

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MEETING HELD VIA ZOOM / MEETING ID: 841-2603-2624
MONDAY, JUNE 15, 2020**

Mayor Michael Dylan Brennan called the regular meeting to order at 7:03p.m.

Roll Call:

Present: Mrs. Michele Weiss
Mrs. Sandra Berry
Mrs. Barbara Blankfeld
Mr. Justin Gould
Mr. Phillip Ertel (7:11)
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

MOTION BY MR. RACH, SECONDED BY MRS. BLANKFELD to excuse the absence of Mr. Ertel. On roll call, all voted “aye.”

Approval of Minutes:

Special Council Meeting May 27, 2020

There were no corrections to the May 27, 2020 minutes.

MOTION BY MRS. WEISS, SECONDED BY MRS. PARDEE for the passage of the May 27, 2020 Special Council Minutes. On roll call, all voted “aye.”

Council Meeting June 1, 2020

There were no corrections to the June 1, 2020 minutes.

MOTION BY MRS. PARDEE, SECONDED BY MRS. WEISS for the passage of the June 1, 2020 Council Minutes as amended. On roll call, all voted “aye.”

Comments from Audience

Ms. Sheri Sax, 14474 Summerfield Road asked what was the City’s best practice policy in regards to law enforcement and the Police Department. Ms. Sax stated that there were models that existed showing the use of Federal registries in hiring police officers that the City could look at. Ms. Sax also suggested expanding the Positive Community Policing program that was implement in 2019. University Heights could lead the way in creating best practices with other police departments.

Ms. Aliah Lawson, 3590 Cedarbrook stated that she and a few friends were interested in hosting a rally for the “Black Lives Matter” in University Heights on June 23, with persons gathering together beginning at 5:30pm at a march starting at Wiley Middle School and marching towards University Heights City Hall at 7pm. Ms. Lawson stated that she is working with the City’s Administration and the Police Department.

John Hissong, 2441 Fenwick voiced his concern about the problems his neighborhood was experiencing with rodents.

Ms. Bridget O’Callahan, 2460 Fenwick stated that there is a group home at 2452 Traymore and the rodents seem to be coming from that direction. Ms. O’Callahan asked how many residents live in that group home and who monitored it.

Mr. Steve Cambell, 3953 Lansdale informed Council about the problems he was experiencing in getting his rubbish and special pickup items removed from his home.

Ms. Katie Uhler, 2448 Fenwick spoke to the redevelopment planned for University Square and asked about the fiscal aspects of the parcels in terms of the bonds, compensation to the schools, the cost of re-issued bonds, etc. Will the current garage be rebuilt or just fixed up?

Mr. McConville spoke to Ms. Uhler's comments and stated that the bond holders would not be the owners of the property. The developer will own certain parcels outright. The garage parcel will be owned by a limited liability company, partly by the developer, partly by Target and partly by Macy's. The developer will be obligated to make "pilot payments" or payments in lieu of taxes to the bondholders to satisfy the debt. The pilot payments are based on the value of the land post construction of the project. Mr. McConville stated that there would only be one new set of bonds issued. The conceptual plans that the City's has seen suggest that the garage will be a combination where part of it will be removed and the other part will be refurbished so that it is opened up to some degree. Final plans are not completed yet, the developer will have to go before the Planning Commission once they have plans ready for approval. In regards to the compensation to the schools is an amount that was negotiated with the Cleveland Heights-University Heights School District in exchange for the school district agreeing with the developer to waive taxes. Thus, the property taxes will be waived to allow the developer to make payments in lieu of those taxes to satisfy the debt.

Ms. Sarah Glazer, 2315 Miramar asked why the pool wasn't opening and ask the Mayor to reverse his decision and open the pool since the playgrounds are opened. Mayor Brennan replied that the City would not be opening the swimming pool because the City is still in a "hot spot" area. There is a difference between opening the playground and tennis courts where individuals assume their own risk. Opening the swimming pool would put the employees at risk and it just not worth it. Not opening the pool, it is a safety issue. Mayor Brennan encouraged everyone to social distance themselves from others. Tennis lessons for this summer have been cancelled as well.

Ms. Annie Rawlinson, 3949 Bushnell stated that she has noticed that McDonald customers are once again making illegal right hand turns onto Bushnell, would it be possible for a police car to monitor the area. Mrs. Rawlinson reminded everyone that when the McDonald's was built there was an agreement that there be no right hand turn out of the parking lot on to Bushnell. Lastly, Mrs. Rawlinson reported that she was bit by a Pit Bull when she was walking at "The Walt" community park and asked that more rules for vicious dogs not to be allowed at the public parks.

Mayor's Report

We all remain stunned by the killing of George Floyd by law enforcement officers in Minneapolis. Last Thursday, June 11, as promoted by President Obama and the My Brother's Keeper Alliance, I took the mayor's pledge. In essence, I have committed to take the following actions:

1. **REVIEW** the city police department's use of force policies.
2. **ENGAGE** our communities by including a diverse range of input, experiences, and stories in our review.
3. **REPORT** the findings of our review to our community and seek feedback.
4. **REFORM** our community's police use of force policies.

I have discussed this with our police chief, Chief Dustin Rogers, who is understanding of the appropriateness of this review. That we need not wait for a tragic incident to occur to review our policies and make improvements.

I have discussed this with Councilwoman Sandra Berry, who chairs city council's Safety Committee, and who later in this meeting during her committee report will be going over the letter she signed together with 24 other African-American councilwomen from Northeastern Ohio.

But with respect to reviewing use of force policies and collecting public input and comment, Councilwoman Berry and I are going to work together to identify and approach stakeholders to join an ad hoc advisory council for this review and collection of public input and comment. Our goal is to spend the summer working on this, and report back at the end of summer, presumably at one of the two regular council meetings of September.

Anyone interested in serving on the advisory council or nominating someone to serve on this advisory council should contact Councilwoman Berry or me.

At our last meeting, University Heights became the 30th city in Ohio to pass comprehensive non-discrimination legislation on the basis of sexual orientation and gender identity in employment, public accommodations, and housing. Today, in a sweeping landmark decision, the U.S. Supreme Court upheld employment rights on the basis of sexual orientation and gender identity. In a 6-3 decision, authored by

Justice Gorsuch, the prohibition of discrimination on the basis of sex found in Title VII of the Civil Rights Act of 1964, necessarily includes a prohibition on discrimination on the basis of sexual orientation and gender identity, because “sex” is a distinct characteristic inseparable from the concepts of sexual orientation and gender identity.

This is not the first time our city has led on an issue, only to have the state or federal government catch up to us shortly thereafter. And I grant there is still work to be done. But with our votes last time, we said that in University Heights, you can marry the person you love on Sunday, and not get fired for it on Monday. And today, with the Bostock case, that is now the law of this country. This is a great day for freedom, a great day for America.

On June 3rd, I went to the statehouse and testified to the Ohio House Finance Committee on Senate Bill 310. It was the fourth committee meeting the House held for the bill, after the Senate introduced and passed the legislation over the course of two days. I waited all day to testify, and I was the last person to provide proponent testimony before the committee moved and voted unanimously to advance SB310 to the house floor for a full vote, which it then did the next day, albeit, with six amendments.

I will not now read my testimony from that day, but I will provide it to our clerk of council for the record. Suffice it to state, I went over how the COVID-19 pandemic has impacted our city, both in the resources devoted to responding to the pandemic, and in the shortfall of our income tax collection as a result of the economic downturn. I expressed that we are on the front line, and that the CARES Act money was sent to help those of us on the front line of the pandemic.

That’s our city, that’s every city in Ohio, but especially those cities who are especially affected by the pandemic. We will be taking up new legislation in connection with HB 481 which now contained the SB 310 provisions we’ve been waiting for.

At the time of that testimony, I had the then current numbers of our income tax shortfall. For the month of May, Regional Income Tax Authority forwarded our city just \$455,781 dollars. Half of what we received in May 2019, being \$896,563. That’s a shortfall of \$440,782, a negative variance of 49.16%.

Today, we have numbers for the first 12 days of June, that is, up to this past Friday.

Collections (gross) first 12 days June 2020:	\$163,012
Collections (gross) first 12 days June 2019:	\$395,287
Decline in 2020 collections in June to-date:	(\$232,275)
% Variance 2019 vs. 2020:	59% lower in June 2020

We are still hopeful that things pick up as we approach the extended filing date of July 15, 2020, and as Responsible Restart Ohio continues.

I’d like to take a moment to discuss the property at 2603 Ashurst. Last month the city council with my support unanimously voted to transfer this property to the City Beautiful CIC for redevelopment. It is zoned for a single-family house. About twelve years ago, the house that was there was razed. The real estate market, not being what it is now, was not strong for building a new house at that site at that time. Instead, an arrangement was entered with NEORS D to build a raingarden on the site, in an effort to resolve a drainage issue in the neighborhood.

Since the City’s initial decision to transfer the property at 2603 Ashurst to the City Beautiful Community Improvement Corporation for redevelopment, many neighbors of the rain garden pocket park have raised concerns. Many have called, emailed, rallied support on social media, and ultimately, many attended the City Beautiful CIC meeting Thursday evening June 11 to ask the board to find a way to save the park from redevelopment.

The City Beautiful CIC board heard those residents, and voted unanimously on June 11, 2020 to authorize me (with the assistance of our legal counsel, Luke McConville) to approach Knez Construction in an effort to negotiate the removal of 2603 Ashurst from the Development Agreement with City Beautiful CIC.

I am delighted to report that the developer has agreed to our request to remove 2603 Ashurst from the Development Agreement. The plan to build a new home at the site is now off.

With the outpouring of support to save the raingarden on Ashurst Road, I am interested in forming a committee of residents willing to volunteer and support further efforts to maintain and beautify the space. Anyone interested in contributing their time, effort, or resources, is encouraged to contact us at info@universityheights.com so that we may organize a committee for this cause. Ongoing community efforts will be crucial to beautify and preserve the space for years to come.

Last Wednesday, June 10, we reopened the playgrounds. We have posted a sign at the playground advising that due to COVID-19 use of the playground is at your own risk. Also, on the sign are advisories to keep a 6 feet distance from others, to use hand sanitizer before and after play, to not use the playground if you are symptomatic, have tested positive for COVID-19, or if you know you have been recently exposed. We encourage wearing masks that cover the nose and mouth. And we posted the phone number of the county board of health for any enforcement issues or concerns.

Last Friday, June 12, we reopened the tennis courts. We posted a similar sign, with the following modifications: singles play only (no doubles play, unless all in the same household); no playing on courts without nets (we removed the net from every other court to promote social distancing); no spectators or congregating inside the courts; no standing in the doorways (the doors are bolted open so no one need touch them); and if others are waiting to play, take up to 30 minutes to complete the set you're playing. In both the instances of the playgrounds and the tennis courts, the restrooms and water fountains are still closed and will remain closed for the foreseeable future. The time spent out at either facility should not be so long such that you cannot go home to refresh or relieve yourself.

There have been several inquiries, but we will not have tennis lessons this year. And the pool itself is closed for the season, and we will not be revisiting that until next year. The closures and modified openings are a reflection of the ongoing pandemic and risk to public health of COVID-19. Even as we have opened playgrounds and tennis courts, there is still a risk of illness that is not typically associated with these activities. To the extent that we have opened the playgrounds and tennis courts, we may, at any time, close them again, as we continue to monitor the spread of COVID-19.

For the record, as of today, there are 41,576 confirmed cases of COVID-19 in Ohio, including 5,220 in Cuyahoga County. There have been 2,573 deaths due to COVID-19 in Ohio, including 315 deaths in Cuyahoga County. Our zip codes, 44118 & 44121, continue to be a hotspot for COVID-19 cases in this county. Nationally, the count today is 2,181,044 cases, with 18,816 new cases just today, and total deaths of 118,247, with 389 new deaths today.

Friday was a difficult day. By now, with the exception of a few who were out Friday and today, everyone who is directly affected by the furlough is now aware of the furlough. All directors, chiefs, and non-bargaining full-time employees were advised on Friday that we are instituting an 80-hour furlough or the equivalent by way of a temporary salary reduction, beginning with the new pay period, and continuing for the next 10 pay periods. I too am taking a salary reduction equal to 80 hours over the next 20 weeks. I thank all city employees subject to the furlough for understanding and taking it as well as they did. There have been and may well be further changes.

On Friday afternoon, I addressed our employees as follows:

These are tough times, probably the worst we've ever seen. What has happened here is not your fault. None of this is a reflection on you. I know how hard you work. I know how dedicated you are to service and to this community. I could not be prouder of the people who work for this city.

Our projection is a \$2m shortfall in 2020. Our tax collections in May of last year were \$896,562. May of this year, just \$455,781. For the year, we are down \$916,676 from last year (as of the end of May). This is what we're up against.

I went to Columbus last week and testified before the House Finance Committee, urging them to wait no longer, to release the CARES Act money set aside for this city. It is only \$370,000 for our city, earmarked for COVID-19 expenses. But I am optimistic we will see that, and other aid from the federal government. I remain hopeful that the economy picks up and our tax collection improves. But until the money is here, we cannot count on it.

I will announce on Monday that we are adjusting our hours of operation. While municipal buildings remain closed to the public, to help facilitate the furlough, we will close on Fridays at noon. If you are hourly, even if you are salaried, you should go home on Friday afternoons, or make some similar arrangement with your supervisor in your department.

We will get through this. Please do not hesitate to ask me questions throughout this process. If there is something I cannot answer, I will try to direct you to someone who can. This situation, as with all things related to the pandemic, remains fluid. I regret that we must go through this, but since we must, I'm grateful that we are going through it together. Be well. Be safe. See you Monday.

Today is Monday. And yes, I am here to announce that while municipal offices remain closed to the public for the foreseeable future due to COVID-19, our hours of operation have changed. Monday thru Thursday, our offices will continue to be operating and conducting the city's business from 8:00AM to 4:30PM.

Beginning this Friday, and every Friday through the end of October, municipal offices will be open from 8am till noon. We will be closed Friday afternoons.

This includes city hall administration, finance, building & housing, administrative assistants in Police and Fire, including the Fire Prevention bureau. Generally, city employees will not be making or keeping appointments on Friday afternoons.

At this time, and by necessity, the work of the Police Dept, Fire Dept, and Service Dept will continue on generally as it has. If you call a dispatcher, if there is a safety issue or an emergency, whichever of those three departments it affects, they will be there.

No matter the challenges, cities don't have the option of going out of business. Thank you, this concludes my report.

Agenda Items:

A) Approval of Resolution 2020-29 Honoring Rich Fried's Fifty Years of Service to the Auxiliary Police

Mayor Brennan stated that the Auxiliary Police has been in existence for approximately 52 years and operates on a resident volunteer basis. Mayor Brennan read Resolution 2020-29 into the record.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. BERRY to Approve Resolution 2020-29 Honoring Rich Fried's Fifty Years of Service to the Auxiliary Police. On roll call, all voted "aye."

B) Motion to Approve Planning Commission's recommendation for the approval of application from Dommus Construction Corp. regarding the demolition of house located at 14396 Washington Blvd. for the construction of a new house

Mr. McConville stated that the applicant intends to demolish the residential property located at 14396 Washington Blvd. and to build a new residential structure on the same site. The Planning Commission voted unanimously to approve the plan. Mr. McConville noted that the City has a demolition ordinance that indicates the approval of a Development Plan by the Planning Commission for a replacement structure is sufficient for the approval of a demolition. The Planning Commission conditioned its approval on the Developer entering into a development agreement. One of the terms of the development agreement included; the requirement that a Bond be put in place that the City could access in the event that construction was halted for any reason the City could be assured that a residential structure would ultimately end up on the site.

Mr. Vadim Shulam, Dommus Construction stated that plans have been presented and that they are ready to proceed with the project as soon as they receive final approvals. Mr. McConville commented that in speaking with a member of Council regarding communication with the neighboring homes; another aspect of the approval is the request that notice be provided to the neighboring properties in relations to the demolition and construction schedules. As well as holding a meeting with the contractors and neighbors so that the neighbors can gain an understanding and expectation of the schedules and what will take place of the property.

Mr. Rach had a question about the required bond and noted that the Planning Commission wanted to ensure that once the applicant demolishes the house that a new house would be built on the site and that a bond be in place to protect that. So that in the event that a new house wasn't built the City could use that bond to build the house.

Mayor Brennan replied that the bond would be part of the development agreement. Where the requirement that a bond be posted so that if something were to occur where the Developer did not follow through with the construction of the house following demolition the City could then execute against the bond to build a house of similar structure itself on the property. It is not within the policy or desires of the City to generally allow someone to tear down a house without a plan to rebuild a house. If the replacement house is not built in a certain period of time the City would then be within its rights to intervene and commence construction on its own rights.

Mr. McConville added that conceptually the time frame in the agreement will be negotiated. The agreement will contain details with respect to the bond and what the process will be for the City to make any claims and take possession of the house if the need should arise.

Mrs. Weiss asked if this house was the one in disrepair. Mayor Brennan replied that in looking at that house it is not the worse but it does stand out in comparison to the other well-maintained homes on that part of Washington Blvd.

Mrs. Weiss noted that Council believes it never wants to tear down a house but that she was extremely that a new house will be built. This will add to the re-jubilation of the City so she was in favor of this project.

MOTION BY MRS. WEISS, SECONDED BY MR. RACH to Approve Planning Commission's recommendation for the approval of application from Dommus Construction Corp. regarding the demolition of house located at 14396 Washington Blvd. for the construction of a new house. On roll call, all voted "aye."

C) Motion to Approve Ordinance 2020-30 Amending the Authorized Permanent Appropriations for Current and Other Expenditures of the City of University Heights, Ohio for the Period Commencing January 1, 2020 and Ending December 31, 2020 (on emergency)

Mr. Kennedy, Finance Director reported that this Ordinance reflects discussions that were held at several Finance Committee and Council of the Whole Committee meetings.

Mrs. Blankfeld thanked Mr. Kennedy for working hand in hand with City Council and the Administration.

Mrs. Weiss remarked also thanked Mr. Kennedy and everyone for their work and noted that this budget was a joint effort by the Finance Advisory Committee, City Council, Finance Committee and the Administration. This represents the first out of two revised budgets that the City will have. These are hard decisions that nobody wants to make. But these are the resident's dollars that are being spent and everyone has to be responsible fiscal agents.

MOTION BY MRS. BLANKFELD, MRS. WEISS to approve Amending the Authorized Permanent Appropriations for Current and Other Expenditures of the City of University Heights, Ohio for the Period Commencing January 1, 2020 and Ending December 31, 2020. Roll call on suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."

D) Motion to Accept the City's Fixed Asset Policy

Mr. Kennedy stated that this was a proposed policy to clarify how the City accounts for its fixed assets. This policy will strengthen the City's position with the Auditors Office as well as allow for the City to implement a fixed asset policy that is in conjunction with the new accounting system.

Mrs. Berry asked Mr. Kennedy what dollar amount denotes a fixed asset. Mr. Kennedy replied anything that has a unit cost of \$5,000 or more.

MOTION BY MRS. BERRY, SECONDED BY MRS. WEISS for to Accept the City's Fixed Asset Policy. On roll call, all voted "aye."

E) Motion to Approve the City Entering into an Agreement with CompManagement to Administer a Group Experience Rating Program, offered by the Ohio Association of Public Treasurers

Mr. Kennedy stated that this was for the 2020-2021 Workers Compensation insurance program. The group rating program, which the City has been a part of this for the last 12 to 14 years was in a retrospective group rating program. The difference in the two program is that the retrospective program is a little riskier in that the number of claims affects the premium where it could increase quite significantly. With the group program you pay the fee for the year, the group premium that the City would pay for this is \$129,716.00. Mr. Kennedy recommended going back into the Group Plan and noted that CompManagement was a very good organization.

MOTION BY MRS. PARDEE, SECONDED BY MRS. BLANKFELD to Approve the City Entering into an Agreement with Comp-Management to Administer a Group Experience Rating Program, offered by the Ohio Association of Public Treasurers. On roll call, all voted "aye."

F) Motion to Approve Ordinance 2020-31 Enacting Codified Ordinance Section 280.04 Entitled “Public Hearings; Notice”

Mr. Gould stated that this stemmed from the CIC so that it would be more accountable and transparent. This legislation would require that 7 days prior to CIC meetings properties with 200 ft. of the subject property notices be mailed to the owner on record. Mr. Gould said that there is a multi-step process for the development of any property through the CIC. First, City Council has to transfer the property from City ownership to the CIC, at that point the CIC makes good use of that property.

Mr. Gould added his concerns regarding the portion of the legislation that states in Section 1 “The failure to deliver notice as provided in this section shall not invalidate the public hearing or any transfer, conveyance, sale or disposition of property to the University Heights City Beautiful Corporation.” In that Council is saying and recognizes that notification to the residents is important and that Council does not intend to act without that notice being given; while in the same breath that sentence in Section 1 says if Council does not follow the Ordinance it will not invalidate what was just done.

Mr. McConville replied that the sentence that Mr. Gould referenced is a sentence that is contained in other notice provisions throughout the City’s Code as well as the Board of Zoning Appeals and Planning Commission notice provisions. It allows the City to make the argument upon a legal challenge that any action taken by any of those Boards was in fact legitimate even if notice was not provided.

Mr. Gould commented that if Council really means that they want the residents to be notified of these actions so that they have the opportunity to reach out to Council members before decisions are made; then Council should hold themselves and the Administration accountable if that notice doesn’t happen because everyone wants transparency. This could be an opportunity of departing from the tradition of having that “out” and create a system of greater accountability of who, when and how the notice is sent.

Mayor Brennan stated that he had no problem in giving additional notice to the residents about what the City is doing because he is all about transparency and openness. Residents should know what the City is doing with regard to the CIC and development in the city. What has to be kept in mind with the notice provision and any other notice provision is that it is one thing to take public input and consider that input with regard to what is being done. But, no property owner in the city has a veto right over what the CIC is doing. The idea that a situation would be created because of a technical violation of the notice provision where someone would then have that veto right by voiding a transfer or being about to bring a lawsuit causing a project not to proceed. Mayor Brennan added that he viewed the public hearing notice and the strengthening the hearing notice as a way of letting the community understand better and have greater opportunity to provide input that may be persuasive, but at no point would that input be controlling that would make the CIC do or not do a particular action with regard to the CIC. With that in mind Mayor Brennan said he would not want to create a notice provision where if there was a technological failure to deliver notice or even if a contested issue as to whether the notice was adequate could cause the derailing of a project.

Mrs. Weiss commented that she agreed in theory with everything that Councilman Gould stated. Mrs. Weiss said that she thought it was a difficult issue to tackle to see the nuances but that this was a great first step in making the language more specific and that she would be in favor of passing this legislation when it is up for passage with the caveat that Council would be hopefully re-visiting the Zoning Code in January and additional language that the Law Director agrees with can be added.

Mrs. Blankfeld agreed with Mrs. Weiss.

Mr. McConville will research changing the language in that section. But, also noted that any Developer would have to go before the various Boards for final approval of their projects where notice to the neighbors would be required.

Ordinance 2020-31 was placed on first reading.

Mr. McConville asked for a motion to add items g and h to the agenda.

MOTION BY MR. RACH, SECONDED BY MRS. PARDEE to add agenda items g and h to the Council agenda. On roll call, all voted “aye.”

G) Motion to Remove Ordinance 2020-25 to Obtain Funding from The State of Ohio pursuant to SB 310 from Council’s Agenda

Mayor Brennan stated that Ordinance 2020-25 had been on the last two previous Council agendas. It was tabled at the last Council meeting because at that time Senate Bill 311 had not yet been passed. Since that time the Bill has moved to the House so it is appropriate for the City to remove Ordinance 2020-25 from its agenda.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to Remove Ordinance 2020-25 to Obtain Funding from The State of Ohio pursuant to SB 310 from Council's Agenda. On roll call, all voted "aye."

H) Motion Approving Ordinance 2020-32 Affirming that Funds from the County Coronavirus Relief Distribution Fund will be Expended Only to Cover Costs of The City of University Heights, Ohio Consistent with the Requirements of Section 5001 of The Cares Act as Described in 42 U.S.C. 601(d), and any Applicable Regulations as in Necessary Pursuant to H.B. 481 Before Receiving Said Funds

Mr. McConville stated that the purpose of this Ordinance is to allow the City to apply for and receive funding under the Cares Act. The City is anticipating the receiving of \$370,000. Mr. McConville added that the new provisions require that the City pay back any unencumbered amount of those funds on or before October 15, 2020; and, thereafter to payback unexpended funds on or before December 28, 2020.

Mr. Gould asked with the regulations as to what can be spent, at some point after the money is received will this come back to Council to make encumbrances against the received amount and what the requirements are. Mr. McConville replied that the regulations are in flux, there are limited categories of expenditures that are currently allowed under the existing regulations, but this may be increased where it may include the safety forces and their payroll.

Mr. Kennedy added that anything that would normally fall within the realm of coming to Council for approval will do so with the provision or identification of something Co-vid related. Anything that falls under that dollar amount would just continue to be project coded for tracking.

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS to Approve Ordinance 2020-32 Affirming that Funds from the County Coronavirus Relief Distribution Fund will be Expended Only to Cover Costs of The City of University Heights, Ohio Consistent with the Requirements of Section 5001 of The Cares Act as Described in 42 U.S.C. 601(d), and any Applicable Regulations as in Necessary Pursuant to H.B. 481 Before Receiving Said Funds. Roll call on Suspension of the Rules, all voted "aye." Roll call on Passage, all voted "aye."

I) 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 matters.

MOTION BY MR. RACH, SECONDED BY MR. GOULD to hold executive session immediately following this regular meeting for the purpose of discussing personnel matters. On roll call, all voted "aye."

Director's Reports

Finance Director – Dennis Kennedy provided the City's financial update in regards to collections from R.I.T.A. and the County. The Federal, Local and State tax returns deadlines were extended to July 15, so hopefully the City's financial collections will begin to increase. Property tax collection date was extended from July to August 20th. A second budget update that will be reflective reductions associate with salary reductions, furloughs, etc. will be presented to Council for passage. Mr. Gould asked if members of Council wanted to have that same payroll reduction in solidarity with the city employees could that be done with the passage of a Resolution or pay back a 4% portion of their salary to the City. Mr. McConville replied that there is Ohio law that he can look into for that. Mr. Kennedy stated that a request filed with the City's Finance Department and then that elected official will be required to sign a waiver provision acknowledging that they cannot come back at a later time requesting those funds back.

Law Department – Luke McConville reported that he has been in positive conversation with the general counsel for Knez regarding the rain garden property. In regards to the rental registration review, Mr. McConville stated that he had spoken with John Carroll's General Counsel, Colleen Tremble. Mrs. Tremble informed Mr. McConville that she and Kate Malone would like to participate in meetings pertaining to the rental registration in the future.

Fire Department – Chief Perko stated that ISO, the insurance office has been working with the Fire Department in assessing the City's fire safety. That assessment looked and rates the Fire Department in terms of the services it provides, fire protection efforts, etc. The ratings are used by insurance companies

to calculates the insurance premiums they charge the businesses and residents of University Heights and looks at four main categories; all levels of communications, fire department operations, the City's water supply and community risk reduction efforts. University Heights received a ranking of Class 2. Out of 40,000 fire departments receiving a class rank of 2 places University Heights in the top 17,000 or top 4%.

Communications Department – Mike Cook stated that he will begin to work on the rodent problem that was reported by several residents earlier in this meeting. The Mosaic will be out in July.

Economic Development – Susan Drucker reported that Brendan Zak has completed the required 16.75 course hours of ODOT training in order for the City to be able to manage the Federal Highway Administration Funds for our road projects. Mrs. Drucker added that she has started writing the RFP for the Comprehensive Zoning update, which is set for the budget year 2021.

There were no other director reports.

Standing Committees:

Building Committee – Mrs. Blankfeld reported that the committee will meet again along with representatives from John Carroll University for the continued review of the Rental Ordinance.

Community Outreach – Mrs. Pardee updated everyone that Rachel Mullen is charged with working with Ted Troxell, Chair of the Tech Advisory Commission to draft the RFP and an update should be provided to Council within a week or so.

Finance Committee - Mrs. Weiss reported that there will be a second revised budget within a month and the committee or the Council as a Whole will hold a meeting at that time.

Safety Committee – Mrs. Berry stated that she along with other 25 or so Black Councilwomen from other communities met via Zoom regarding racism and civil unrest. Together they drafted a letter to address their concerns. The signed letter will be sent to the Ohio Senate, Ohio House of Representatives, United States Senate, United States House of Representatives and all Legislators in the State of Ohio. Mrs. Berry highlight some of the points: declare racism a public health crisis; remove discriminative laws, expand statewide medical provisions to include mental health care regarding race; implement minimum financial assessment for false calls regarding racial profiling as well as abusive and unnecessary use of local police agency resources; conduct additional employment equity training by certified professionals within each respective field inclusive of racial justice bias, mental health, de-escalation practices and drug addiction awareness; require an annual accountability analysis of police department in regards to excessive use of force, complaints and make the reporting of complaints forms available electronically anonymously with follow-up; implement a de-certification process for officers found to have engaged in egregious actions and behaviors; mandate body worn cameras at all times. Mrs. Berry stated that she hoped that in the next few weeks University Heights can have a committee that represents different residents within the City to be an example to the world where we learn how to love and understand one another and also work together.

Mayor Brennan remarked that he looked forward to working with Mrs. Berry and the ad hoc advisory council that the City is creating for the review of police standards and use of force policies.

Service Committee – Mr. Gould reported that the public hearings regarding the rubbish study would be reschedule at a later date.

There were no other committee reports.

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

MOTION BY MR. RACH, SECONDED BY MR. ERTEL 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