect to what classification a person may be and what step someone may have with respect to how much experience they have. Mayor Brennan stated that the new incoming Finance Director is a very experienced Finance Director. In looking at the Police and Fire Chiefs with respect to those positions one of which is over the salary band ceiling and the other is within $153 of the salary band ceiling. In looking at what Fire and Police Chiefs make in other municipalities $125,000 is still fairly low. From there Mayor Brennan said he categorized the Service Director and Building Commissioner according to the expertise and years of experience that they each have. Modest adjustments were made to Parks and Aquatic. Although it not necessary at this time the Clerk of Council was adjusted by $5,000 for
symmetry. The part-time aspect of the Community Development Coordinator was eliminated and the title was updated to Housing Community Director, the position is a valuable position and in many ways on par to what the Building Commissioner does.

Mayor Brennan stated that this was done with a thoughtful analysis and sound bases. Mayor Brennan added that he did not contact six cities to find out what these positions made in their cities, although he did have a quote from a consultant at one point but that was declined.

Mr. Rach commented that in his four years of serving on Council this is about the third or fourth-time seeing updates for salaries. Council has always passed Ordinances to change the salary bands and that Council has been comfortable with that because they have budgeted towards those rates. Mr. Rach added that he wanted to make sure that when Council comes up with the salary bands that it not reactionary but strategic. Mr. Rach said he could see where the bands could change 2 to 3% a year to meet inflation and what the City would be giving to staff, but not a 15% jump.

Mrs. Weiss spoke to the Mayor’s comment regards using a consultant and recalled that at a Finance Committee meeting a consultant quote was provided and it was decided not to go that route. Council members who were at that Finance Committee meeting said that they wanted city hall staff members to get salary information from six different cities to see if University Heights would be in contention in the event there was a need to hire. Mrs. Weiss continued to say that the City is in the midst of budgeting season and she thought that this should be held off so that it can be done strategically and thoughtfully. Mrs. Weiss said she would be in favor of craving out and amending this Ordinance to be for only the Finance Director and after the budget is passed the remainder of the Ordinance can be revisited.

Mrs. Pardee commented that the previous Finance Director had identified this need, the Ordinances were pulled and nothing went forward from there. There was never any conversation and there is a need to look at this. Mrs. Pardee said the review should be strategic and should be one of the first complements of the budget for 2020. Mrs. Pardee said she would prefer not to wait until March 2020 and do this now as the first step of the 2020 budget because directors are reappointed every two-years in January. This salary structure should be reviewed for revision and updating as well as the other salaries that were identified by the previous Finance Director in the next few weeks prior to getting into other budgetary items. Mrs. Pardee said that she would be willing to approve this only for the change in the Finance Director salary.

Mr. Wiseman agreed with Mrs. Pardee and noted that he would like the process of reviewing salaries to be a scientific process – how long they have service, the job they are doing, where it fits in with other similar cities. Mr. Wiseman said he found it very troubling to have the bands and for them not to be paid attention to.

Mayor Brennan commented that if the bands were not going to be passed at this meeting then it must be something that everyone remains committed to keeping on the front burner for addressing soon in conjunction with the budget.

Mrs. Cameron left at 9:11pm.

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS to Amend Ordinance 2019-61 for the Finance Director Salary Range up to $125,000 as presented but all other changes to the Ordinance are rejected. On roll call, all voted “aye.”

MOTION BY MRS. WEISS, SECONDED BY MRS. PARDEE for the Passage of Ordinance 2019-61 as Amended. Roll call of suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”


Acting Finance Director Rita Drew stated that the Clerk of Council asked her to review the previously passed Ordinance 2019-52 because in checking the dollar amounts the numbers did add up correctly.
Upon review Ms. Drew recommend that Fund 240 be removed from the Ordinance because it is at a zero balance. The other changes included correcting the listed total for all the Funds and an adjustment was made in Section 4 so that the figures would be in-line with what the fund balances were.


G) Motion to Accept the Bid from Archer Sign Corporation for the 2019 Priority I Signage Program as the best bid and entering into Contract with the same in an amount not to exceed $99,593.83

Mayor stated that per the previous Council meeting he did contact Guide Studio to see if Archer Sign would hold their pricing and Archer did agree to hold their pricing of $99,593.83 until this meeting. Mayor Brennan said that these would be the signs that welcome people into the city and that the first anniversary of the rebranding is coming up. The way for the ultimate branding in the most visible way is the signage and that has not been done yet. This project does not include the signage for City Hall or the updating of the Purvis Park signage. Those signs can be budgeted for 2020. The signs from this project would include the replacement of the current wooden colonial monument signs, updating the signage at the Walter Stinson Community Park, flat signs that will fit in smaller areas. Mayor Brennan added that this project was budgeted for the 2019 budget and are within the appropriated amount.

Mrs. Pardee asked why Archer was chosen over Ellet Sign Company who bid $87,765.00.

Mayor Brennan replied that Ellet Sign did not include pricing for certain work that was necessary for the project so their bid was incomplete. Archer Sign had the next lowest and complete bid. Guide Studio has worked with both companies successfully.

Mrs. Weiss asked the Mayor if Archer was asked if they would hold their pricing until 2020.

Mayor Brennan replied he asked if they would hold their price until the first of the year and they said they would only hold the bid price until the next Council meeting.

Mrs. Weiss commented that this project was near and dear to her heart. Adding that Council still didn’t know where the City stood financially. With the changing of the Finance Director, reports that have not been completed, etc. so she would rather that the $100,000 be in the break-even budget for 2020 as opposed to more deficit spending this year even if it means having increase cost of 3% for bidding it next year.

Mr. Rach cautioned everyone that the cost of construction may increase because of tariffs, there could be a much more substantial increase than the 3%. Mr. Rach stated that he did not feel comfortable waiting, it was budgeted for 2019 and is within the budgeted amount and that he would like to see it approved today. Adding that the current signs are falling apart and he gets complaints all the time from people about the sign on Eaton Road.

Mrs. Pardee said that she really wants to see the new signs go in, but she has been a strong opponent of not doing any deficit spending even though the City is able to absorb it. Mrs. Pardee said she wanted to see the City’s operations covered by revenue in each year. The City will already be doing some deficit spending this year so she was inclined to move forward and support this project at this time.

Mr. Wiseman stated that he felt that every Council person want the new signs and want to finish the branding process that was started. But it is the beginning of October, a new Finance Director is coming in at the end of October and by Thanksgiving everyone will know the financial future of the City. Mr. Wiseman said he was troubled that the sign company would not hold their pricing for a couple of months even though the signs probably would be completed until next spring and that in dealing with government entities companies would look at the long-term plan rather than the short-term plan and for that reason his vote would be a no.
MOTION BY MR. ERTEL, SECONDED BY MR. RACH to Accept the Bid from Archer Sign Corporation for the 2019 Priority I Signage Program as the best bid and entering into Contract with the same in an amount not to exceed $99,593.83. On roll call, all voted “aye,” except Mr. Wiseman and Mrs. Weiss who voted “nay.”

Mr. McConville stated that the vote failed because there was fewer than the majority of Council present the vote is 3 to 2. But added he would clarify that ruling in Ohio Law.

H) Resolution 2019-56 Amending the City’s Investment Policy (on second reading)

Mr. McConville stated that he wanted to research whether Council had the authority to regulate funds in this fashion and the answer to that is yes. Council has the authority to regulate funds in this fashion and in the case of University Heights that is stated in the City Charter. Under Article 6, Section 1 it indicates that the “Director of Finance shall serve as the Treasurer of the City and shall be the collector and custodian of all monies of the City. He shall keep and preserve them in such manner and in such places as the Council shall determine.” The language in the Charter is on point and controlling and allows Council to regulate the investment funds in this fashion. Mr. McConville added that he did look at other polices other municipalities have enacted. Cleveland Heights policy is actually a model policy. Most of the polices require quarterly reporting from the Finance Director on all investments including those that have reached maturity. All of the policies had language that prohibits the liquidation of any investment prior to its maturity, that is consistent with the University Heights proposal that is being considered. Mr. McConville stated that he did not find any policies that had a Council component in terms of approval. But in terms of a legal issue the Charter should be referred to.

Mrs. Weiss reiterated that the proposed policy is to serve as a safe guard for the Mayor and for Council in terms of the City’s endowments and that is why she is in favor of the policy.

Mr. Wisemen stated that he has no interest in the Mayor’s or Finance Director’s business about how and when to write out bills and checks. Mr. Wiseman continued to say this stemmed out of an episode where the previous Finance Director took monies that was “under the mattress” and as far as Mr. Wiseman was concerned those monies should stay “under the mattress” for future generations and for the future of the City. Council is just concerned that investments stay where they are and that they get treated differently than the rest of the City’s money.

Mrs. Pardee stated it is challenging in a small environment/office to have solid internal controls. Council has talked and demonstrated how they don’t always get information on a timely basis. Quarterly reports would be wonderful to have but sense that is not the case Mrs. Pardee stated she fully supported and approve of this interim control going into effect.

Mayor Brennan stated his feelings that this Resolution should be tabled. Mayor Brennan added that he was not saying that the City’s Investment Policy shouldn’t be reviewed and noted that a new Finance Director will take office on October 23 with having experience from successfully working in three other cities. Noting that something could be left to be desired with respect to the reporting and other such aspects Mayor Brennan thought that this Resolution may be an over correction. Mayor Brennan added that while the City Investments should be preserved if the City where to be in a position where in order to pay for something that has been appropriated or to make payroll if there were to be a cash flow problem. The risk to make payment, pay bills, make payroll shifts from the Administration, who is at City Hall every day to a Council who is present part-time. If the Administration were to be in a position where a bill needed to be paid or make payroll and not have the City shut down we could have a future situation where in order to avoid not making good on the City’s obligations an emergency Council meeting would have to be called so that the decision could be made to liquidate an investment in order to pay the bills. Council is part-time and not always able to meet on emergency bases. Mayor Brennan stated that he finds this Resolution troublesome and suggested not making this change. But suggested at minimum Council tables this item for now rather that voting yea or nay on it and wait for the new Finance Director to incorporate how this can be approached holistically.

Mrs. Weiss stated that this was due to the need for internal control with the Finance Department and Administration.
MOTION BY MRS. WEISS, SECONDED BY MR. WISEMAN to approve Resolution 2019-56 Amending the City’s Investment Policy. On roll call, all vote “aye,” except Mr. Rach who “passed.”

I) Resolution 2019-58 Authorizing the Submission of a Grant Application to The Northeast Ohio Public Energy Council (NOPEC) FOR Funding to Upgrade School Zone Signals in the City (on emergency)

Mr. Grogan-Myers stated that this grant application in partnership with the Police Department for four (4) school zone signals and associated equipment near Gearity Elementary and Gesu School. The new signals would be an upgrade to energy efficient fixtures with LED bulbs. Currently the bulbs are incandescent bulbs and fixtures.

Chief Rodgers reported that replacing these signals was discussed during the 2019 budget process. The current signals are over 30 years old and in bad shape.

Mrs. Pardee asked if this grant was 100% or if there was a require City match.

Mr. Grogan-Myers responded that the grant was 100% with no require match.

MOTION BY MRS. PARDEE, SECONDED BY MR. WISEMAN 2019-58 Authorizing the Submission of a Grant Application to The Northeast Ohio Public Energy Council (NOPEC) for Funding to Upgrade School Zone Signals in the City. Roll call on suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

J) Resolution 2019-59 Accepting a $2,500.00 Grant Award from The First Suburb Development Council (FSDC) to Purchase Field Technology as Part of the Implementation of New Code Enforcement Software

Mr. Grogan-Myers stated that the Housing Department had replaced their aging HP desktop computers with Microsoft Surfaces. The Surfaces allows the inspectors to use of mobile technology out in the field. The $2,500.00 grant underwrote approximately one third of the purchase cost of the Microsoft Surfaces.

MOTION BY MR. RACH, SECONDED BY MRS. WEISS approving Resolution 2019-59 Accepting a $2,500.00 Grant Award from The First Suburb Development Council (FSDC) to Purchase Field Technology as Part of the Implementation of New Code Enforcement Software. On roll call, all voted “aye.”

K) Resolution 2019-60 In Support of an Application for A Grant from The Northeast Ohio Regional Sewer District Community Cost-Share Program for a Stormwater Management and Street Beautification Project at the Intersection of Washington Boulevard, Silsby Road, and Saybrook Road (on emergency)

Mr. Grogan-Myers stated that this project is for the intersection of Washington Boulevard, Silsby Road, and Saybrook Road. It has become apparent that this very wide intersection can be made more pedestrian safe by shorten the distance between the curbs by bringing them closer into the intersection and shorten the length of the pedestrian crosswalks. Mr. Grogan-Myers noted that currently there is limited visibility both vehicles and pedestrians crossing the street. In speaking with the Police Chief, Fire Chief and Service Director one of the concerns for the project is that the curbs aren’t brought in too much as to affect the turn radius of large vehicles such as the fire truck, rubbish trucks, buses, etc.

Mr. Grogan-Myers added that part of the grant application is the design cost associated with the City Engineer Firm. In additional to providing safety this project is also eligible for the funding because the project would also be removing impervious surface area by filling in with grass, planting and bioswales to help absorb the water at the point of ground contact and keep that water from going into the storm sewers. Currently the intersection has 17,810 square feet of impervious surface.
The goal is to submit the application this year and then have the project start next year for funding with the 2020 budget.

Mr. Rach stated he was in favor of this project and noted that having the stop bars closer together would help alleviate the traffic confusion. Mr. Rach asked if the affected resident know about the project and who will be responsible for maintaining the additional areas of grass.

Mr. Grogan-Myers said that the resident would be responsible for the maintenance of the additional area.

Mrs. Weiss asked if this was a matching fund project.

Mr. Grogan-Myers replied there was no matching fund requirement.

MOTION BY MR. RACH, SECONDED BY MR. ERTEL approving 2019-60 In Support of an Application for A Grant from The Northeast Ohio Regional Sewer District Community Cost-Share Program for a Stormwater Management and Street Beautification Project at the Intersection of Washington Boulevard, Silsby Road, and Saybrook Road. Roll call on suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

L) Motion to Accept Bid for 2019-01 City Wide Fall Tree Planting Program and to Enter into Contract with the Best and Lowest Bidder

Mr. Pokorny reported that bids for the 2019 Fall Tree Planting were opened Friday, October 4, 2019 and although four companies were bid holders only one bid was received back. That bid was from Johnson’s Landscaping Inc. of Mentor in the amount of $42,679. The city has used Johnson’s Landscaping in the past including last year. Their work was adequate, the trees were in fine condition and they stood behind their warranties.

Mr. Rach asked how many trees would be planted and if there would be any extra trees.

Mr. Pokorny answered that the list includes 124 trees and there are no extras.

Mr. Rach noted that there were trees in the park that need to be replace, can those trees be part of this project.

Mr. Pokorny said those trees were part of this contract but he can contact Johnson’s Landscaping to add additional trees but the number of trees and cost for this bid would have to be increased to approximately 10 trees and $4,000.00

Mr. Wiseman reminded Mr. Pokorny to provide each resident with information regarding caring for the trees.

MOTION BY MR. RACH, SECONDED BY MR. ERTEL to Accept Bid from Johnson’s Landscaping Inc. for 2019-01 City Wide Fall Tree Planting Program and to Enter into Contract with Johnson’s Landscaping Inc. as the Best and Lowest Bidder in an amount not to exceed $46,679.00 for total of 134 trees which includes an additional 10 trees for the Walter Stinson Park. On roll call, all voted “aye.”

M) Motion to Advertise for 2019-2 Tree Pruning and Removal Contract Bids

Mr. Pokorny stated that this would cover the Zone 2 of the City (Warrensville to South Green; Cedar Road south to East Carroll Blvd.) there is approximately 750 trees on the list for pruning. The project cost is estimated at approximately $125,000 with funding coming out of the Shade Tree Fund.

Mr. Rach suggested that the City Arborist come back again for a tree seminar regarding pruning for residents.

MOTION BY MR. ERTEL, SECONDED BY MR. RACH to Advertise for the 2019-2 Tree Pruning and Removal Contract. On roll call, all voted “aye.”
N) Motion to Advertise for Source Capture Vehicle Exhaust System (SCES) Bids for the Fire Department

Fire Chief Perko stated that this was to seek bids for the Source Capture Vehicle Exhaust System. The purchase will be paid with funds received from the FEMA AFG grant that the Department was awarded in September, 2019. The system will include: exhaust capture to all three apparatus bays, four drop points. The duct work will take the exhaust flumes out of the building.

MOTION BY MRS. PARDEE, SECONDED BY MR. RACH to advertise for Source Capture Vehicle Exhaust System for the Fire Department. On roll call, all voted “aye.”

O) To hold an Executive Session immediately following this Regular Meeting for the Purpose of Discussing Personnel, Legal and/or Real Estate Matters

There was no need to hold Executive Session.

Directors’ Reports

Acting Finance Director – Ms. Drew provided the following report for the past two weeks: both she and Ms. Balint went through the Finance Director emails, phone messages; began work on bank reconciliations by manually review/verify the bank statements with deposits and cashed checks from the months of April, May and June 2019; working with SSI for reports and budget reports to the end of the third quarter. SSI will come out to City Hall to train both Ms. Drew and Ms. Balint on how to generate the reconciliation report from the VIP Software System. Ms. Drew informed Council that neither she nor Ms. Balint have access to Regional Income Tax Authority records but they are hoping that will be resolved when the new Finance Director comes on board.

Mr. Wiseman asked how much SSI was charging to do the reconciliation and if an appropriation would be needed for that expense.

Ms. Drew replied $1,000 per day with a $10,000 max amount but an appropriation would not be necessary.

Mr. Wiseman asked for clarification as to not having access to the R.I.T.A. records; what will to take to get access.

Ms. Drew stated that R.I.T.A. would have to grant them access but that access is only via a special portal on the laptop. That portal is only on the laptop that was used by Mr. Goffe and that laptop has been disabled.

Mr. McConville said he would contact R.I.T.A. to see what could be done.

Police Department – Chief Rogers reported that there is a need to increase the lighting at the South Green/East Carroll area. The signals on Warrensville Center have been updated to LED lights and the billing will be updated and adjusted accordingly. Chief Rogers and Chief Perko went to joint simulated training at John Carroll University. The Police and Fire Department will have joint training in October for Rescue Task Force.

Fire Department – Chief Perko thanked everyone for their support with Fire Department Open House. Fall Hydrant flushing has been completed. Attended the Cuyahoga County Emergency Management Summit with Chief Rogers. The Department is working on an evacuation plan for the City.

Service Director – Jeffrey Pokorny reported that leaf pick up will start the week of the 14th. As the leaf collection season continues there will be a total of 4 trucks and vacuums going through the city.

There were no other director reports.
Standing Committees

Finanace Committee – Mrs. Pardee stated that meetings would be set up to review salary ranges and will help the Civil Information Committee reinvigorate the Tech Advisory Committee.

Recreation Committee – Mr. Ertel reported on the possibility of having a skating ring. The basic cost for a 60 x 80 rink with a waist high panel, 300 pairs of skates would be about $17,000 and the decision would have to be made at this meeting. The rink would be delivered unassembled. Frankly with the budget constraints Mr. Ertel didn’t think having a ring would be a possibility.

Mr. Pokorny added that he had 2 price quotes and the lowest cost was $20,000 the City would have to: assemble the rink over the tennis courts, build a shed for the skate rentals, provide personnel, etc. for a season that would last from 12/20 – 1/3.

Mr. Wiseman commented that he thought it was a great idea but too much for a short period of time.

Mr. Rach suggested finding sponsors for other years.

There were no other committee reports.

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

There being no further business, the meeting was adjourned at 10:50 p.m.