

**COUNCIL MEETING MINUTES  
CITY OF UNIVERSITY HEIGHTS, OHIO  
TUESDAY, JANUARY 18, 2022**

Mayor Michael Dylan Brennan called the meeting to order at 7:05p.m.

Roll Call:

Present: Mrs. Michele Weiss  
Mrs. Sherri Sax  
Mrs. Barbara Blankfeld  
Mr. John Rach  
Mr. Justin Gould  
Mr. Christopher Cooney  
Mr. Brian King

Also Present: Assistant Law Director Michael Cicero  
Clerk of Council Kelly Thomas  
Finance Director Dennis Kennedy  
Fire Chief Robert Perko  
Police Chief Dustin Rogers  
City Engineer Joseph Ciuni  
Communication and Civic Engagement Michael Cook

**Approval of Council Minutes:**

**Council Meeting January 3, 2022**

**MOTION BY MRS. SAX, SECONDED BY MRS. BLANKFELD for the passage of the January 3, 2022 Council Minutes with the correction of Council member names as corrected and presented. On roll call, all voted “aye.”**

**Additions and Removals from the Agenda; Referrals to Committee**

**MOTION BY MR. GOULD, SECONDED BY MR. RACH to add to the Agenda the Confirmation of Appointment of Ari Jaffe, Kevin Goodman and Matthew Kaliff to the Board of Zoning Appeals Commission. On roll call, all voted “aye.”**

**Comments from Audience**

Mr. Scott Wachter, 2224 Edgerton Road thanked Council and the Administration for considering banning fireworks in University Heights and noted that traditionally fireworks had been used to celebrate a variety of holidays but over time we have learned fireworks can also cause a lot of damage not only are fireworks dangerous in a high density neighborhood as in University Heights but the noise and bright lights can cause carnage for our local wildlife domesticated pets those who suffer from PTSD among others things.

**Reports and Communications from City Council, and the taking of action thereon**

Mrs. Weiss reported the following:

1. Councilman King and Housing and Community Outreach Director Mr. Engelbrecht met with Cleveland Heights and South Euclid to see how to collaborate in exploring connections on bicycling awareness.
2. The Finance and Finance Advisory Committee will be meeting tomorrow at 7pm where Finance Advisory members will be appointed at the beginning of the meeting. The topic of discussion will be the draft budget that is proposed by the City’s Administration. The committee and Council admires the Mayor’s ambitious vision for the city and the committee will see how it fits into the overall budget. The committee will discuss the timeline for many of the projects as everything cannot be afforded at once, but everyone will work with the Administration to determine priorities so that many of the projects can be accomplished in the next few budget cycles.
3. There will be many council committee meetings in the next few months.
4. There will be a Council of the Whole and Mayor’s Retreat to work on short-term and long-term visions of the Council and Administration.
5. The Safety Committee, which is Chaired by Councilman Gould will have standing monthly committee meetings in effort to help meet the needs of the Safety Forces.

**Reports and Communications from the Mayor, and the taking of action thereon;****Mayor's Report**

Last Monday January 10th, the administration released the 2022 budget "Putting People First" for consideration. On January 11th, I released a narrative going over the budget. This can be found on the city's website on the mayoral page. Rather than read the full narrative tonight, I simply incorporate it herein by reference for the record. It is my hope that all council members and interested parties will have read and considered that narrative before tomorrow evening's Finance Committee Meeting. The narrative, while extensive, is not all inclusive, and Finance Director Dennis Kennedy will be prepared to present at the opening of tomorrow evening's finance meeting to go over the numbers and the needs and plans behind them.

Today is the first day of the Spring Semester at John Carroll University, so I'd like to welcome back our JCU students.

The administration received this afternoon the draft for distribution to council of the municipal facilities study. The consultants are eager to meet with council in the Committee of the Whole at council's next convenience, with an eye then towards then making a public presentation (tentatively) at the February 22nd city council meeting.

In light of the standoff in Colleyville, Texas where an armed suspect took a rabbi and three others hostage at the Congregation Beth Israel Synagogue during Shabbos, we are all relieved that the rabbi and hostages emerged safely. University Heights Police Department, together with other neighboring agencies, increased patrols over the weekend and has been coordinating with Director of Security Jim Hartnett of Jewish Federation Security. We are grateful to have the Federation as a partner during times of heightened awareness to promote increased visibility and safety for the community.

Overnight into Monday we experienced our heaviest snowfall so far this year. Thank you to our service director Jeff Pokorny, assistant director John Pucella, Mechanic Scott Rudyk, and to the and to our Service Employees who all came in to clear snow. The first crew reported Sunday evening at 6:30pm, and worked through the night till 9:30am, logging 14.5 to 15 hours. The second crew arrived at 9:15am on Monday, and worked 11 to 11.5 hours till roughly 8:00pm. Another service employee came in at 6pm last night to clear the sidewalks on the eastern end of UH. The western end sidewalks were cleared this morning by yet another service employee.

This winter we have been fortunate. There was little snow in December, and now this storm came on a city holiday. We were able to devote our resources exclusively to snow removal, and not have to cover rubbish pickup as well. I have had feedback from residents overwhelmingly in support of the work our service employees performed these last 48 hours. I am thankful as well. I nevertheless want to emphasize that the service department is understaffed, and we did as well as we did with the staffing and the snow removal given that it was a city holiday. The last pass of leaf pickup began November 27th, and was not completed before this storm, due to staffing issues. The budget we released last week addresses this, so that we can better serve the community. More on that tomorrow.

Finally, I am pleased to nominate for the Board of Zoning Appeals, Ari Jaffe, Kevin Goodman, and Mathew Kaliff. All three have just finished a term on BZA. They have served the City thoughtfully and with distinction. I ask council this evening to confirm them all for reappointment.

Thank you. This concludes my report.

**Reading and Disposition of Ordinances, Resolutions, Motions and Consideration of Agenda Items:**

- A. Motion to Approve Planning Commission's Recommendation of Approving Application from Ronald Kluchin Architects, Inc. regarding 4461 & 4471 University Parkway for New Home Construction**
  - a. Request for demo of two houses (4461 & 4471 University Pkwy)**
  - b. Request for consolidation of the lots (721-21-056 & 721-21-057)**
  - c. Site Plan Approval**

Mrs. Sax recused herself from this agenda item because of her place of employment.

Mr. Kluchin reviewed the overall project and plans and stated that they wanted to begin the project within the next several months.

Mr. Rach noted that he serves on the Planning Commission as the voting Council Liaison. Mr. Rach reported that the Planning Commission voted unanimously for the approval of the demolition of the existing house, the

consolidation of the two lots and the overall site plan. Mr. Rach added that this project would add additional diversity in the University Heights housing stock and be a great addition to the street.

Mayor Brennan added that the Planning Commission placed three (3) conditions on their approval. (1) the width of the driveway is scaled back to 12ft.; (2) the size and features of the new house be for private residential use of the applicant only; and (3) that the applicant enters into a Development Agreement.

Mr. Cicero stated that the applicant noted at the Planning Commission meeting that the “Mikvah” would only be for the private use by the homeowner and their guest.

Mr. Cooney asked how the proposed new house would act in contingent with the neighborhood.

Mr. Rach replied that University Parkway and surrounding streets have ranch style houses with a wider footprint and circular driveways unlike many of the other older University Heights homes.

Mr. Kluchin added that both University Parkway and Churchill have homes that are over 700 sq. ft. in size and for this particular house the roof pitch is lower than the code allows for to camouflage the actual size of the house. The setbacks are over 25ft. to allow for landscaping.

Mrs. Blankfeld agreed that the homes on University Parkway and immediate surrounding area were much larger and sprawled out, so this house makes sense and will fit well on University Parkway as opposed to another street with more of a colonial look house style.

### **1. Request for demo of two houses (4461 & 4471 University Pkwy)**

**MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to approve the demolition of 4461 & 4471 University Pkwy. for the purpose of building a new home with the condition that the homeowner enters into a development agreement with the City for the new house build. On roll call, all voted “aye,” except Mrs. Sax, who had excused herself from this agenda item.**

### **2. Request for consolidation of the lots (721-21-056 & 721-21-057)**

**MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to approve the consolidation of lots 721-21-056 & 721-21-057 subject to the demolition of the two existing houses and the homeowner entering into a Development Agreement with the City. On roll call, all voted “aye,” except Mrs. Sax, who had excused herself from this agenda item.**

### **3. Site Plan**

**MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to approve the submitted Site Plan with the condition that the driveway is scaled back to 12ft. in width. On roll call, all voted “aye,” except Mrs. Sax, who had excused herself from this agenda item.**

### **B. Resolution 2022-08 Necessity Declaring the Intent to Appropriate and Acquire the Fee Simple Interest in Certain Real Property Titled to University Square Real Estate Holdings, LLC, known as 2203 Warrensville Center Road, Bearing Permanent Parcel NO. 721-01-001, City of University Heights, County of Cuyahoga, State of Ohio, as more fully described herein, for the Purpose of Eliminating Blight (on first reading)**

Mr. Cicero stated that the proposed Resolution was a statutory requirement.

Mayor Brennan added that last year City Council had approved the Administration having the property appraised and this was part of that process.

Mr. Gould thanked Mayor Brennan and the Administration because when he things occur in other cities like the garage collapse in Lakewood, Ohio and with the garage at University Square being in its current unacceptable physical state and becoming a place where people do not want to be because they do not feel safe. This location has become so undesirable that the infrequency of visits may continue to lead as it already has to increase violent criminal attempts and as a Council person he has concerns for the safety of the citizens and those who visit this location.

Mayor Brennan noted his agreement with Councilperson Gould’s comments and observations. Mayor Brennan stated that he had those same concerns and that this particular Resolution of Necessity was focused on the core retail parcel. The core retail portion is certainly a part of the overall University Square Development but that parcel technically does not include the garage itself although obviously they are necessarily intertwined as far

as their use and certainly the condition of the retail parcel has contributed significantly to the things that Council person Gould described as occurring in the garage.

Resolution 2022-08 was placed on first reading.

**C. Ordinance 2022-04 Amending Ordinance 2021-52 by Increasing the Spending Authority Authorized Therein for Costs Relating to a Joint Firefighter/Paramedic Entrance Exam Participation Agreement and Declaring an Emergency**

Mr. Perko stated that Council previously approved the spending cost relating to a Joint Firefighter/Paramedic Entrance Exam not to exceed \$2,000 but at the most recent Joint Regional Civil Service meeting it was determined that that cost would be \$3,000. The increase in cost was due to the City of Lyndhurst, who had formally conducted the application distribution and collection process will not be going to a third-party company and secondly, the candidate pool will be increased from 200 candidates to 300 candidates.

**MOTION BY MR. GOULD, SECONDED BY MRS. BLANKFELD to approve Ordinance 2022-04 2022-04 Amending Ordinance 2021-52 by Increasing the Spending Authority Authorized Therein for Costs Relating to a Joint Firefighter/Paramedic Entrance Exam Participation Agreement and Declaring an Emergency. Roll call on suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”**

**D. Ordinance 2022-05 Enacting Codified Ordinance Chapter 1615 Entitled “Fireworks”**

Mrs. Weiss noted that Mr. Watcher’s comments were spot on in terms of what the Safety Committee discussed at their last meeting. The density of University Heights, the safety of the residents and the loud noises from fireworks will affect the animals and people who suffer from PTSD is of real concern. Mrs. Weiss stated that she was in full support of Ordinance 2022-05 in conjunction with a near future zoning ordinance for fireworks as well.

Mrs. Sax agreed with the premise of the legislation but even though her comment is more of a safety issue than a fireworks issue. In light of some of the serious issues that occurred in the City of Cleveland Mrs. Sax wanted to know if under item “c” of the legislation that list the exceptions if there might be a way to describe that what would be exempt are really toy guns that are brightly colored so that they would be differentiated from real guns.

Mrs. Blankfeld replied that section of the ordinance was possibly referencing capped noise making guns.

Mayor Brennan added that he did not think that the Safety Committee and Law Director endeavored to make a compete statement on toy guns as much as wanting to make clear that cap guns in particular which have a very mild ignition so being exempted from this legislation. But noted that Mrs. Sax raised an interesting point for further consideration whether it be for this legislation or a future legislation.

Mr. Gould suggested that this legislation be returned to the Safety Committee in order to work with the safety forces prior to the next February 7<sup>th</sup> Council meeting.

Mayor Brennan agreed that it would be appropriate in order for the committee to reflect on the density and values of University Heights.

Ordinance 2022-05 was placed on first reading and referred back to the Safety Committee for further discussion prior to the next February 7<sup>th</sup> City Council meeting.

**E. Ordinance 2022-06 Providing for the Submission to the Electors of the City of University Heights A Proposed Amendment to the Charter to Amend Article 7 Section 3 Relating to the Civil Service Commission for the Purpose of Expanding the Number of Permitted Eligible Candidates for Open Positions in the Police and Fire Service and Declaring an Emergency (on emergency)**

Mr. Cicero stated that this Ordinance in substance provides a more flexibility in allowing the Civil Service Commission whereas the current City Charter is very restrictive. If placed on the ballot and approved by the voters this legislation would permit the Civil Service Commission to establish by rule the number of eligible candidates.

Mrs. Weiss added that if the legislation is approved it would need to be marketed very clearly so that the residents understand the importance of what they are voting on.

Mayor Brennan made note that the approval of this legislation by City Council and the Citizen’s approval of the proposed Amendment to the Charter would make the Police and Fire hiring more competitive with the ending result being that the City would be able to hire the best candidates it attracts and provide those candidates with job offers before they accept job offers from other agencies.

Mrs. Weiss ask what platforms would the City for marketing.

Mayor Brennan replied email, social media, and the like.

Mrs. Blankfeld noted that social media only reaches a certain number of people and there are a lot of people that don't follow the City's website, Facebook page or other type of social media platforms. Given that it is really important to reach out to as many residents as possible it needs to be made clear the importance of the passage of this ballot issue.

Mrs. Sax suggested that articles with questions and answers be placed in the Mosaic magazine as well.

Mrs. Weiss commented that she was seeing the need to start the Charter Review Process in the near future.

Mayor Brennan said that the other proposed charter amendment that the Administration may be bringing to City Council in the next few meetings would be to amend the Charter in regards to public meetings and to the extent to which public meetings could be held online. Currently home rule cites that have Charters that are conducive to being allowed to in times of emergency, such as times during this pandemic have been able to have online meetings and still have them count as a legal public meeting. Currently, under the City's Charter the City has adopted the open meeting rule as set forth by the Ohio Revised Code. There is a legal opinion that home rule cities such as University Heights may put provisions in their Charters regarding how public meetings are conducted including allowing the online conduction of public meetings. That is why some communities around Ohio have nevertheless continued with having Council and committee meetings on zoom or other online platforms and are still within the bonds of the law of conducting their meetings.

Mayor Brennan added that he understood that the City is due for a full Charter review. That would be a thoughtful and lengthy process and the Mayor did not think the City should wait for the second requested amendment to adjust the City's public meeting requirements. It would be better for the Administration and for the community as a whole if the amendment was placed before the residents sooner rather than later.

Mr. Gould noted that the Charter should not be piecemeal where a piece is done here and a piece is done there. It should be seen as a whole. But when we are dealing with something like the city's safety forces and ensuring that the city is able to keep a strong available list of individuals to hire or when we are dealing with keeping access and transparency with the people's work and having meetings that allow them to attend and participate virtually for those reasons Mr. Gould agreed with both of these two pieces of legislation for Charter amendments.

Mrs. Blankfeld agreed with Mr. Gould and also noted that when meetings are conducted online there is a lot more attendance at the Council meetings.

**MOTION BY MRS. BLANKFELD, SECONDED BY MR. COONEY approving Ordinance 2022-06 Providing for the Submission to the Electors of the City of University Heights A Proposed Amendment to the Charter to Amend Article 7 Section 3 Relating to the Civil Service Commission for the Purpose of Expanding the Number of Permitted Eligible Candidates for Open Positions in the Police and Fire Service and Declaring an Emergency. Roll call on the suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."**

**F. Ordinance 2022-07 Appointing Jeune Drayton as Assistant Clerk of Council, and Declaring an Emergency (on emergency)**

Mrs. Weiss reported that the position of Assistant Clerk of Council was advertised with the help of Mr. Kennedy in several job search portals. After an extensive search and reviewing of many resumes Mrs. Thomas, Mrs. Blankfeld and herself conducted interviews, Mrs. Jeune Drayton was interviewed and determined as the best candidates. Mrs. Drayton actually trained Mrs. Thomas many years ago and is a consummate professional with many years of working with other municipalities. Mrs. Drayton is everything Council has desired in a part-time Assistant Clerk.

Mrs. Blankfeld added that she was delighted that Mrs. Thomas will now be assisted by somebody with such experience and Mrs. Drayton will be a real bonus to Council and to the City not only because she is a resident but also because she has held a number of different positions in other municipalities.

**MOTION BY MRS. BLANKFELD, SECONDED BY MR. COONEY to approve Ordinance 2022-07 Appointing Jeune Drayton as Assistant Clerk of Council, and Declaring an Emergency. Roll call on the suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."**

**G. Motion to Amend the 2022 Calendar of Meetings and Changing the Monday, June 20, 2022 City Council Meeting to Tuesday, June 21, 2022 to reflect City Hall Offices being Closed on June 20, 2022 for Juneteenth**

There was no discussion for this item.

**MOTION BY MR. GOULD, SECONDED BY MRS. BLANKFELD to Amend the 2022 Calendar of Meetings and Changing the Monday, June 20, 2022 City Council Meeting to Tuesday, June 21, 2022 to reflect City Hall Offices being Closed on June 20, 2022 for Juneteenth. On roll call, all voted “aye.”**

**H. Motion to Enter Executive Session for the purpose of Discussing Legal Proceedings, Personnel and Real Estate Matters**

There was no need for Executive Session.

**Director’s Reports**

Mayor Brennan noted that he had excused all Department Directors from attending the Council meeting due to the raise in Covid cases.

**Finance Department – Mr. Kennedy** reported that the department has closed out 2021 and provided a brief summary of the City’s various financial account balances.

**Law Department – City Prosecutor, Mr. Cicero** reported that he met with Police Department, Building Department and Housing Department staff.

**Fire Department – Chief Perko** reminded the public to clear the foundation of their homes and fire hydrants of snow.

There were no other director reports.

**Standing Council Committees:**

**Building and Housing** – Mrs. Blankfeld stated that a committee meeting will be scheduled as well as deciding on a set monthly meeting date.

**Community Outreach** - Mr. King reported that the IT Committee would be meeting soon.

**Finance Committee** - Mrs. Weiss reported that there is a Joint Finance Committee and Finance Advisory meeting regarding the budget on January 19, 2022 at 7pm.

**Council Committee of the Whole** – Mrs. Weiss stated that Council will have their Retreat Meeting on March 10, 2022 at Shaker Lakes.

**Reports of special committees, and the taking of action thereon**

None

**Unfinished and miscellaneous business**

None

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

There being no further business, the meeting was adjourned at 8:36p.m.

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Michael Dylan Brennan, Mayor

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Kelly M. Thomas, Clerk of Council