

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MEETING HELD VIA ZOOM / MEETING ID: 896-6910-9818
MONDAY, JUNE 1, 2020**

Mayor Michael Dylan Brennan called the regular meeting to order at 7:02p.m.

Roll Call:

Present: Mrs. Michele Weiss
Mrs. Sandra Berry
Mrs. Barbara Blankfeld
Mr. Justin Gould
Mr. Phillip Ertel
Mrs. Susan Pardee
Mr. John Rach

Also Present: Law Director Luke McConville
Clerk of Council Kelly Thomas
Finance Director Dennis Kennedy
Police Chief Dustin Rogers
Fire Chief Robert Perko
Service Superintendent Jeffrey Pokorny
City Engineer Joseph Ciuni
Economic Development Susan Drucker
Interim Building Commissioner Nino Monaco
Communications / Civic Engagement Michael Cook
Special Events Rachel Mullen

Approval of Minutes:

Council Meeting May 18, 2020

There were no corrections to the May 18, 2020 minutes.

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS for the passage of the May 18, 2020 Council Minutes. On roll call, all voted “aye,” except Mr. Ertel who “passed”.

Comments from Audience

Ms. Sheri Sax, 14474 Summerfield Road voiced her appreciation to the Mayor and Police Chief for all their commination to the residents and the protection of the local businesses over the weekend. Ms. Sax asked what could the public do to help and what police protocols and hiring processes are in place to assure that what happened in Minnesota and nationwide doesn't happen in University Heights.

Mr. Gio Santiago, 574 Fouse Ave. in Akron and NE Ohio organizer for Equality Ohio. Equality Ohio is the LGBTQ+ education and advocacy organization. Mr. Santiago was present to thank the University Heights, the Administration and Council for fostering a community that is welcoming of the LGBTQ+ community and that they hope University Heights will adopt their laws to match that experience. Cleveland, Ohio ranks the third highest for black transgender women to be murdered. This year is the celebration for five years of marriage equality. But that celebration is soured because someone could be denied marriage to their loved one or they could be married on a Saturday and fired from the job on Monday. They could be denied a loan or a lease that is opened to all others. University Heights has the opportunity to send out the message to the community that everyone is welcomed to earn a living, to enjoy public spaces and services in the city no matter who they are or who they choose love. The legislation comes down to the core values of fairness, kindness and love. Mr. Santiago noted that 29 other municipalities have passed legislation and University Heights will be the 30th if it passes.

Mayor's Report

Mayor Brennan highlighted three events:

The City held it's virtual Memorial Day Parade and Celebration. Mayor Brennan thanked Secretary of State Frank LaRose, Father Karl Kiser, Rabbi Raphael Dovich, all members of City Council, Gina Ventre for

singing the National Anthem, Rachel Mullen and Mike Cook for help to bring this celebration together to pay tribute to commemorate the fallen.

The Month of June declare Pride Month in University Heights – Mayor Brennan stated that he read a proclamation while the Pride Flag was being raised and that the rainbow flag will be flown for the Month of June in Honor of Pride Month. Mayor Brennan read the proclamation into the record.

Events of Last Week – Mayor Brennan stated that there is and has been a lot of pain in the Country. The brutal and unnecessary death of George Floyd has touched so many people. Mayor Brennan spoke passionately about the peaceful protesting that occurred and how certain persons came for the wrong reasons, they were there for destruction, disorder, to create further division and not the peaceful protesting to show the outrage of the brutality, unnecessary deaths and the seeking of justice. This Country has to change. This is something that will take everyone, especially those who have been entrusted in leadership roles in every part of the community and nation and on all levels of government. There is so much work that needs to be done for people of color and most importantly black men and we must not lose sight of that. With all of the current economic instability and uncertainty while the pandemic continues we are in terrible times and we must do our best to keep this community stable in the ways we can. At the same time do what we can to advance the cause for justice.

Agenda Items:

Mayor Brennan asked for a motion to add the Approval of additional work and invoices from Starfish Technology to the agenda

MOTION BY MR. ERTEL, SECONDED BY MR. RACH to add the Approval of additional work and invoices from Starfish Technology to the agenda. On roll call, all voted “aye.”

Added item: **Approval of additional work and invoices from Starfish Technology**

Mayor Brennan reported that the administration is still experiences email and IT issues. Mayor Brennan noted Council’s commitment and commended the Technology Committee for the great work that they are doing for the long-term but the City needs IT issues resolved now, the City needs reliable emails, etc.

Mr. R.J. Arhar, President Starfish Computer Corporation stated that his company is partnered with Microsoft, which means that all of their employees are Microsoft certified. Starfish has been in business for 25years and has a staff of 100 experienced employees. Mr. Arhar reported that the city’s mail server is not reliable and that his company tried everything to attempt to get it to work with no avail, the infrastructure needs to be replaced. The server has to has Microsoft licensing which will provide a bridge to get the City on the path it needs to be on to further IT functions.

Mr. Ted Troxell, Chairman for the City’s Technology Committee added that he reviewed all the proposals from Starfish and that he didn’t see a different way to get the City IT immediate needs handled.

Noting the city’s current servers that were just purchased Mrs. Weiss asked if any of them could be used.

Mayor Brennan stated that Mrs. Weiss question would have to be answered in executive session due to probable litigation.

Mr. Troxell commented that in what Mr. Arhar is proposing the majority of the cost is for the Microsoft licensing.

Mr. McConville reported that the City is in the process of exploring if it has viable claims against the prior vendor and that he has been in dialogue with them.

Mrs. Pardee commented that she felt confident in this request giving Mr. Troxell’s words. Mr. Troxell is a resident who has nothing to gain and has spent countless hours working with the Technology Committee in developing guidelines to get the city in a workable, reliable IT environment. Mrs. Pardee stated that the City must have a reliable email system and that she fully supports what is being recommended based on Mr. Troxell’s comments.

Mr. Gould asked Mr. Troxell how Starfish’s proposal will differ from the review of the RFP that the Technology Committee is creating.

Mr. Troxell stated that email and communication is only one leg of the picture. The city’s IT infrastructure needs to be replaced with something else going forward but this will be a good start.

Mr. Gould asked what component of the work would work along-side with what other solutions are implemented for the City's more universal technology plan. Mr. Troxell replied yes.

Mrs. Pardee asked if the listed components were standard/universal to fix the city's current issues and not just products that Starfish uses. Mr. Troxell replied yes.

Mayor Brennan reviewed the provided quotes and email that listed the provided services to date. The amounts for the period of 4.23.2020 to 05.29.2020 for services and equipment rental \$14,452.72; the quote for the migrating project and licensing \$10,300; invoice #11083 emergency support service. Mayor Brennan noted that the quantity listed was for a period of four (4) months to carry the city until September as a precaution in case something is not done before that time. Mayor Brennan asked Council for a motion to accept the two presented quotes and authorization to pay the emailed invoice of services provided to date.

Mrs. Blankfeld stated that she was only comfortable in approving this because this is work that would have to be done regardless of who the City chooses to maintain the IT services long-term and that this work will not be duplicated at a later time.

Mr. Troxell stated didn't feel that there would be much of a different option and that the pricing seems fair.

Mayor Brennan stated that the total amount that he was requesting be approved was \$39,312.72.

Mrs. Blankfeld asked what fund would the monies come out of?

Mr. Kennedy replied out of IT expenses from various departments.

Mrs. Pardee asked her colleagues if any of them wanted to know about the probable litigation because if so that should be discussed before the vote.

Council felt comfortable in conducting the vote now.

MOTION BY MRS. PARDEE, SECONDED BY MRS. BLANKFELD to Approve the proposals and invoices from Starfish Computer in an amount not to exceed \$39,312.72. On roll call, all voted "aye."

A) Approval of Ordinance 2020-25 To Obtain Funding from The State of Ohio Pursuant to SB 310

Mayor Brennan recommended not acting on Ordinance 2020-25 because it has not been voted on at the State level.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. WEISS to table the Approval of Ordinance 2020-25 until it is passed at the State level. On roll call, all voted "aye."

B) Approval of Ordinance 2020-26 Enacting Codified Ordinance Chapter 821 Entitled "Discrimination Prohibitions in Employment and Public Accommodations," In Order to Establish Anti-Discrimination Ordinances, Regulations, Procedures, and Standards, Consistent with the Cuyahoga County Anti-Discrimination Law in Employment and Public Accommodations (on second reading)

Mr. Gould stated this past week everyone has watched as communities across the Nation responded to the injustice imposed on the black community. George Floyd was not the first black man killed by the police, nor was he the first who was unarmed, nor the first in recent history to die while pleading "I can't breathe." Mr. Gould said that it is exhausting to be black in America to feel scared for your safety, to have to focus on the survival of our friends and family instead of investing time and celebrating the season. Mr. Gould said he has felt so many feelings; one was the feeling of helplessness and what he could do. But he also found the opportunity to be grateful and to be able to serve this community as a proud black gay man because of the sacrifices made people who looked like him and came before him. Mr. Gould added that he was grateful to serve people who represent the beautifully diverse faces and backgrounds of University Heights; grateful to live in a City where the police officers are expected to carry a guardian mentality and wear body cameras and where the Police Chief actively evaluates the officer's actions with the citizens to make sure that they are appropriate. Mr. Gould said he was also grateful that on this first day of pride the Mayor raised the pride flag before noon. This legislation is authored by every member of Council and the Mayor in presenting this

employment ordinance matches the housing ordinance and that everyone is welcomed in making University Heights their home.

Mrs. Blankfeld added that being a mother of a proud gay son, this is important and that it mirrors legislation that already exist.

Mr. Rach stated that he got into government to make the World a better place and that as a gay man his lifestyle in University Heights better so that one day he (people) can work any place without fear of losing his (their) job.

Mayor Brennan thanked all members of Council for their commitment to the LGBTQ community and that University Heights is a diverse community.

MOTION BY MR. GOULD, SECONDED BY MR. RACH AND MRS. BLANKFELD for the Passage of Ordinance 2020-26 Enacting Codified Ordinance Chapter 821 Entitled “Discrimination Prohibitions in Employment and Public Accommodations,” In Order to Establish Anti-Discrimination Ordinances, Regulations, Procedures, and Standards, Consistent with the Cuyahoga County Anti-Discrimination Law in Employment and Public Accommodations. On roll call, all voted “aye.”

C) Approval of Ordinance 2020-28 Authorizing the Transfer of Funds from the General Fund (100) to the CIC Fund (800) (on emergency)

Mr. McConville stated that this for the allowance to transfer the funds that were budgeted for the CIC. \$25,000 will be transferred from the City’s General Fund to the CIC Fund for its use in its operations.

Mr. Kennedy added that this was discussed at the last CIC meeting.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD for the Approval of Ordinance 2020-28 Authorizing the Transfer of Funds from the General Fund (100) to the CIC Fund (800). On suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

D) Motion to Table the Approval of the Bid from Ronyak Paving Inc. as the lowest and best bid and Authorizing the Mayor to Enter into Contact for 2020 Street Improvement Project with an amount not to exceed \$341,397.75

Mayor Brennan reported that previously Council approved going out for bids for the 2020 Street Improvement Project and at that time it was uncertain whether the City would proceed with the project due to the financial considerations with the incoming short-fall stemming from the pandemic. Mayor Brennan noted that Mr. Ciuni was to check with Ronyak Paving to see how long the bid would be valid. Then at a later date this project could be removed from the table and voted on.

Mr. Ciuni replied that as per the bidding documents contractors have to hold their bid prices for 60 days from May 20, 2020 when the bids were opened. In speaking with Mr. Jason Ronyak, they will hold their bid prices until September 1, 2020. Mr. Ciuni noted that that commitment was not in writing and that after September it will be too late to do paving work.

Mrs. Pardee asked why the City wasn’t going forward with this project when the funds are in the Special Streets Fund that can’t be used for anything else.

Mayor Brennan replied that there were other projects and items there are charged out of the Streets Fund.

Mr. Kennedy stated that these are special funds that can only be used for certain obligations related to streets. This will place a strain on the General Fund, where the City may want to use those funds for something else. Mr. Kennedy added that he was comfortable in waiting to award this contract.

MOTION BY MRS. PARDEE, SECONDED BY MRS. BERRY to Table the Approval of the Bid from Ronyak Paving Inc. for 2020 Street Improvement Project. On roll call, all voted “aye.”

E) Motion to Accept Bid from Fabrizi Inc., as the lowest and best bid and Authorizing the Mayor to Enter into Contact for 2020 Laurelhurst Waterline Replacement Program with an amount not to exceed \$267,018.68

Mr. Ciuni stated that nine bids were received for this project and that Fabrizi was the low bidder. Fabrizi has completed waterline projects for the city in the past as well as emergency sewer repairs. This project is funded by Cleveland Water and although there is a cap funding amount Mr. Ciuni doesn't believe this project will exceed that cap amount. Mr. Ciuni recommended the authorization for this project.

Mayor Brennan added that if the project cost is less than the \$267,018.68 the city will have to refund the difference back to Cleveland Water and by the same token if the cost exceeds the \$267,018.68 the city will have to pay that overage amount. Mr. Ciuni replied yes.

Mrs. Weiss asked if the total cost exceeds the \$267,018.68 would it be brought back before Council for approval before hand for the extra amount.

Mr. Ciuni stated he would make sure that it would come back to Council for approval.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to Accept Bid from Fabrizi Inc., as the lowest and best bid and Authorizing the Mayor to Enter into Contact for 2020 Laurelhurst Waterline Replacement Program with an amount not to exceed \$267,018.68. On roll call, all voted "aye."

F) Motion to Approve Transportation Services Contract with Senior Transportation Connection, Inc. (TC3)

Mayor Brennan stated that TC3 is a service that the city contract for along with other municipalities to provide transportation to seniors to get to doctor appointments, grocery store, etc. This service allows for senior to continue to live in their homes and not be shut-in. TC3 is subsidized by the city with a small service fee charged of \$3 to the residents as they use the service.

Mrs. Weiss asked if the administration knew what the ridership has been this year.

Mr. Kennedy said he would get those numbers.

MOTION BY MR. ERTEL, SECONDED BY MRS. BERRY to Approve Transportation Services Contract with Senior Transportation Connection, Inc. (TC3). On roll call, all voted "aye."

G) Motion to Accept Department of Homeland Security Funding Grant for Police Department Portable Radios

Police Chief Rogers stated that this was discussed at the previous Safety Committee meeting. The grant would be for 31 portable radios. This will allow police agencies throughout the region to migrate to a hi-band radio network with the intention to enhance communications. If the City accepts the grant for the radios which are valued at \$120,000 depending on which vendor provides the hardware. Before receiving the radios, the City would be required to enter into an agreement with a hi-band radio network "the Greater Cleveland Radio Network" with an annual subscription cost of approximately \$6,000 for the service. Additionally, there would also be backend migration cost of \$110,000 to \$140,000 these figures were based on some of the neighboring departments that have already gone through the process and had recent quotes. The migration would take place in 2021 and the funding would have to be in place at that time as well.

MOTION BY MRS. WEISS, SECONDED BY MRS. BERRY to Accept Department of Homeland Security Funding Grant for Police Department Portable Radios. On roll call, all voted "aye."

H) Motion to hold an Executive Session immediately following this regular meeting for the purpose of discussing personnel, legal and/or real estate matters

Mayor Brennan stated that an Executive Session was needed for the discussion personnel, legal and real estate of real estate matters.

MOTION BY MR. GOULD, SECONDED BY MRS. PARDEE to hold executive session immediately following this regular meeting for the purpose of discussing real estate matters. On roll call, all voted “aye.”

Director’s Reports

Finance Director – Dennis Kennedy reported that monies from R.I.T.A. have been down for the last two months to the total of being behind last year’s collections by \$1mil.

Police Department – Chief Rogers reported that on grants for the department: the office of Criminal Justice has \$262,000 for general Covid needs; the City is not eligible for the Jax Program.

Fire Department – Chief Perko stated that hydrant flushing had started. The City of Cleveland had place University Heights on standby for mutual aid over the weekend but they were not deployed. A Heights Task Team has been formed to help if needed. The stockpile number of PPE supplies continues to be monitored and there are several options of receiving additional supplies based on maintaining a 60-day supply.

Service Department – Jeff Pokorny stated the Catch Basin Cleaning program is still in progress and that the Sewer Cleaning and Televising Project has started on the east side of town.

There were no other director reports.

Standing Committees:

Building Committee – Mrs. Blankfeld reported that the committee met on Wednesday and reviewed the Rental Ordinance.

Economic Development Committee - Mr. Rach reported that the committee met the previous week and that the following topics were discussed: Knez Projects for new home construction; residential attached; home-based businesses; “Think Local – Shop University Heights”; University Corners and Zoning Update project where an RFP needs to be developed for 2021.

Committee of the Whole – Vice Mayor Weiss stated the committee continues to discuss and work on the revised budget which will be presented at the next Council Meeting June 15 on emergency.

There were no other committee reports.

MOTION BY MRS. BLANKFELD, SECONDED BY MR. ERTEL to adjourn executive session and resume regular session. On roll call, all voted “aye.”

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

There being no further business, the meeting was adjourned at 10:14p.m.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council