

ORDINANCE NO. 2021-23

INTRODUCED BY: MAYOR MICHAEL DYLAN BRENNAN

**AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT
NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 ENERGIZED
COMMUNITY GRANT AND DECLARING AN EMERGENCY.**

WHEREAS, the City of University Heights, Ohio is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is eligible for one or more NOPEC Energized Community Grant(s) for 2021 (“NEC Grant(s)”) as provided for in the NEC Grant Program guidelines; and

WHEREAS, the City of University Heights wishes to enter into a Grant Agreement with NOPEC, Inc. in substantially the form presented to this Council to receive one or more NEC Grant(s); and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF UNIVERSITY HEIGHTS, OHIO, THAT:**

Section 1. This Council of the City of University Heights finds and determines that it is in the best interest of the City to enter into the Grant Agreement to accept the NEC Grant(s) for 2021, and authorizes the Mayor to execute the Grant Agreement to accept the NEC Grant(s) funds.

Section 2. The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which results in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, so that the City may be in acceptance of 2021 NEC Grant Awards; wherefore, this ordinance shall be in full force and effect from and immediately after its adoption and approval by the Mayor.

CITY OF UNIVERSITY HEIGHTS

Michael Dylan Brennan, Mayor

Passed: _____

ATTEST:

Kelly M. Thomas, Clerk of Council

APPROVED AS TO FORM:

Luke McConville, Law Director



MEMORANDUM

To: Mayor Michael Dylan Brennan
City Council

From: Susan Drucker, Economic Development Director

Date: June 25, 2021

Re: Recommendation to Accept RFP for Comprehensive Zoning Code Update

On June 1 and June 3, 2021, Mayor Brennan, Councilman John Rach and I conducted interviews for the RFP's received regarding the City's Comprehensive Zoning Code Update. It is our recommendation that the City Council accept and approve the proposal submitted by ZoneCo in the amount not to exceed the quoted \$110,000.00 fee for the total project cost. Sean Suder, who is the Lead Principal of ZoneCo and will be the Project Manager for this project, will be present at the Special Council meeting scheduled for Monday, June 28th to address any questions or comments from City Council. Your consideration of this proposal and our recommendation is appreciated.

STRATEGIC PLANNING COMMITTEE

Lay Committee Members: Steve Wertheim, Win Weizer, Leslie Kerr, Rick Brenner, Brad Glazer

Strategic Process:

Project Sponsor-Michele Weiss

Project Leads-Susan Drucker and Dennis Kennedy

Timeline-1 year with monthly meetings

To Do List:

Finalize internal documents for the City

Capital asset planning

Facilities planning

Schedule:

February 17th finalize all internal controls with the committee including

- Organizational chart for the City

- Organizational chart per department

- Compensation ranges for Directors-recommendation to Council

- Job descriptions

Develop a statement of the strategic objective

Create a rubric to define success that is concrete and measurable

Discuss next meeting which will revolve around capital asset planning. Invite Chief Rodgers, Chief Perko, Jeff Pokorny and Joe Ciuni

March 16th Directors present short term and long term capital needs.

- 10,000 foot discussion about the facilities RFP

- Committee discussion revolving around Director's reports

April 14th Presentation on a facilities assessment and recommendation to Council

- Finalize capital asset plan

- Finalize salary excess compensation in a Council of the Whole Meeting

May 12th

Finalize strategic objectives

Begin discussion of performance outcomes

June 7th Continue performance outcome discussion

July 12th Facility assessment review

August 11th Facility assessment review of how to finance

September 13th Project leads present a draft RFP for construction. Corrections and additions made by committee to be ready for bids with a hard deadline of October 31.

November 10th Committee discussion of financing options for the build with a recommendation to Council. If there is a ballot issue then this issue needs to be on the March ballot. If this is a ballot issue campaigning needs to be discussed.

Year 2 of strategic planning-Marketing of University Heights and focus on the residents

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Kelly Thomas

From: Michael Brennan
Sent: Thursday, June 24, 2021 11:23 AM
To: Kelly Thomas
Cc: Susan Drucker; Dennis Kennedy; Dustin Rogers; Bob Perko; Jeff Pokorny; Geoff Englebrecht; Luke McConville Foward; Stephanie Scalise; Fred White; Rachel Mullen; Mike Cook; Ciuni, Joe
Subject: RE: Invitation: Strategic Planning Committee
Attachments: Memo on Future of Strategic Planning 05112021.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

This message was sent from the City of University Heights.

Kelly, and Directors & Chiefs & Department Heads:

To anyone who has received a doodle poll regarding city council's effort to reconstitute its Strategic Planning Committee, please allow this email to serve as re-confirmation that administration, including department heads/chief/directors, are not to attend meetings or prepare materials for this committee. The administration has taken back the strategic planning process. Council's efforts to overstep its authority on the subject are no longer countenanced by the administration, as they have demonstrated a lack of capacity, temperament, values, or vision to offer meaningful input on this subject.

I attach my memo of May 11, 2021 on Strategic Planning for reference.



Michael Dylan Brennan | Mayor

City of University Heights
2300 Warrensville Center Road, University Heights, Ohio 44118-3895
(216) 932-7800 x222 | Mobile: (216) 906-0383 | Fax: (216) 932-8531
mdb@universityheights.com

From: Kelly Thomas (via Doodle) <no-reply@doodle.com>
Sent: Wednesday, June 23, 2021 4:27 PM
To: Michael Brennan <MDB@universityheights.com>
Subject: Invitation: Strategic Planning Committee

Kelly Thomas invites you to participate in the Doodle poll "Strategic Planning Committee."

Doodle

Hi Michael Brennan,

Kelly Thomas (kthomas@universityheights.com) invites you to participate in the Doodle poll **Strategic Planning Committee**.

[Participate now](#)


[Report this poll as spam](#)

Best wishes,



UNIVERSITY HEIGHTS

TO: Michele Weiss, Vice Mayor, Chair of Strategic Planning SC

FROM: Michael Dylan Brennan, Mayor 

CC: Directors/Chiefs, City Council, Clerk of Council, SC members

DATE: May 11, 2021

RE: Future Handling of Strategic Planning

By the City Charter, the executive and administrative powers of the City are vested in the Mayor, directors of departments, and other administrative officers (hereinafter “City Administration.”). The Charter provides further that the Mayor is the Chief Executive Officer of the City and supervises the administration of the City’s affairs; thus the Mayor is the head of and speaks for City Administration. Strategic planning is an administrative power and the province of City Administration. Notwithstanding the foregoing, in 2020 the Vice Mayor formed a Strategic Planning Subcommittee of Council’s Finance Committee (hereinafter “Subcommittee.”) which began meeting in Fall 2020.

After consideration and evaluation of the Subcommittee’s proceedings and output to date, City Administration does not have confidence in the Subcommittee to do the work meaningfully, thoroughly, or timely.

As it is an administrative function, this memo is to inform all stakeholders that the City Administration has taken back the strategic planning process of the City. City Administration will not be attending the May 12, 2021 Subcommittee meeting, will no longer attend other Subcommittee meetings or pre-meetings, and will no longer prepare materials or perform other work for the Subcommittee.

To date, the output of the Subcommittee has been uneven. The Subcommittee did approve of the proposal City Administration obtained for a municipal facilities study, which City Council then approved, and is now underway. This is a significant development in which all involved may share credit.

Beyond that, there has been a breakdown of communication by the Vice Mayor with City Administration. As it pertains to this process, it is both in preparation for meetings and their subjects, and by way of failing to provide descriptive meeting

agendas (which is not transparent, does not promote meaningful preparation, and does not serve the public interest).

The Subcommittee has not followed through with agenda items once noticed (e.g. the Benefits discussion item that was noticed for April 14). The Subcommittee has not followed through on either an approval or other feedback of the draft compensation scale (meeting of February 16); when ready for Council consideration, such matters are appropriately put before Council or referred to the Finance Committee (which unlike the Subcommittee, exists by ordinance. See UH Ord. 220.10(a)(3)). The Finance Committee has not met for three months now (last meeting was February 10, 2021), with no meetings scheduled.

At the March 16 meeting, the Subcommittee chair shut down attempted discussion by a citizen Subcommittee member who raised a concern over the ongoing unresolved issue of the method of solid waste pickup (see Solid Waste Collection Analysis of May 15, 2020) with respect to the discussion of the Service Department equipment replacement schedule. Naturally, the method of pick-up directly impacts the decisions on what equipment the City requires in replacement of the current failing and worn out equipment (most of which is past due, due, or shortly due for replacement). Following presentations at the same meeting, some council members revealed that they only now understood the commitment and budgeting needed for keeping up the roads program (which would have been helpful before those same council members voted to cut the proposed roads budget by 50% in 2021). The eventual (and seemingly only) result of that meeting was the Subcommittee decision that four administrative department spreadsheets should be merged onto a single spreadsheet. City Administration performed this task.

City Administration's distribution of the combined spreadsheet was followed by an April 7, 2021 email from the Subcommittee chair questioning why the police department listed a future need for new photocopier when "[t]hey can lease them with a \$1 buyout.... no one should be purchasing copiers," and other opinions that the City should wait till various equipment fail before replacing them – rather than planning on their periodic seamless replacement to avoid disruption to municipal operations.

Aside but relevant to that last point, City Administration reported at the City Council meeting of April 19, 2021 (see Mayor's Report that date) that the internet and phones at the 2245 WCR Annex were down for nearly a month due to City Council's November 2020 failure to approve replacement of certain switches the City's IT consultant recommended for replacement. At that time, and after a special meeting called by City Administration on the subject of the proposal, City Council declined to do the work as the switches were not yet broken. The disruption caused by failing to follow the advice of our IT consultant, and instead waiting for the switches to break, is something we should be planning to avoid in the future.

When the Subcommittee chair maintains the position that we should continue to wait till equipment fails before making replacements, that isn't strategic planning.

Actual strategic planning should include, among other things, committing to avoid disruption of operations and services through routine maintenance, upgrades, and replacements, not formalizing failure and disruption as a matter of City policy.

These are just some of the reasons why City Administration will no longer engage in the Subcommittee's proceedings.

Should the Subcommittee nevertheless continue to meet in an advisory capacity, it is reminded to take care to follow open meeting laws, properly notice the public with meaningfully descriptive agendas, record the meetings on Zoom, and produce minutes. Any public documents it seeks from City Administration for its proceedings are to be coordinated through the Clerk of Council, and not by the Vice Mayor or other Subcommittee members contacting any department heads directly. Any suggestions the Subcommittee may make to City Administration will be taken under advisement.

In the meantime, City Administration is working on matters regarding compensation, including a revised Compensation Scale with Salary Ranges, and issues regarding certain salary add-ons and benefits that were to be discussed at the Subcommittee meeting of April 14, 2021 (and then weren't, when the Vice Mayor texted during the meeting that she did not want to discuss the subject in front of the media and would move it to the Committee of the Whole meeting) which then were addressed superficially (although not formally placed on the agenda) at the Committee of the Whole meeting of April 26, 2021. City Administration will then present these matters to City Council as ordinances for consideration on a Council meeting agenda, at which time City Administration will present in support of its proposals.

The City Administration's Revised Policies and Procedures Manual had its First Reading at the May 3, 2021 City Council meeting, as was also supposed to be (from the Committee of the Whole) a companion ordinance regarding salaries and benefits (which City Administration is handling now); City Administration will hold back the revised PPM from second reading until it has completed the other items for presentation to Council, to ensure that all items are considered together and are consistent. In taking back the process and making up for lost time, the City Administration's goals are to be careful and correct in our computations and to have these items ready for consideration and a vote for implementation before the summer recess; if necessary, City Administration will call special meetings through the summer.

Further Strategic Planning matters will be addressed by City Administration, presented from time to time to City Council and/or an appropriate standing committee, and to the public.

City Administration thanks the Subcommittee members, especially the citizen members, for their attendance and efforts to date as we now move the City forward.