

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MEETING HELD VIA ZOOM | 817 7512 6065
MONDAY, APRIL 5, 2021**

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

Roll Call:

Present: Mrs. Michele Weiss
Mrs. Sandra Berry
Mrs. Barbara Blankfeld
Mr. Justin Gould
Mrs. Susan Pardee

Absent: Mr. Phillip Ertel
Mr. John Rach

Also Present: Law Director Luke McConville
Finance Director Dennis Kennedy
Clerk of Council Kelly Thomas
Fire Chief Robert Perko
Police Chief Dustin Rogers
Service Superintendent Jeffrey Pokorny
City Engineer Joseph Ciuni
Economic Development Susan Drucker
Building Representative Fred White (SAFEbuilt)
Communications / Civic Engagement Michael Cook

MOTION BY MR. GOULD, SECONDED BY MRS. BERRY to accept the absence of Mr. Ertel and Mr. Rach. On roll call, all voted “aye.”

Council Meeting March 1, 2021

There were no corrections or additions to the March 1, 2021 Council minutes.

MOTION BY MRS. WEISS, SECONDED BY MRS. BERRY to approval of the March 1, 2021 Council Minutes. On roll call, all voted “aye.”

Council Meeting March 15, 2021

There were no corrections or additions to the March 15, 2021 Council minutes.

MOTION BY MR. GOULD, SECONDED BY MRS. BLANKFELD to approval of the March 15, 2021 Council Minutes. On roll call, all voted “aye.”

Comments from Audience

Mr. Stephen Wertheim, 4355 Baintree Road was present as a Trustee Member of Reaching Heights and to provide a report update. Reaching Heights is a local non-profit agency that works to connect the community to the public schools with information and events. Beginning on April 12 all elementary school students will attend school five days a week either in person or fully remotely. The middle and high school students can attend 5 days either in person, hybrid or fully remote. Certain student groups such as career techs, students with low incident disabilities and option center students will attend classes five days a week in person beginning on April 6. The Ohio Department of Education is requiring that all Ohio State test must be completed in person, those test scores will determine the district’s EdChoice status for the school year 2023/2024. Dr. Elizabeth Kirby will give the State of Schools address on April 15 at 7pm via the district’s YouTube channel.

Mr. Ronald Collier, 4446 Silsby Road comment on the Dollar Tree store located at Cedar Center. Mr. Collier stated that the store is unkept, not clean and the store is not enforcing the mask requirement. Mayor Brennan replied that Dollar General had been issued notices in the past and that he would have the Building Department and Prosecutor readdress forth with.

Mayor's Report

I hope everyone had a happy Passover and happy Easter.

Since my last report, I delivered the State of the City Address on March 18, 2021. I will provide the text of it with this report so Mrs. Thomas may make it part of the city's record, and incorporate it herein by reference. It was the first ever virtual State of the City, and hopefully it will be the last. I did keep it under 2 hours, and rather than restate all 28 minutes and 50 seconds of it here, the video is on the City's YouTube channel, and the text is on the mayor's page of the city's website, university heights dot com.

The advantage of watching the video, of course, is that midway through there is a hype video for the summer concert series, planned to begin belatedly on July 1st with the University Heights Symphonic Band and a summer showing of Raiders of the Lost Ark. All at the Hamlin Quad at JCU. The additional Thursday concerts we've planned are to be at The Walt, Walter Stinson Community Park, at 7pm.

Summer activities that are planned to be underway include: resuming of garage sale permits in June; resuming of block parties in July (you may make reservations now online), and additional organized outdoor activities, including Yoga, Tai Chi, and Bootcamp – all at The Walt. At this time, we are reasonably confident that we will be able to proceed with these outdoor activities. Of course, we will follow all directives from the state and/or the county department of health.

This week, we are finalizing the details on the opening of the pool at Purvis Park this season, by appointment with reserved time slots and reduced capacity. We plan to open the pool Memorial Day weekend. The tennis courts are open now.

As discussed in rec committee meetings, we plan to have a parade this summer. We will make the call on those details shortly, an announcement will follow later this month.

Thursday evening, April 1, we cut the ribbon at the new store and donation center at Cedar Center South of Goodwill Industries of Greater Cleveland and East Central Ohio. The store grand opening was Friday, April 2, at 9am. Goodwill Industries has been a charitable force for good in greater Cleveland for over a century. The proceeds from the sale of items donated to Goodwill support a network of 27 different outreach programs, job training and placement for people with disabilities and other barriers to employment, family strengthening programs and other vital outreach services. The University Heights store replaces one that closed in Shaker Heights. Ours is the 23rd in the Greater Cleveland and East Central Ohio region, and if I may say so, the best one yet.

The deployment of SAFEbuilt in our Building Department continues. We have two additional personnel joining the team this week, both administrative assistants, one as a permit tech, and one to serve in our housing department. Much has been done since March 4, 2021 to catch us up and put us right. My thanks to Building Official Fred White, together with Tom Cook and Ruth Marks of his team, together with Daniel Roche and Aiden Keenan of our team, for rolling with the punches and working towards the level of service that we intend, and that our residents and stakeholders expect and deserve.

One week from tonight, the CH-UH School Board is hosting our first joint meeting of 2021 of the school board, library board, and CH and UH city governments. All council members should have received by now an invitation to the event, which will be streamed on YouTube. I hope to see everyone in attendance. If anyone on council has anything they'd like to see on the agenda for that meeting, we are putting that together now, please let me know ASAP.

This week I will be taking a meeting with Guide Studio to pick up where we left off on the proposed fabrication and installation of the Priority One sign program. It is my intention to bring back to council a proposal for going back out to bid on the primary and secondary gateway signs, and signs at Walter Stinson Community Park.

Speaking of Walt. Before the pandemic, "Senior Happenings" was an excellent opportunity for seniors to get out and be with other seniors here in the community. Every Thursday at 2pm at the Library, Senior Services Manager Walter Stinson arranged for guest speakers and other programming. With the pandemic, the limited use of the library, and the very social aspect of the events, Senior Happenings has been on hiatus. Since the last meeting. Mr. Stinson, the only city employee to have worked with the last four mayors, and who served as the city's Community Development Coordinator before his retirement and then return as Senior Services Manager, has informed me of his decision to retire for good. The City of University Heights thank Mr. Stinson for his service. And while we have celebrated it with proclamations, recognitions, even a community park naming, I look forward to a day, hopefully soon, when we may recognize him once more for the exemplary community leader he has been in University Heights since the 1970's. An inspirational example of service to which we may all aspire. Thank you this concludes my report.

Mayor's 2021 State of the City Report**2021 SOTC (FINAL text)**

(** clip from State of the City 2019 **)

"I could not be prouder to hold the honor of being your Mayor and leading this city, and all that it represents. University Heights truly is 'So Much More Than Home.' And we're telling the world, 'We're back on the map.'"

One year and five weeks ago, from the campus of John Carroll University, I delivered the 2020 State of the City address. I recapped 2019, and outlined what I hoped would happen in 2020.

As we sat in a public place, crowded around tables with friends and neighbors sharing cookies and brownies, we had no idea what was coming.

We did not know we were four weeks away from a pandemic. None of us in the Jardine Room imagined the sickness. Or over half a million deaths in our country. Over 18,000 dead in Ohio. Over three dozen lost in the 44118 zip code.

When I told you University Heights was "back on the map," the map was about to be riddled with detours.

COVID-19 represented the detour of our lifetime. Everything that we knew as a City -- all of our policies and procedures -- had to be reviewed, rethought, and reinvented. As a City, yes. And as a society.

Just two days after the 2020 State of the City, I took my first briefing on the novel coronavirus.

Beginning on March 9, 2020, the same day that COVID-19 cases were confirmed in our county, the City of University Heights launched its Coronavirus update page. Our page is a resource for the public about the latest updates on the pandemic, focusing on state and local announcements.

Those first few weeks, Governor Mike DeWine and Director of Public Health Amy Acton held daily press conferences, even on the weekends. Every day, we watched, summarized, and sent an e-news to the community. Now, a year later, when the Governor has a bi-weekly press conference, a COVID-19 email update from the City follows.

Our communication became a model emulated by other communities. It contained not only summaries of the state pressers, but our own announcements of local interest, applying the state orders locally.

We are more than happy to provide COVID-19 updates to our residents. Having said that, we cannot wait until we never ever have to send one again.

This crisis also brought out the best in people. University Heights residents rose to the occasion, as we always do when our neighbors need help. Neighbors helping neighbors, making masks, helping get people groceries. Our local businesses, like Geraci's and Bialy's, donated pizzas and bagels to first responders and medical professionals.

We looked out for each other. While we had to ban traditional block parties, we nevertheless encouraged "Time Out Together" – a time to step out at 6 p.m. and wave at your neighbors. To let them know you're alright, and to let them know that you're thinking of them.

After nearly a year, I can say with cautious confidence, we are at the beginning of the end of this pandemic. It isn't over yet. But it will end.

THE SECOND CRISIS.

The pandemic was not our only crisis of 2020.

Our second crisis was racial injustice.

Four centuries of racial history reached critical mass in 2020. White America has long asserted a mythology that we all came to America seeking freedom, fortune, and a better life, disregarding that Black Americans were brought here in chains and enslaved to provide that freedom, fortune, and a better life for White Americans.

We cannot change the past. We can study it, learn from it. We can confront our own biases. And those of us in a position to do so can enact policies that make for a better, more just future. It is not enough to not be racist. We must be anti-racist. We must actively seek a just society.

For all the turmoil that 2020 brought us, let it be the year that made us all begin to come to terms with systemic racism. The protests that followed the murders – and I will call it murder because it was murder – of George Floyd and Breonna Taylor, brought this home.

We had a protest here in University Heights. It was sorrowful and meaningful. And like most protests around the country, ours was peaceful.

Activists called on our city leaders for change. And our leaders heard the call, and took action.

The University Heights police department embraced the opportunity to reflect and do better by the community.

Police Chief Dustin Rogers, the police command staff, and our detectives and officers hold a guardian mindset. University Heights police officers were drawn to their work out of a sense of duty and desire to serve. Chief Rogers, Lt. Mark McArtor and the entire department teamed up with Council Member Saundra Berry when we formed a Citizens Committee on Policing Policies. Over 20 city residents participated. Ideas were exchanged. People were heard. Understandings were reached, and reforms are underway.

Going forward, working with Chief Rogers, we will transform our citizen committee into a standing and permanent citizen review board.

At present, the law director and I review every use of force incident in this city, without exception. In my heart, I do not believe we have a problem in our city like we see in many other places in our country. However, with so much at stake, I do not want to wait until tragedy happens here before we review and make changes.

We began this work in 2020, and it will continue in 2021 and beyond.

THE NEXT STEPS.

In this my third State of the City address, I'd like to revisit that map I described in early 2020. Let's see where we're going, together.

Here at the City level, we are on the front lines of providing service. If we do not come when called, no one else will. The government does not have the option of not responding. When you call 911, the police or fire department responds. When it snows, the service department responds.

As the pandemic began, we could not foresee how bad the crisis would be for us financially. We made cuts to ensure that basic city services could continue during a worst-case scenario. We made cuts not sure what, if any, help was coming. We made cuts we would never consider making in ordinary times.

The federal government is uniquely positioned during times of crisis to not only distribute resources directly to individuals and businesses, but to state and local governments. Last year, I testified before the Ohio House Finance Committee to advocate speeding up the distribution of federal funds to University Heights and all local governments in Ohio.

University Heights received \$1.16 million in CARES Act funding. University Heights also obtained \$937,034 from the state government in the form of Bureau of Workers Compensation refunds.

As a result, even with tax collection down, last year University Heights took in nearly \$1.2 million more than we spent. We will make up for that this year, and this year's budget smartly makes much needed investments in roads and infrastructure, vehicles and equipment.

In the city budget, we have been careful to avoid committing to new long-term obligations with one-time revenue. By that, I mean that we are using the outside revenue to make one time expenditures that will benefit us over time, rather than undertaking obligations that will have to be renewed and serviced and cost us annually. For example, resurfacing Glendon Road this year, does not require us to resurface Glendon Road every year; it will be good for many years, and provide a long-term benefit for the community. The same with replacing the signs at our city gateways.

And here's some more good news.

Last week, the American Rescue Plan Act of 2021 became law. Funding is on its way to help local government invest in their communities. And help is on its way to University Heights. Over the next year our city will receive federal aid totaling \$2.5 million. \$2,509,060 to be exact – but who's counting? I'm counting, I can tell you that.

Half of this federal funding should be here within the next 30 to 60 days. The rest will be here a year later.

I will work with city council to direct most of this aid to infrastructure. We need to fix our aging sewers and resurface the roads that need it most. Capital purchases will be recommended as well to get us back on schedule for vehicle and equipment replacement.

And we need to invest in people. At each State of the City address, I have extolled that our city's greatest assets are the city employees who serve you. Your public servants have been here for you through this pandemic, working without a raise for nearly two years. Almost all of them have been in quarantine at some point. Many city employees contracted the illness and suffered terribly. We need to take care of those who have taken care of us.

ON THE ROAD TO THE NEW AND BETTER NORMAL.

I want to show you what I got on Monday afternoon. (SHOWS VACCINE CARD)

I got my vaccine. I encourage all of you to get the vaccine as soon as possible. Look, the quicker we all get the vaccine, the sooner we can create a new and better normal. Get your shot. Let's get our lives back.

President Joe Biden just announced that by May 1st, all American adults will be eligible to receive the vaccine. Governor DeWine took it one step further – All Ohioans 40 and over will be eligible to receive the vaccine tomorrow (Friday March 19), and every resident over 16 will become eligible on March 29.

So, we're close. But until then, remain vigilant. Be safe, wear masks, maintain social distancing. The Governor says once we get down to 50 COVID cases per 100,000 residents, all the State Health Orders will be rescinded.

One of the casualties of COVID-19 was the Summer of 2020. So much was lost, and we were forced to cancel most summer events and activities.

But barring any last-minute unforeseen setbacks, it is my pleasure to report to you that in 2021.... SUMMER. IS. BACK.

Tonight, I am prepared to share our plan - our plan to cram two summers worth of fun into one.

This summer, we will have a parade. Period. The only questions are how, and when.

Memorial Day is still an option for this year. We're sitting on a plan to do a motorized parade at the end of May. It would be contactless, and we would spread it out over a longer route to encourage social distancing.

We also know that if we wait a little bit longer, to allow more time for vaccinations, we might be able to have the more common parade experience. For one year only, we might hold our parade on Independence Day. The Fourth of July is a Sunday. This way, we might have the candy throwing, the bands, the traditional route, and all of our neighbors along the streets.

I welcome your input. We will make a final decision on a 2021 parade date – either Memorial Day or Independence Day – no later than mid-April.

Also, I am pleased to announce tonight that in July 2021, our Summer Concert Series will be back with a vengeance. We have booked our best lineup of bands ever. While I could TELL you, which bands will be performing this year, I'd rather SHOW you...

(** INSERT 2021 SUMMER CONCERT SERIES VIDEO ****)**

Mark your calendars now. The Fourth of July weekend starts at John Carroll University on Thursday, July 1st with the University Heights Symphonic Band, followed by an outdoor showing of Raiders of the Lost Ark. What could be more patriotic and cathartic, than to gather together to hear our city symphonic band and watch a classic family movie?

After July 1st, our series will move once again to Walter Stinson Community Park.

Of course, if appropriate and necessary, we will take precautions to encourage and maintain social distance at our free concerts.

As someone who grew up around music, listening to music, playing music, being in bands, going to concerts, it means so much to me to bring live music back to our community. It not only means that Summer Is Back, but it signals the return of culture, and the return of the communal experience that concerts bring.

Last year we suspended garage sale permits and block parties. Tonight, I am pleased to announce that we will resume issuing garage sale permits on June 1. And we will accept applications for block parties to be held beginning in July. You may make your reservations now.

Oh, and for you kids watching... or probably more realistically, for you parents watching, please let your kids know that we welcome back their lemonade stands this summer. Summer is back. And like we did in 2019, if you have a lemonade stand, contact us at City Hall. We'll help get the word out about your stand. We will get your little entrepreneur some customers. I'll do my best to show up. And pending his availability, we'll send Cooper.

And one last thing. Summer is not complete without a trip to the pool. We will complete our "Summer is Back" celebration by reopening the pool at Purvis Park.

We must remember that the pandemic is not over. As such, there will be changes in pool operations. We will follow all state and local board of health guidance in the operation of the pool.

As the pandemic is not over, we will have to ease into how we open the pool safely. Capacity will be limited, certainly at the start of the season, and quite likely throughout the season. At this time, we plan to divide the pool season into thirds, where residents may purchase a single/couple/family pass for any or each third. There will be a new ID system and reservation system with set session times, with breaks in between where all passholders exit so that we may clean and sanitize the facility for the next set of passholders. Concessions may be limited to sealed items.

I know there is a desire to share our pool with friends outside our city. However, with limited capacity and the need to keep data for possible contact tracing, in 2021 the pool will be only for residents, and only those who register in the new ID system.

As of tonight, we plan to open the pool Memorial Day weekend, and have it remain open through Labor Day.

And then, the day after Labor Day, we will open the pool for one more day so we can have our second ever Doggy Pool Party. That's right, bring your dog to the pool, and let them take a dip before we drain it for the season. Gina and I hope to see you and your pooch there.

SEEING THINGS THROUGH.

Allow me to give a short history lesson. The subject is our eleventh president, James K. Polk.

"In four short years, he met his every goal. He seized the whole southwest from Mexico. Made sure the tariffs fell, and made the English sell the Oregon territory. He built an independent treasury. Having done all this, he sought no second term."

You can learn more about Polk by reading a biography, or you can hear a Cliff's Notes version by listening to "James K. Polk" by They Might Be Giants. I just quoted most of the third verse.

Anyway, it was once my intention to James K. Polk this whole mayor thing. That's why I spent the first two years as your mayor setting the fastest pace I thought I could withstand. I never wanted to look back on this time and felt I had held back. And working with city council and our team here at City Hall, I am proud of our record, we have accomplished so much. More than I will try to list here. The last two States of the City addresses provide many of those things in maximalist detail.

But in the third year, the pandemic came. Our focus shifted nearly exclusively to crisis management, public safety, and survival. As a result, our work here is not finished. There are things I intend to see through to completion, should the residents allow me that honor. I will make a formal announcement on that soon.

Till then, it remains as true today as it did on my first day as mayor. No day is routine, and every day is an opportunity to serve and make a real difference in improving our community.

During my first year as mayor, we created our city's first Economic Development Department, and I hired Susan Drucker as our first Economic Development Director. There's good news on the economic development front, and more is on the way.

We're building homes again in University Heights. New infill homes are being constructed on once vacant lots across our city, and even more will be built. This is largely due to the citywide Community Reinvestment Area we created.

And on February 16, City Council approved the Planning Commission's recommendation to approve the site plan for South Taylor Place Condominiums. As a result, 30 beautiful new townhomes are set to be built in our city.

This is the culmination of nearly three years of work by City Administration, the City Beautiful CIC, and City Council. Credit and thanks must also go to our friends on the Cleveland Heights-University Heights School Board. They too shared the vision of what can be with this development.

This is the first major multi-unit housing development to be built in University Heights since the late 1970's.

The project will expand our tax base, bring new energy to the Cedar-Taylor District, and reinvigorate local businesses.

Let's turn now to University Square. Slowly, but surely, we're getting there. Despite the pandemic and economic downturn, the University Square redevelopment deal is still alive. Progress continues thanks to the collective efforts of the developers, the bondholders and their trustee, stakeholders Target and Macy's, the county government, and your city government.

In Phase I of the project, the space between Target and Macy's would be rebuilt as 200 upscale, market-rate apartments. This phase would also include live-work and retail spaces. There may be a dog park, bocce ball court, a fitness facility, and a conference center.

Phase II planning would begin after Phase I is up and running. Once we get a feel for the new development, Phase II could feature additional mixed use, including more retail and apartments, entertainment venues, and perhaps senior housing.

It serves this community to have a vital and thriving project at the intersection of Cedar and Warrensville Center Roads. We must see this through. We have made progress, yet we are not done.

There is a method to the order in which we are handling redevelopment sites. First, we must resolve University Square before settling on a site for new municipal facilities. To better serve you, your city government is working on a plan for a new municipal center, including new police and fire stations, service facilities, city administration and meeting rooms, and a year round community center. We cannot commit to rebuilding where we are, or seeking another site for that purpose, until we have resolved University Square.

The University Square project is a giant domino. As it falls into place, it will set off a chain reaction of projects and progress.

LONG TERM PROGRESS AND PLANNING.

Let us now talk about long-term progress and planning.

This year, we are set to undertake a comprehensive rezoning plan.

It will not be the vision of any one person. It will be the collective vision of us all, the community we want University Heights to be for decades to come. A sustainable community, financially and environmentally, that remains a strong and desirable place to live, a walkable urban suburb that offers the best of big city living balanced with neighborly charm, a diverse and inclusive community that is not only respectful of each other, but celebrates both what we share, and what makes us all unique.

We must not be afraid to embrace the best of what we are, to maximize our potential, to build on where we have always succeeded.

We were once the Village of Idlewood. In just four years, 2025, we will celebrate the 100th anniversary of calling ourselves *University Heights*.

I have spent the last three years rebuilding our ties with John Carroll University, embracing our university, so that we may grow together and enhance each other, rather than act as if we suffer each other's existence.

One need look no further than Kent, Ohio for what a city might do to rebuild itself embracing what a small city with a university in it can be – not just for the students but for the benefit of all residents.

It is partly because of John Carroll University that we have the largest population of 18 to 36-year olds among any community in Cuyahoga County, even more than Berea or South Euclid, or other similar college towns.

Young people come here, and then they stay here, at least for a while. We must build on that strength, harness it, and maximize its potential. We do that by encouraging the entertainment and commercial activity that keeps our community vibrant.

Young people are leaving Ohio. We are an exception here in University Heights. Let's update our zoning to unleash the development that embraces who we are and make it everything it can be. Efforts initiated almost ten years ago at a comprehensive zoning update fell short. We must not fall short this time. If we embrace the challenge now, then our best days are truly still ahead.

Thank you, all of you, for watching. This is the first time the State of the City has been presented virtually, and may it be the last.

May G-d bless and protect us all, the City of University Heights, our safety services, the State of Ohio, the United States of America, and all of humanity on this planet as we persevere through – and soon put behind us – this global pandemic.

Together, we will continue to reach new heights. For all the work we have done, there is still much to do. We may have lost a year. And if being your mayor of this town has taught me anything, when it comes to doing the right thing, now is always the right time, and that it's never too late.

(** END CREDITS. My Town montage ***)**

*... This town taught me
That it's never too late*

*Oh, and this town
Is my town--alright?
Love or hate it--it don't matter
'cause I'm gonna stand and fight
This town--is my town
She's got her ups and downs
But love or hate it--it don't matter
'cause this is my town*

Agenda Items:**A) Motion Confirming Mr. Timothy Loyd to the Board of Zoning Appeals for a Two-Year Term Commencing February 2021 through January 2023**

Mayor Brennan stated that Mr. Loyd has been a resident for 27 years. Mr. Loyd is retired from the insurance industry and was recommended by Board of Zoning Member Kevin Goodman.

Mr. Loyd stated that he was looking forward to serving the City that he loves.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. BERRY confirming Mr. Timothy Loyd to the Board of Zoning Appeals for a Two-Year Term Commencing February 2021 through January 2023. On roll call, all voted “aye.”

B) Ordinance 2021-11 Amending Codified Ordinance Section 1280.10 Entitled “Rental of One and Two-Family Dwelling Units in U-1 and U-2 Districts”

Mr. McConville stated in the final rental registration ordinance that was circulated Section G 9 which relates to the Housing Director’s authority to revoke a rental permit under the consideration of various factors. It was important to make sure that the Housing Director has the flexibility to ignore any sort of indications that relate to domestic violence. Section G 9 was inadvertently removed from the distributed legislation, therefore Mr. McConville read into the record the following: Number (9) “Whether the citation(s) issued related to an incident of domestic violence and/or whether the revocation of the rental permit would cause hardship to a victim of domestic violence or result in a victim of domestic violence being displaced, it being the desire of the City not to create additional hardship or unnecessary risk to health and safety for any victim of domestic violence.

Mrs. Blankfeld thanked the Building/Housing Committee members, Vice-Mayor Weiss and the entire City Council for the endless hours of help with the legislation that seeks to promote the health, safety and tranquility for the City. Mrs. Blankfeld also thanked previous Councilman Mark Wiseman for his work on this legislation during his years on Council.

Mr. McConville cited the background of city concerns that were instrumental in developing this legislation and cited several cases; Yoder vs Bowling Green and a case in Bedford Common Pleas. Mr. McConville also said that rental properties will be required to register annually, but the inspections will continue to be bi-annual and based on the 4th amendment there is the right to refuse allowing the City to conduct Point of Sale or Rental inspections. At which point the City could appeal to the Courts to administer a warrant for rights to inspect or just issue the permit. The committee also considered comments provided by John Carroll University.

Mr. McConville reviewed some of the other changes that the Building/Housing Committee requested at their last meeting.

There is a requirement of more information such as if it is an LLC a local authorize agent(s) have to be listed on the permit and proof that they are current in their payment of the property taxes.

The Ordinance still draw a distinction between related/unrelated persons in the dwelling. That it tied to space and health and safety. In particular the Ordinance indicates that a rental be occupied by the number of unrelated persons cannot exceed the number of bedrooms in a home. Bedroom is defined as a room that meets four characteristics: (1) a bathroom directly attached or abuts a hallway that leads to a bathroom; (2) be a minimum of 80 sq. ft, with no dimension being less than 8ft.; (3) have one built in closet and (4) a minimum of two means of egress. Furthermore, the definition of family also includes domestic partnerships. The decision of a functional family equivalent has the right to be appealed to the Board of Zoning Appeals.

Mrs. Pardee commended everyone’s work on this legislation and offered the following questions. Why was the age of a dependent changed from 21 to 26? Mr. McConville replied that the age of 26 was suggested by John Carroll University Counsel because graduate students may live with under graduate students in a dwelling and also under the tax codes dependents can be up to age 26. If an owner has the right to refuse an inspection, what would trigger the administration to seek a court order allowing the inspection. Mr. McConville stated it would be a practical matter if a home owner were to refuse the city the right to inspect their property and the administration would seek a court order if there were concerns of health, safety and code issues. In which case the administration would make case to the courts that it has been two years or

more since the house has been inspected for health, safety and code issues and the court would be receptive to those concerns. Lastly, Mrs. Pardee asked if there had been a history of landlords refusing inspections. Mr. McConville replied that most landlords allow the inspections.

Mr. Gould asked about the discretion of the administrator who makes the decision about whether or not to revoke a rental permit where that individual has independent discretion as to whether or not the threshold item should warrant the revocation of the permit. Mr. McConville stated that it was limited by the provisions listed in sections 1 to 9, but generally Mr. Gould was correct. Mr. Gould said for instance if something was overlooked and in wanting to make sure that domestic violence was addressed and some of the case law speaks to the fault of the individual or the victim status of the individual who's permit is being revoked or who will be displaced from their housing as a result of the revocation so shouldn't there be something that fell through were it was clearly not in interest of justice or in the interest of the goals and aims of this ordinance. And, in that administrators view they would have the discretion not to revoke the permit should that be the conclusion. Mr. McConville replied Mr. Gould was correct and added that there was an additional layer of protection built into the regulatory structure where the party's whose registration is being revoked has the right of appeal to the Board of Zoning as well.

Mr. Gould added that regarding the intent of this ordinance and the reasons why it is important to University Heights as it applies to the current housing stock, the living circumstances of individuals within University Heights and the structures in which individuals are living. The recent Cuyahoga County Data Book where University Heights is in the bottom 50% in terms on the number of households and in the top 10% out of the entire county in average household size. In addition to that there is the issue of density for the number of people living in the number of University Heights homes. According to the County University Heights is #2 in terms of density. This ordinance serves as an extension and progression of the work done as a municipality to ensure that the housing is safe, the community is protected creating a solid product. Mr. Gould said all of which leads him to supporting this ordinance.

Mr. McConville added that the ordinance includes five whereas clauses, each one touches some of the issues that Mr. Gould spoke to and the concerns that were discussed by Council and Committee members during the Building and Housing Committee meetings.

Mayor Brennan thanked everyone for all their work adding that the reasons rentals are regulated is for the protection of the city's tenants, the health, safety and welfare for members of the community. The housing stock in University Heights was designed for one use and has been adapted for another use. The City wants to be thoughtful, mindful of the health, safety and welfare of the residents and renters. And to make sure renters are living in quality rental homes in University Heights.

Ordinance 2021-11 Amending Codified Ordinance Section 1280.10 Entitled "Rental of One and Two-Family Dwelling Units in U-1 and U-2 Districts was placed on first reading.

C) Motion Authorizing the Mayor to Enter into Contract with James G. Zupka, CPA Inc. in an amount not to exceed \$24,850 for Auditing Services for the year Ending December 31, 2020 in Accordance with the Provisions of Ohio Revised Code Section 117.

Mr. Kennedy stated that this contract is for audit years 2020-2024. The State of Ohio completed an RFP for auditing services and Zupka won the contract with the state.

There was no further discussion for this item.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD Authorizing the Mayor to Enter into Contract with James G. Zupka, CPA Inc. in an amount not to exceed \$24,850 for Auditing Services for the year Ending December 31, 2020 in Accordance with the Provisions of Ohio Revised Code Section 117. On roll call, all voted "aye."

D) Motion Authorizing the Payment to Signal Service for the Repairs to the Pedestrian Crossing Signal at 2384 Warrensville Center Road in an amount not to exceed \$16,914.00

Mr. Kennedy stated that this invoice was due to a vehicle accident and even though the cost of repairs has been filed and will be reimbursed by the vehicle's owners insurance the amount exceeds the Mayor's spending authority.

Police Chief Rogers added that Signal Service provides this specialized service so it is exempt from bidding requirements.

MOTION BY MRS. WEISS, SECONDED BY MRS. BERRY Authorizing the Payment to Signal Service for the Repairs to the Pedestrian Crossing Signal at 2384 Warrensville Center Road in an amount not to exceed \$16,914.00. On roll call, all voted “aye.”

E) 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 a real estate matter to provide an update regarding University Square.

MOTION BY MRS. BLANKFELD, SECONDED BY MR. GOULD to hold an Executive Session for the discussion of University Square. On roll call, all voted “aye.”

Director’s Reports

Finance Department – Dennis Kennedy reported that the department is in the process of closing out the March financials and the reports will be provided to Council next week. Mr. Kennedy stated that he was also in the process of filing the CIC report and tax filing and that a CIC meeting will be needed approve a budget for 2021.

Fire Department – Chief Perko reported that fire hydrant and flow testing would be occurring soon. The schedule will be posted to social media.

Service Department – Jeffrey Pokorny reported that loose leaves from the treelawns, untied brush piles collection has started and will continue for the month of April.

Engineering Department – Joseph Ciuni informed everyone that bids for the City’s 2021 Street Improvement Program would be opened on Friday.

Communications/Civic Engagement – Michael Cook stated that the process of registering for COVID vaccinations has eased up some because there is more vaccine available in Ohio and that he continues to promote people to get vaccinated.

There were no other director reports.

Standing Council Committees:

Finance Committee – Mrs. Weiss reported that there will be a Strategic Planning Committee on April 15 at 7pm.

Service/Utilities Committee – Mr. Gould stated that the committee met with Dr. Sutton to review the language for Solid Waste Survey that will be sent out to residents.

There were no other committee reports.

MOTION BY MRS. BLANKFELD, SECONDED BY MR. GOULD to return to Regular Session. On roll call, all voted “aye.”

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

There being no further business, the meeting was adjourned at 9:07p.m.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council