

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MONDAY, MARCH 21, 2022**

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

Roll Call:

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

Absent: Mrs. Sheri Sax

Also Present: Law Director Luke McConville
Clerk of Council Kelly Thomas
Finance Director Dennis Kennedy
Fire Chief Robert Perko
Police Chief Dustin Rogers
City Engineer Joseph Ciuni
Housing and Geoff Englebrecht
Economic Development Susan Drucker
Service Director Jeffrey Pokorny

MOTION BY MRS. BLANKFELD, SECONDED BY MR. GOULD to excuse the absence of Mrs. Sax. On roll call, all voted “aye.”

Approval of Council Minutes:

Council Meeting February 22, 2022

MOTION BY MRS. BLANKFELD, SECONDED BY MR. KING to approve the February 22, 2022 Council Minutes. On roll call, all voted “aye.”

Council Meeting March 7, 2022

Mr. Rach noted that there was a typo in his name on page 4.

MOTION BY MR. RACH, SECONDED BY MRS. WEISS to approve the March 7, 2022 Council Minutes as corrected. On roll call, all voted “aye.”

Additions and Removals from the Agenda; Referrals to Committee

Mayor Brennan respectfully ask for a motion to remove items A, B and C from the agenda when they were placed on the agenda it was done under the erroneous assumption that these appointments are subject to council confirmation and turns out per the charter they are not. So, there is no reason to ask council to agree or disagree with these particular appointments.

MOTION BY MR. GOULD, SECONDED BY MR. COONEY to remove agenda items “a, b, and c” from the agenda per Mayor Brennan’s request. On roll call, all voted “aye.”

Mrs. Weiss asked and suggested that the City provides Mr. Siemborski and Mr. Fine proclamations in honor of their service of serving the city as Members of the Planning Commission for many years.

Mayor Brennan replied that he had privately expressed his thanks, but presenting them with a proclamation or other showings for their service would not be inappropriate.

Mrs. Weiss replied that she would appreciate it if that could possibly be done at the next Council Meeting.

Comments from Audience

Paul Miller, 2370 Charney was present to place a spotlight on Councilwoman Sheri Sax. Mrs. Sax has done an outstanding job in taking a look at the city's present situation regarding recycling program and if it will be changed, how will it be changed and the like.

Max Malley, 1 John Carroll Blvd., JCU Student Senator and Chair Community Relations & Service Committee was present to speak about the city's current recycling program where recyclables are placed in blue plastic bags for processing and how all too often the bags are ripped open, the contents are dumped onto a conveyor belt and the torn blue bags are sent to the landfill. Mr. Malley stated that University Heights' recycling rate was 4% and since 2021 the city is charged 50% more than other communities in the eastside consortium for the processing of loose recycling by recycling providers. Mr. Malley added that the Service Dept. already has a cart and cart flipper to handle the carts, all that is needed are the actual carts. Recycling is a key service that the city provides in promoting sustainability within the city and within homes. The issue of not releasing survey can be remedied. The city must however release a survey with all relevant questions. The survey must ask about cost and what residents are willing to spent. Mr. Malley stated that he was sure that if council were to sign off on a survey like that the Mayor be more than happy to send out a survey like that. To repeat the city should release a survey with all relevant questions. Mr. Malley read a statement from Maria Coghlan, Student Government Sustainability Intern and Vice President of the Environmental Issue Group at JCU. Ms. Coghlan stated her immediate shock of the city's state of recycling when Mayor Brennan visited and spoke to the JCU Student Government. Recycling as a necessary step in order to move towards a circular economy.

Ms. Winifred Weizer, 2177 Jackson thanked Mayor Brennan for posting about Cleveland Heights starting garbage and recycle pickup and rolling carts on his Facebook page. Ms. Weizer stated that that was great news because they can finally get real data as to whether using carts will increase the city's recycling rates. By actually waiting at least six months to see what the Cleveland Heights program actually generates will allow University Heights time to find out if the grants that Councilwoman Sax spoke of to help purchase the carts are real. If those grants are real, it will provide the mechanism to actually use the current system and still boost recycling percentages.

Mr. Jeffrey Pearl, 2579 Lafayette present the 2022 Residential Curbside Collection Methods that listed 59 communities in Cuyahoga County and of those 43 communities use the same method to pickup their recyclables. Mr. Pearl added that it was beyond him why the discussion about recycling collection is still occurring. Recycling cannot be promoted to those people who are already recycling, more training and educating, re-educating the entire community of how to recycle in needed. The blue bags have to go and be considered as something that is done away with before the city is told that they can't be used it at all.

Mayor Brennan read into the record emails received from the following residents: Estee Gulden, 4453 Baintree; Alex Teeter, Charney; Elaine Gayetsky; Marcia Greenis; Elaine Gayetsky; Toby Bresky; Jeffrey & Margaret Friedman, 4521 University Pkwy.; Kristine Bryan, 2472 Charney and Richard Kenney, 4105 Meadowbrook.

Mr. Rach noted that the email from Kerri was not read and asked Mayor Brennan why. Mayor Brennan replied that the email from Kerri did not have a last name or address like all the ones he read.

Phil Atkin, 2493 Rubyvale asked if other avenues for recycling/rubbish collection had been looked at such as finding something instead of the blue bags that are not recyclable find bags that are recyclable to collect the garbage. Or modifying the pickup trucks, little vehicles that go up the driveways so that the recycling could be separated and somehow dumped into the truck. There should be a solution that is more mechanical than just rejecting recycling. Changes and the realities of recycling are continually changing. The reality is that the community really wants the type of collection that it has.

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

Mayor's Report 3-21-2022

Under Article 7 Section 2 of the charter, appointments to the City Planning Commission are made by the Mayor and are not subject to confirmation, thus the first three items on tonight's agenda have been removed.

I am pleased to announce appointments to the City Planning Commission.

Matthew Casey is a Principal and Vice President of Development Management and Business Development at Zaremba Group, where he has managed expansion programs for several national and regional retailers. Mr. Casey is a graduate of John Carroll University, and has lived in University Heights since attending JCU.

Edward Reichek is an attorney in private practice and after four years away from municipal volunteer work, is back on our Planning Commission. Mr. Reichek previously served on Planning Commission under Mayors Rothschild and Infeld, is a former Chair of the old City Beautiful Commission, former member and co-Chair of the Parade Committee, and former Member of the City Recreation Department.

April Hirsch Urban was originally appointed to Planning Commission to the vacancy created by Ed Reichek's departure. Ms. Urban is recently a project manager for Cleveland Metropolitan School District, Research and Evaluation Office. Prior to that, Ms. Urban was Director of Community Responsive Analytics at the Center of Urban Poverty and Community Development at Case Western Reserve University.

Please join me in welcoming our new members of Planning Commission.

I thank Paul Semborski and Michael Fine for their service on the Planning Commission, and look forward to finding other ways for them to continue to serve our community.

Since the last meeting - University Heights will receive funding to improve pedestrian crosswalks and bump-outs at the Traymore Road and Hillbrook Road intersections along Warrensville Center Road, thanks to a grant approved by the Northeast Ohio Areawide Coordinating Agency (NOACA). We're committed to making our city a more welcoming, safe, and pedestrian-friendly place for all. This project will assist in that endeavor. When complete, the project will install two new crosswalks at the Hillbrook and Traymore Road intersections, along with installing curb extensions (or bump outs) to shorten the crossing distance, while enhancing pedestrian visibility. The project will also add new green space. NOACA will provide \$251,000 for the project, with University Heights contributing just \$26,000. I note Council approved a 20% match last year, this is approximately 10%. This project will improve the quality of life for all residents in University Heights, from young families, to senior citizens, to college students. Providing more clearly marked crossings with flashing beacons on Warrensville Center Road enhances the safety of pedestrians crossing a major thoroughfare. Credit goes to Geoff Englebrecht, University Heights Director of Housing and Community Development, for his strong work on the grant application.

As I always say, the greatest asset this city has are the people who work here. Things get done because the people here do them.

In addition to implementing the administration's vision on housing and community development, Mr. Englebrecht has now secured a quarter million dollar grant to make this city safer.

I also thank Dr. Sherri A. Crahen, Vice President for Student Affairs & Dean of Students at John Carroll University, who wrote in an October letter that the University supports the project.

The NOACA area for transportation and environmental planning encompasses the Cleveland/Lorain-Elyria metropolitan region including the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina. For the record, I represent the Heights Region on NOACA, where I just completed a term as chair of the NOACA Finance and Audit Committee.

Continuing on the subject of NOACA. Last week, was NOACA's Climate Action Summit. I attended the summit, with Councilperson Brian King as my guest. As stated at the summit by Ronald Richard, President & CEO of The Cleveland Foundation, "combating climate change is the moral imperative of our age."

Among the panels were one on making the Case for Climate Planning, and another on Developing a Regional Approach for Northeast Ohio. We heard from numerous speakers, including the City of Oberlin's Sustainability Coordinator Linda Arbogast, Cuyahoga County Director of Sustainability Mike Foley, and

keynote speaker Director of Transportation for America Beth Osborne, among others. Takeaways from the program include seeking to work regionally on a sustainability plan, building upon the county's existing sustainability plan while working together to lead on this issue.

Last week, I addressed the John Carroll University Student Government. Among the topics discussed there, sustainability. Among others. However, sustainability is a leading issue of concern among young people in this community. Thank you for your service and continued advocacy, to JCU Student Government, President Grace Kilfoyle, and all the student leaders, too many to name, though one (Max Malley) was here for the public forum this evening.

John Carroll University is hosting a Climate Change and Sustainability Teach-In on March 30th from 8pm to 10pm at Dolan Science Center Atrium. It will feature three concurrent, interactive panel discussions featuring faculty, staff, and students. The panel discussions will be followed by small breakout sessions where participants will discuss and brainstorm how to increase sustainability in their own lives as well as on campus and the larger community.

From their announcement: John Carroll University will be one of approximately 1,000 colleges, high schools, and parishes meeting that day to discuss climate change and how it can be addressed. As climate change accelerates, we have seen increased flooding, fires, and record-shattering temperatures. And yet, we still have both the time and the tools to change the future. The Teach-In is designed to educate and motivate people to take individual and group actions to address climate change. Specific action steps will be collected and posted so that individuals can follow our progress as we transition to a cleaner and more just world.

As Mayor of the City of University Heights, JCU has invited me to the event. However, no invitation is required: the event is free and open to the public. I encourage all here with an interest in sustainability to attend.

Immediately following the JCU Student Government presentation, I attended a meeting of Council's Service and Utilities Committee. The one formal recommendation made at that committee meeting was a motion and vote to support administration's continuing discussions with Rust Belt Riders to establish a compost drop-off location in the City of University Heights for people participating in the Rust Belt Riders program. I favor finding a way for the City to work with Rust Belt Riders and will report back to the community once we are ready to make an announcement.

While the record will reflect that no other motions were made or votes taken, there was a lengthy committee discussion that I observed on the subject of recycling. I was glad to hear that there at the committee that there is no intention to end residential recycling pickup. I am glad we all agree on that.

Beyond that, there were a lot of statements made and conclusions seemingly drawn at the meeting that may require further review. While no vote was taken, following the meeting, I have been advised by council members, and I have seen online council members advising the public, that a formal recommendation was made to administration, along the lines of the following: "for Administration ... to prepare, present and implement backyard collection of both rubbish and loose recycling with the goal of improving University Heights's recycling rate while lowering its costs which is believed not to be insurmountable."

Unfortunately, this recommendation (be it formal or informal) is not supported by the May 2020 Solid Waste Study. The Study reports at pages 29 and 34 that loose collection of recyclables in the backyard with a manual bin would result in an estimated increased cost of \$93,574 annually, rising to \$108,339 by 2023, and \$113,429 by 2028. Per the study, using 2018 figures, we pay \$23.74 per house per month with the current method of pickup. Per page 22 of the report, that's already the third highest in the county. This proposed change of loose recycling in a backyard bin manually handled would result in an increase of almost \$2.00 per house per month, and climb from there. The position that implementing a system of loose recycling picked up in the backyard would somehow lower costs is not supported by the Study, or by any other authority to date.

In contrast, the recycling carts administration put in the 2022 Putting People First Budget, was a partial implementation of the Suggested Alternative for the City recommended at the conclusion of the Study report. I refer the public to pages 34-35 for that conclusion. Semi-automated rubbish and recycling together would save \$58,598. As this is a partial implementation, we should expect the savings to be less. As the Study also observed the limitations on cardboard pickup in our current methods (see Study pages 32-33) the City stands to improve cardboard recycling, which would tend to improve the total recycling rate for our City. Either way, we know that the proposal as attributed to last week's Service and Utilities Committee meeting results in a substantial increase in cost per the May 2020 Report.

I also want to again clear up the subject of the survey of the residents. A survey is an option raised in the May 2020 Solid Waste Study at page 31, including surveying on the subject of a “premium service fee for side door service.” Notably, last year’s Service and Utilities Committee removed questions from the draft survey that Administration asked for regarding cost of the service. In my view, our ask about questions of cost was consistent with our study. And certainly, asking no questions about costs is inconsistent with the advice the City received from our consultants on the subject of a survey of the community. This is why administration did not approve the survey as edited by the committee, and did not and will not mail it in that form. Again, it is the service and utilities committee that did not follow the study’s recommendations on the survey. As the Chief Executive Officer and Chief Administrative Officer of this City, I did not and will not release a survey that does not comport with the advice on the survey provided in the 2020 Solid Waste Study.

For any member of council to say that cost is not important, I would remind all council members that in September of 2020, the city had a discussion about recycling and its costs. Three members of the city council voted against the current recycling contract, citing as grounds, the cost. So, of course cost is a factor. At least it was at the time that we entered our current contract with Kimble. Which expires this year, necessitating that the City act now to implement the recommendation of the Solid Waste Study at least as it pertains to recycling.

Let’s take a step back here:

At the City of University Heights we have, in Jeff Pokorny, a Service Director with a degree in engineering and decades of experience in this field. We brought in expert consultants, Jim Skora and his team at GT Environmental in 2009 and again in 2019 to provide the City expert guidance based on a review of our City solid waste collection practices and based on industry standards. That culminated in the May 2020 Solid Waste Study Report. To discard all of that based upon the anecdotal evidence presented at the March 15, 2022 Service and Utilities Meeting is simply not well taken by Administration. Based on that, City Administration will not be pursuing grants or taking other steps to modify buggies, not when there is nothing but wishful thinking and documented increased costs to back up the suggestions discussed in committee. Administration’s work at modernizing recycling will continue to be consistent with the findings and recommendations set forth in the May 2020 Report. I urge all council members and interested members of the community to again read the report. It is on the city website on the Service Department page.

I must address this one point. I would caution city council members that the 2020 Annual Report & Residential Recycling Report published by the Cuyahoga County Solid Waste District makes no findings as to method of pickup and its bearing on recycling rates. This is not discussed at all in their document. Those of you citing that as a source for the proposition that method of pickup has no bearing on recycling rates is inaccurate, and is a misuse of the document. Nowhere in the report is there any analysis, much less a conclusion, stating that.

At the next city council meeting on April 4, 2022, we will have a presentation by the Cuyahoga County Solid Waste District. Executive Director Elizabeth Biggins-Ramer and Assistant Director Jessica Fenos will be here to address recycling issues above and beyond the presentation made by Carin Miller at committee last month, above and beyond the matters raised in the District’s annual report on residential recycling.

As mayor and as a member of Cuyahoga County’s Solid Waste Policy Committee, I am delighted to have them as our guests at the next meeting. I appreciate the stated desire of council to seek further education on the subject of recycling, and I hope it proves to be educational.

Thank you, this concludes my report.

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

Mrs. Weiss reported that during last two weeks Council had various committee meetings, which will be detailed in the committee reports. The Tech Advisory Committee is beginning the process to bid for an IT service contract. The Service Committee is continuing ongoing education regarding the rubbish collection study.

During the Council of the Whole retreat council members came together in an informal setting to map out short term and long-term goals for the city. Mrs. Weiss said that it was an excellent meeting with new and fresh ideas, some of which are public art and landmarks commissions, a farmer’s market, pickleball formalizing sub-facility and infrastructure committees. Ideas to begin the facilities review and the beginning of the much overdue process for a Charter Review, and much more were discussed.

Mrs. Weiss noted that she wanted to clarify on the record some statements on the Mayor's official signing statement of the budget and reiterate again as an accountant what are good practices. The city is not a cash cow by any means and dipping into the reserves was necessary in order to attain this budget. Operations should never use its reserves, because that means the organization does not have the revenue to sustain their operations. The budget was passed overwhelmingly six to one by council, who acts as the checks and balance to the executive branch. The administration needs to respect the democratic process that the Mayor took an oath to protect. In regards to recycling as resident Mr. Miller pointed out during the public comment portion of this meeting, Councilwoman Sax has done an incredible job in researching backyard research. Mrs. Sax actually went to Pepper Pike and Shaker Heights are neighboring communities that conduct backyard recycling well. Mrs. Sax presented her findings as the Mayor stated at the last Service and Utilities committee meeting that we hope everyone views. Loose recycling is absolutely doable with little or no cost. The study that the Mayor referred to was the 2020 rubbish study that demonstratively showed that dual collection is higher cost than either curbside or backyard. Mrs. Weiss said that grants are available and that she hoped that the Mayor reconsiders and takes a take a moment to look for grants for the purchase of bins and equipment to retrofit the city's Kubotas, that was a large cost in the study that grants are available for. Mrs. Weiss challenged the Mayor to seriously consider investigating this option so the city can increase its recycling. Everyone on council favors this and no councilperson ever said to stop recycling in this budget.

Mrs. Weiss said, yes, the city does need a more robust Senior Services. The city needs to think creatively on how to accomplish this. By sharing resources with other cities as that can have great benefits. Utilizing current Communications and Community Outreach positions are their namesake and should tackle this ever so important piece of programming. In regards to zoning, the city's Economic Development Director, Mrs. Drucker has eagerly awaited the signing just as Council has. Mrs. Weiss said that Mrs. Drucker has openly expressed her interest in heading that endeavor. Mrs. Weiss said a City Planner is not needed because the company that was chosen actually has a City Planner on their staff. In discussing the two additional service people, the Service Director did state that two additional staff members would be needed for curbside recycling. Mrs. Weiss said that he was directly asked that question twice and gave that same answer. Therefore, if at this time, the city is not doing curbside recycling, the city does not need two additional staff members.

Finally, in regards to the Mayor's comment about the Sunshine laws. No Sunshine laws were ever broken period. Every council person is allowed to talk to another council person one on one or without a quorum. Mrs. Weiss stated that she probably speaks to council members personally at least once a week about issues. Nothing was decided behind closed doors. Two Finance meetings were held and both were close to two hours long. Mrs. Weiss added that when she proposed adjustments to the budget, she asked everyone if they had any comments, changes or suggestions. The budget was not a done deal before the meeting. Mrs. Weiss said that concluded her comments and that she believed Councilman Rach had a couple comments as well.

Mr. Rach stated that he needed to take this opportunity to correct the record regarding a separate eight-page letter that letter that he received from the Mayor on March 9th. Mr. Rach said that he should not have to engage in this pettiness but the Mayor's letter contained lies and that prompted a response on the record. In that letter the Mayor accused Mr. Rach of lying five separate times regarding his position on building a new parking garage for police vehicles. For context, the day before the Mayor, the Vice Mayor and Mr. Rach met with two representatives from GPD. GPD are the engineers that have been tasked to do the study of the city hall campus facilities. Mr. Rach said that they met with them to review the project scope for the new Municipal Center, which is now estimated to cost \$50 million. As a registered architect, Mr. Rach said he reviewed the program and determined it was more or less a director's wish list, rather than being based on any industry standard or best practices. For instance, Mr. Rach stated that he argued that a 400 square foot office for the Mayor was oversized and that the Mayor did not need a personal bathroom, certainly the Mayor did not need a personal shower. Also, there is no need for 16 conference rooms, a 200 fixed seat auditorium was not flexible for other functions and the site couldn't even fit 600 parking spots. Bringing a jail back to University Heights was never previously discussed. Mr. Rach stated that his response letter went on and on. However, it struck a nerve with the Mayor when Mr. Rach asked what other city has indoor police parking because now the Mayor is trying to discredit him over that question. Mr. Rach added that there could be more cities, but he was only aware of one city in the region that parks their full police fleet indoors, and that city has a lot of money. Mr. Rach said he asked the Police Chief if he could provide the committee with the complete list of cities that park their fleet inside enclosed conditioned spaces, but he could not produce that list and instead gave a list of only nine cities that have indoor/covered parking for their vehicles. It is still unclear which are covered and which cities have indoor parking, but that number is under nine. Mr. Rach said that he related all that information to the Mayor, and then the Mayor called Mr. Rach a liar. Mr. Rach said to let the record reflect that he was going to provide the Clerk of Council

with the full conversation with the Police Chief regarding the proposed indoor parking, as it refutes the Mayor's claims.

Mr. Rach stated that the Mayor's letter also alleged that he and others were, quote, "continuing to defund the police." No one is defunding the police. No such thing was ever suggested. Mr. Rach added that his voting record supports that. Mr. Rach continued and stated you know, to borrow a recent line from the Mayor, who actually borrowed this line from the late Senator Moynihan, and who, by the way, also borrowed a conceptual rendering of the new municipal facilities from Streetsboro and is now advertising it as University Heights' own, Mr. Rach stated that the Mayor was entitled to his own opinions, but he was not entitled to his own facts. And then for the Mayor to go on to formally asked him to publicly apologize and step down; for what for questioning where police cars park when they're not on patrol? Mr. Rach said that he was not going anywhere, and that the Mayor was not going to get a public apology for his raising objections, which is Council's duty as the checks and balances. Mr. Rach informed the Mayor that he was out of line and out of touch and that this particular behavior was becoming a trend. Just moments ago, Council heard you Mayor announced your nominations to replace two members of the Planning Commission that you fired via email over the weekend. Mr. Rach said that in his opinion, both were independent thinkers and did not vote the Mayor's way on his push to bring the school district bus depot back to University Heights and because one of those members is an architect and met with the Mayor a few weeks ago and told him separately that his building plans were over the top and that comment cost that person their job on the Planning Commission.

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

Agenda items A, B and C were removed from the agenda.

A. Motion to Confirm the Appointment of Matthew Casey to the University Heights Planning Commission

Removed from the agenda.

B. Motion to Confirm the Appointment of Edward Reichel to the University Heights Planning Commission

Removed from the agenda.

C. Motion to Confirm the Re-Appointment of April Hirsh Urban to the University Heights Planning Commission

Removed from the agenda.

D. Ordinance 2022-16 Enacting Codified Ordinance Section 1424.14 Entitled "Engineering Fees" and Declaring an Emergency

Mr. McConville stated that Ordinance 2022-16 arose out of recent discussions he had with the city's engineer, Mr. Ciuni. Mr. McConville noted that it had been the city's custom in practice over time to include in its permit fees a fee for engineering services. However, the city does not actually have a Codified Ordinance that addresses that. The legislation is intended to make it clear that as a matter of law, the city has a right to pass through its engineering inspection fees to any developer. Furthermore, this ordinance will be of particular importance as it relates we hope to some upcoming development by some large developers. Mr. McConville assured council that this was a common practice throughout the state and urged the adoption of it.

Mr. Ciuni agreed that this was a standard practice. Mr. Ciuni added that he firm, GPD Group represented several cities in Northeast Ohio and that this is the way it is done. Mr. Ciuni explained that starting with the plan review itself down to the inspections GPD has certain expertise. Whether that be stormwater management, asphalt and/or concrete pouring. Normally, the city should not have to pay for those inspections because the developer has that as their part of doing business. They do this in other cities and they pay for those type of fees in other cities. Mr. Ciuni stated that there was no reason why University Heights should pay for it as it should be a pass through process, this ordinance addresses that practice. Mr. Ciuni said that he estimates up front what he thinks that cost will be and then they (the contractor/developer)

has to put a deposit down for that amount. If it doesn't take all the deposited money they are given the remainder back.

Mr. McConville agreed that this would serve as a pass though with no markups, no administrative fees or anything of that sort. The ordinance is drafted such that it indicates that if there are funds leftover on the deposit with the city that those funds would be refunded to the developer.

Mrs. Blankfeld commented that the legislation came to Council without any backup documentation and while she appreciated with respect Mr. McConville's and Mr. Ciuni's explanations, she would like to have more backup provided. Mrs. Blankfeld respectfully suggested that this ordinance be placed on first reading and then once the additional backup information is provided that it be then be considered for passage at the first council meeting in April.

Mrs. Weiss asked if there was any urgency or deadline in which this needed to be passed and whether there was additional backup information that could be provided.

Mr. McConville replied that he did not think that there was any pending project where this couldn't wait for another reading.

Mr. Ciuni asked what additional backup information would council be looking for, because his rates are reviewed by City Council every year and that is the same rate that they would charge the developers.

Mr. McConville stated that he looked at a couple of neighboring community ordinances and he could provide those, the materials he reviewed in developing the ordinance as well as a memo to council.

Mr. Gould asked Mr. Ciuni when was the last time the city passed through his fees to a developer without having an ordinance for that process?

Mr. Ciuni replied that that was written into the development agreement for a couple of larger projects. And if it was not in the development agreement then the city paid those fees to review plans, send inspectors to review projects, etc. Mr. Ciuni said he always bills the city for those services and it is up to the city whether or not to pass that on to the developer.

Mr. Gould asked Finance Director, Mr. Kennedy how many times over the past three years had the city absorbed those fees that could have otherwise been passed on.

Mr. Kennedy replied that he would have to check.

Mr. Gould asked Mr. Kennedy to provide that as well as part of the background documentation to complete the reason for the necessity of the ordinance.

MOTION BY MR. GOULD, SECONDED BY MRS. BLANKFELD to table Ordinance 2022-16 Enacting Codified Ordinance Section 142 4.14 entitled engineering fees and declaring an emergency. On roll call, all voted "aye."

E. Motion to Seek Bids for the 2022 General Yard Nuisance Abatement

Housing Director/Community Development Mr. Englebrecht stated that this was for the annual City yard abatement project which includes the cutting of grass, bushes and collection of yard debris from houses that have been cited by the Housing Department. The advertisement for bids will be posted in the newspapers on March 24 and March 31, with bids being opened on April 6, 2022 at 12noon. The bids will be brought back to council for the awarding of the contract to the best and lowest bidder.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. WEISS to Approve Seeking Bids for the 2022 General Yard Nuisance Abatement Program. On roll call, all voted "aye."

F. Motion to Approve Price Quote from Starfish for Emergency Support and Service for a 3-month period of April, May and June 2022.

Mayor Brennan stated that this quote was in line with previous price quotes that have been brought for Emergency Service by Starfish. The current period ends at the end of this month. Mayor Brennan noted that he was aware that the Tech Advisory Commission has met and has begun work on a RFP but that will take some time to finish in ultimately selecting a vendor to provide technology support to the city. In the

meantime, support and service will still be needed. The price quote for April, May and June are the same prices as the price quote that Council previously approved for January, February and March 2022.

Mr. King noted that he reviewed the price quote and it was essentially identical to the one Council received in December, 2021. Mr. King said that he had no concerns with the provided price quote and given his IT background he hopes that this will be the last necessary Emergency Support Contract and that there is a new manager security service provider taking over the management of the city's IT infrastructure by the time that this contract expires.

MOTION BY MR. KING, SECONDED BY MR. COONEY for the Approval of the Price Quote from Starfish for Emergency Support and Service for a 3-month period of April, May and June 2022. On roll call, all voted "aye."

G. Motion to Approve for an Additional \$129,420.00 placement into escrow for the CUY-Cedar Road Resurfacing Project

Mr. Ciuni reported that ODOT (Ohio Department of Transportation) opened bids on St. Patrick's Day, March 17, 2022 in Columbus. Then on Friday afternoon at 1:30 ODOT sent an email stating the bid cost and how much ODOT was expecting University Heights to pay as the lead city. University Heights is the lead city because the majority of the project lies in University Heights. ODOT provided Mr. Ciuni with a deadline of Wednesday, March 23 for approval and accepting of the project. The four bids came in and the low bid was \$2.4 million, the highest bid was \$2.45 million. Mr. Ciuni commented that the number is what it is and that the escalation of prices was again due to what's happening in the construction industry given the cost of materials, trucking and everything else. Mr. Ciuni noted that per the Finance Committee meeting Mr. Kennedy has already placed money into escrow, but the City will owe another \$129,420.00 for this project to proceed. Of that 1/3 would be paid by the City of South Euclid and they have committed to their share of the project cost. But again, because University Heights is the lead agency, it has to put the money up front and then get reimbursed by the City of South Euclid.

Mayor Brennan said that he spoke earlier in the day with today with Grace Gallucci, Executive Director of NOACA. Mayor Brennan stated that there were a couple things about this. The Executive Director as does South Euclid, encourage University Heights to go ahead and approve the additional funds. The NOACA Finance and Audit Committee will be taking up this project and was generally already planning on doing so in regards to providing some additional funding. Mayor Brennan said that Mrs. Gallucci, herself cannot make the commitment of additional funding as Executive Director before the Finance and Audit Committee actually meets to discuss and vote. But generally speaking, the NOACA Finance and Audit Committee does approve recommendations that come in from NOACA for additional project funding, that is not likely to happen here until May. In fact, we know that will not happen until May because that is the next time the NOACA Finance Audit committee will be meeting. However, past practice and past policy has been that additional funding of up to 15% due to increase in costs is something that NOACA has done for communities like ours (University Heights) and in a situation like this. Mayor Brennan stated that he was not talking 15% of the \$129,420, but 15% of what was awarded on the project. As council should recall, this was a project that came in originally with an estimate about \$1.8 and then they raised that by 25% to be close to \$2.3million/\$2.4 million and we were operating under \$2.3million which is why we are a little bit short now with the low bid being \$2.4 million. We are looking at NOACA splitting that 25% into 15% for University Heights and 10% for South Euclid. So, there is some relief that is anticipated ahead, but the city needs to take the leap of faith now with ODOT requesting that we respond by this Wednesday to approve the additional \$129,420. The City of South Euclid has expressed without reservation that they would like to see this happen and they are willing to shoulder their 1/3 share of the additional money. Mayor Brennan said that he stressed to South Euclid the importance of the project and noted that there were some TICI elements so in addition to the 15/10 split, Mrs. Gallucci said there may be some additional funding that they would be able to look for and commit to this project. Mayor Brennan said that was something where the administration is looking for the city to step up at this time in order to ensure that this project goes forward. But that he also believed that NOACA has our (city's) back on this with regard to getting some additional funding here on the project, given the circumstances of what happened here and with regards to the delay in the project and the increase costs that were associated in coming up with additional funding for the project which will help the City of University Heights most but also the City of South Euclid. We will not know that for sure until May and unfortunately timing being what it is we need to make a decision here this evening.

Mrs. Weiss asked if it was mandatory to place the requested extra funding, because from the Mayor's explanation it did not sound mandatory as it was more of an ask.

Mr. Ciuni replied that the City signed an agreement with ODOT and the ODOT part of the cost of the project was capped. Anything that comes in with the bid and said as part of the agreement the local cities; University Heights and South Euclid have to pick up the remaining costs for anything that comes in over that amount. With what the mayor said, Mr. Ciuni said that he too has seen it happen as NOACA has Federal dollars and they want to come in and help. It is no fault of University Heights that the cost has gone up for because of the war in Russia or because of the cost of oil, etc. NOACA has stepped to the plate to add more money but right now ODOT has no choice because we signed with them and the amount that they pay is capped until they get more money from the NOACA.

Mrs. Weiss asked again, if it was mandatory that the city puts the additional money in escrow?

Mr. Ciuni replied, yes otherwise the project will not go forward.

Mrs. Weiss asked if this should be on emergency if it has to be done by next week.

Mr. Ciuni said yes because it has to be approved before 11am on Wednesday, March 23, 2022.

Mrs. Weiss asked Mayor Brennan to explain the 15/10 split of the \$129,420.

Mayor Brennan explained that the 15/10 of the money that NOACA originally committed. When the cost had the additional 25% and went from \$1.8 to \$2.3 it is that half million dollars that is the 15/10 split.

Mrs. Weiss asked Mayor Brennan to clarify that he was saying that it was possible that the city may get some really relief on the \$129, but aren't sure yet because NOACA has their meeting in May.

Mr. Ciuni commented that NOACA has encouraged the city and provided good vibes that they would, but he could not say it was a guarantee that they would. The committee does have to meet in May to approve the extra funds.

Mrs. Weiss in regards to the \$129 for escrow, Mrs. Weiss asked for clarification that there was nothing additional to this project and that this was the original project.

Mr. Ciuni replied that was correct, the increase was due to the cost of construction.

Mrs. Weiss added that she had a lot of reservations, because \$130,000 would be coming from the city budget. And really for such a significant amount, the finance committee needs to meet to amend the budget. This is not something that can be easily remedied.

Mr. Gould agreed with Mrs. Weiss and added that he was troubled that the State would put the City in a position of giving three days to respond to this amount of money. If it was the type of thing where council were able to go back to finance and address this, as everyone knows the entirety of the city's budget was already stretched once in the amounts of hundreds of 1,000s of dollars in order to accommodate the State's increase. Mr. Gould said if he were being told that there were design elements or project portions of the project that could be cut in order to have cost savings. But it has been expressed that this is exactly the project that existed at the beginning and that nothing was added on, there are not any change in the design elements or anything like that.

Mr. Ciuni said that was correct.

Mr. Gould said that he was really concerned that council was being placed in this position, and that he did not know if he could support that.

Mayor Brennan said that he was not fond of this position either, but the alternative is that the city does not proceed with the project this year or potentially they (ODOT) would be undetermined when they would proceed with the project. This does not only University Heights, but South Euclid and it certainly affects the public that uses Cedar Road. Mayor Brennan added that he was not fond of the fact that the ODOT only gave the city until Wednesday, that is a disgrace. But the fact is that this is where things are. The city could protest this by not voting for it but that would be a pyrrhic victory, Cedar Road looks terrible. The Mayor said that the city gets all the complaints about the condition of that road right now, it needs to be repaved and that needs to happen this year. And the approval of this needs to happen for that to happen. Mayor Brennan said it was unsavory and that he did not like it either.

Mr. Cooney commented that the project was an extra approximately \$130,000 that University Heights needs to pay and 1/3 of that would be the responsibility of South Euclid.

Mayor Brennan said Mr. Cooney was correct and added that because University Heights is the lead local agency, it has to put the funds up first and then get bill South Euclid for their share.

Mr. Cooney stated that South Euclid's next Council meeting was March 28th but University Heights is the city that puts up the funds. So, if they (South Euclid) were to decide to not reimburse above and beyond then University Heights would essentially be on the hook.

Mayor Brennan said that he had written representation from South Euclid that that they are backing and are going willing to pay their third, if they don't do that then the city has a bone to pick with South Euclid. But Mayor Brennan said he did not anticipate that and that he was taking them at their word that they are committed to paying their third of the cost and he thought that South Euclid's spending is different where the administration could commit to the third.

Mr. Cooney added that if Council did not commit to the funding then the project may not happen at this time.

Mayor Brennan replied correct and that it would be undetermined as to when the project would be done because he did not believe that the city would get a third bite at the apple for this project.

Mr. Rach asked the Mayor what was he referring to when he mentioned TLCI items.

Mayor Brennan replied that there were some curb bump outs, mid-block crossing, stamped concrete. Some of those elements that are part of the overall paving project.

Mr. Rach said that in his line of work, especially when he works with government entities, the budget is the budget. Cost go up every year and sometimes there are cost overruns. Typically, what happens is that they value engineer things out of the project to get it back in line with the budget. Maybe the city engineer could let council know if there has been any value engineering attempt on this project yet?

Mr. Ciuni replied not to his knowledge.

Mr. Rach said that may be something that could be looked at because stamped concrete is an added cost as is bump outs and crosswalks, and those sorts of things. Mr. Rach added that those are things that aren't there now and that he thought the project was just for the repaving, but it is not just resurfacing? What is the scope of the project?

Mr. Ciuni said it was essentially resurfacing in the asphalt parts, not in the concrete part through Cedar Center, but on the outside. Then there are the items of concrete bump out or curb bump outs, and the mid-block crossing at Thayne. Those were part of the NOACA study and they suggested that the city put those in there.

Mr. Rach said he remembered that and commented just hypothetically, if the city valued engineered that out of the project to get this back in line with the budget is that something that could be added later. Because the city has gotten NOACA grants and money for those sorts of things. Mr. Rach asked if that money was already earmarked in this project for the city to have those bump outs or is that something that the city would be footing the bill for?

Mr. Ciuni replied that it was part of the eligible costs for the project. Meaning, it started as an 80/20 way back when the costs were what they were. But since there is capped at 20%, that obviously went up but it was part of the eligible costs and was factored in the original project. Mr. Ciuni clarified that any ineligible costs, the city has to pay 100% for. And any eligible cost is split whatever the cost split is.

Mr. Rach asked for the 80/20 was representing.

Mr. Ciuni said that it would be 80% Federal funding and 20% Local funding.

Mr. Rach commented, let's say hypothetically when the cost went up from \$1.8mil to \$2.3mil, the city was on the hook for that entire increase.

Mr. Ciuni replied that was correct.

Mr. Rach asked if something were to be remove from the project, the city would not lose funding.

Mayor Brennan said that the city does not know what NOACA will ultimately decide if the city were to take out the TLCI elements that NOACA thought they were funding, they may not. They may look at that as a reason to not fund the project. And do a split of the 25/15/10.

Mr. Rach said that he was having a hard time with this. This is one of the most expensive projects the city has done and he was a little concerned. Mr. Rach said that he would not be comfortable with it until he sees a value engineering plan.

Mrs. Blankfeld said she also wanted to know where that additional money was supposed to come from without the budget being amended.

Mrs. Weiss had an idea that council could amend the motion with the help of the Law Director and council comments. If council were to approve this, with the caveat that the Finance Committee would hold a meeting within the next month to amend the budget for the \$130,000 and that the value engineering to be presented at that Finance Committee meeting because if it's escrowed, it doesn't mean that it's spent. It just means it is put aside where the city can always get it back if needed to. Mrs. Weiss asked Council if that was something that council members may be comfortable with?

Mr. Rach stated that he believed that Finance Director mentioned that before. Where council could put the money in escrow and choose not to go forward with the project or portions of the project down the road before they start. Mr. Rach asked if that was correct.

Mr. Kennedy said that the money was just set aside. They needed a cash reserve that they could access once the administration/council approved the project in final form. This additional money would be on top of the \$1,029,506. that is in escrow right now.

Mr. McConville asked Mr. Kennedy to comment on amending appropriations.

Mr. Kennedy explained that the city would have to amend those appropriations at the first meeting in April. And then he would send that amendment down to the County Budget Commission to update their records on the city's appropriations for 2022.

Mr. Gould asked if this the final approval that the plan with the bump outs, etc would be coming back to council or has it been already approved.

Mr. Ciuni replied that the plans have been approved by ODOT already. They were prepared by Stephen Hovancsek and Associates, South Euclid's City Engineer. University Heights participated in the design fee, but they designed it then it went through ODOT and ODOT approved the plans and bid it out.

Mr. Gould asked Mr. Ciuni how long would take to conduct the evaluation that Mr. Rach requested.

Mr. Ciuni replied that he received the price report he asked ODOT for the bid tab because he wanted to see where the costs were. But ODOT would not provide him with the bid tab because it is part of their policy not to do so until the project is awarded. They have placed that in writing saying that they cannot show those numbers. Mr. Ciuni said that he did not know how he would be able to provide value engineer figures because to value engineer you have to look at the prices and he did not know that cost at this time.

Mrs. Weiss asked when was that supposed to be awarded? The

Mr. Ciuni replied that the \$129 has to be approved.

Mrs. Weiss said, say hypothetically council approved this right now. Then they (ODOT) would show him the specs.

Mr. Ciuni replied yes. They would show the bid price numbers.

Mrs. Weiss asked if then the council would have the option if it wanted to pull back on the bump-outs, etc. as an option.

Mr. Ciuni replied that he thought there was always the option to pull back.

Mrs. Weiss said it seemed to her to put those two additions in the motion. Have a finance meeting and then go through at that finance meeting with the engineer the value add and see how we want to go forward.

Mr. Ciuni suggested waiting for NOACA, although he did not know when their meeting would be, to see if they will provide the additional funds because if that were the case then the city would not need to value engineer the project.

Mayor Brennan said that NOACA would be meeting in May. He did not have the exact day, but the Finance and Audit Committee meets again in May.

Mr. Gould said he would still like to see the value engineer figures. Besides NOACA the project has ballooned. Mr. Gould commented that this was the second time hearing people who are recognizing the value of doing the project, but are also kind of pulled to their wit's end and saying maybe the plug is just pulled on this. And if there is this analysis that can be done that would give council options for reducing cost he would very much like to see that. Especially because he didn't understand that they were able to make amendments to a project that had been approved by ODOT and then bid and then award it. When you know that you are going to award a project from ODOT and then say, we wanted you to do bump outs and concrete work and repaving and by the way, we're taking out this, this and that Mr. Gould said he didn't know they had the option to do that.

Mayor Brennan said that the committee meeting would be May 13th.

Mr. Ciuni stated that he could put the analysis together once he received the bids.

Mrs. Weiss asked the Law Director if it were appropriate to put those two conditions on the motion?

Mr. McConville replied that what he was struggling with was that there would be money in escrow and a signed contract. And the contract would be administered by the administration. Mr. McConville said he did not know if council would retain any control over what happens if the money is appropriated, placed in escrow with a signed contract. What else is there left to do? Now, as a practical matter, if everyone's on the same page, it's not an issue. It's not an issue if Council and Administration agree that they're not going to move forward with the project unless there is a finance committee meeting, an opportunity to have an analysis done and a meeting of the minds as to how much money is going to be spent and on what it's going to be spent. But in trying to provide legal assurance Mr. McConville said he was struggling to do that, because, as he mentioned, there will be money in escrow, appropriation and a signed contract.

Mayor Brennan again said he had a conversation with the Executive Director of NOACA and that there is an expectation that the Finance and Audit Committee would approve and as a course of manner they have not, not approve these when they come before them. It is just that they will not be meeting until May 13th. The city is in a position where it needs to let ODOT know now. Mayor Brennan said it was his expectation that NOACA's Finance Audit Committee would make the approve and that the amount that they will be approving will be in excess of this additional amount that the city is being asked to put up today.

Mr. King asked if there was currently funding from NOACA for the TLCI of the project or was it mentioned as a new potential new source of funding for it?

Mayor Brennan replied that the city has the funding from NOACA for the project and there are TLCI elements. It is not like a separate grant proposal like what Mr. Englebrecht did for the crosswalks. But because there are TLCI elements, there's the possibility that NOACA would find additional funding beyond the 15/10 split of the 25% from existing unused TLCI money. They cannot promise that, but will look for it. So, there may be additional money in addition to the 15/10 split that they locate.

Mr. King noted to the rest of council that if they did remove those bump outs, and other elements of that fashion that would drastically impact the ability for us to get the TLCI funding for that.

Mr. Ciuni said it is separate funding for TLCI and that NOACA does have a pot of money for that. The city does not have any funding in this project right now. But there is the potential for new funding.

Mr. Rach commented that there could be potential to fund the project at a later date if the bump outs are not done now and choose to do it next year or a follow up after the roads done. Mr. Rach added that he hates to have people go through construction twice, but if there's money and it can be done on someone else's dime, why wouldn't that be explored?

Mayor Brennan said that was way he was suggesting that a motion be made to approve the \$129,420 because he believed that the city would get the money. That is the representation that has been gotten, these are items that is expected to be paid on someone else's dime at the May meeting. If the TLCI items are not in there NOACA will not be making the payment because they will not pay for something that is no longer in the project.

Mrs. Blankfeld said that she was hearing believe, expectation and that concerns her because nobody is guaranteeing the funding.

Mayor Brennan replied that that was because NOACA had not met yet and will not be meeting until May 13th and that he could not provide a guarantee or representation for how the committee would vote. Neither could Grace Gallucci.

Mrs. Weiss added that she thought this conversation just amplified the angst with budgetary needs in the city. She was also disappointed that they have three days or whatever to approve this. This happens time and time again. Council's hands are always tied when it comes to the County, every single time. And it's really not fair. Mrs. Weiss said that she did not know if the Mayor had somebody he knew that could advocate for the smaller cities. This is just a shame, at this point Mrs. Weiss said she felt that council had to approve it. And then, when May 13 comes, if they do not give University Heights the full amount, then the budget has to be amended for \$130,000, that is just what it comes down to. And that will be a tough decision. Mrs. Weiss sided that she would make a motion to approve it, but as a comment, that if the money is not received then budgets will have to be amended by \$129,420.

Mr. Kennedy reminded everyone that since University Heights was paying for the project upfront, it will have to appropriate the money anyways. Whatever the conditions are, that is being improved have to be added to the cost of the project and because the funds will be expended then those funds have to be recovered as revenue from the other entity.

Mayor Brennan added because whether the portion recovered from South Euclid or the portion that NOACA provides, the city still has to appropriate.

Mr. Kennedy said that he was not sure on the timing of when the county money would in. Nobody knows if it will come in during the project on a progress building of after the projects completed. Mr. Kennedy said he just want to make sure that the administration had the authority and that he would prepare something for the next council meeting to increase the appropriations.

Mr. Cooney added that he agreed with Mr. Rach about taking a look at the information that comes in once it's approved apparently. And then once it is passed they will see it for review.

MOTION BY MRS. WEISS, SECONDED BY MR. KING to approve for an Additional \$129,420.00 placement into escrow for the CUY-Cedar Road Resurfacing Project, conditional to if additional funding is not received from NOACA then the city budget will have to be cut by \$129,420. On roll call, the ayes are as follows, Mrs. Weiss, Mr. Cooney and Mr. King. The nays were as follows, Mrs. Blankfeld, Mr. Rach and Mr. Gould.

Mayor Brennan reported that the vote was three to three and asked Mr. McConville to verify that the motions failed and that would close the agenda item.

Mr. McConville replied that the Mayor was correct in that the motion failed unless a councilperson wanted to offer a comment or motion for reconsideration.

Mayor Brennan added that if the motion failed that basically killed the Cedar Road project, right?

Mr. Rach argued that it did not kill the Cedar Road project. And that he would argue that the project could be value engineered and rebid like any other government entity would do with government funds. Mr. Rach said it happens every day in his business.

The motion failed with a vote three to three.

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

Mayor Brennan asked for a motion to enter into Executive Session for two real estate matters and a litigation matter.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. WEISS to Enter Executive Session for the purpose of Discussing Litigation and Real Estate Matters. On roll call, all voted "aye."

Director's Reports

Finance Department – Mr. Kennedy reported that he would be getting out the revenue expense statement and cash investment portfolio reports for the months of January and February.

Law Department – Mr. McConville provided council with a brief update on the University Square. It is anticipated that the city will be getting the final appraisal for the properties at University Square this week. Once in receipt of the final appraisal, the city is prepared to send out notices of intent to acquire to both the owner of the core retail parcel and the owner of the garage parcel. That will start the clock ticking on the filing for eminent domain which can happen as soon as 30 days after those notices are sent. Mr. McConville said that he had initial discussions with Mrs. Weiss with respect to a Charter Review Commission ordinance. Draft ordinances have or are in the process of going to committee; one to update the code for asphalt provisions and a second ordinance for Mr. Gould's committee's review in connection with fireworks exhibitions.

Fire Department – Chief Perko reported that this week started the Ohio Severe Weather Awareness Week and that each day has a theme that could be found on the National Weather Service. Thus far the theme has been being prepared and making a plan. The department has posted on its social media pages some information from the County Emergency Management Office on how to make a plan and be prepared. The theme for tonight was severe weather thunderstorm preparedness. With the spring storm season starting and when a storm comes through and multiple power lines and trees, etc. are down the department encourages people to stay inside. Many residents take it upon themselves to notify the utility company which is good, but it is also encouraged that they also notify the Fire Department so it can go out and determine the area is safe. The annual hydrant flushing and flow testing will start during the month of April.

Service Department – Mr. Pokorny reminded council that beginning April 1st the department will start loose leaf collection of curbside leaves and untied brush through the month of April.

Housing and Community Development – Geoff Englebrecht stated that the Department began sending out notices to landlords in regards to them registering their properties. A physical audit of all files in the department was completed and discovered several landlords did not register their properties with the city in the past year, notices were sent to everybody that was delinquent. The department is also in the process of catching up on the collection of data from the new owners to verify if they were still renting their properties or living in them.

City Engineer – Joseph Ciuni had no report. Mr. Gould asked Mr. Ciuni to forward the communication from the State making the request for the expedited payment.

There were no other director reports.

Standing Council Committees:

Building and Housing – Mrs. Blankfeld stated that the committee met just prior to the regular council meeting for continued discussion regarding the point of sale inspection process. It has been determined that overall, especially thanks to Mr. Englebrecht and his attention to detail in how the code is written and that how it stands presently is how it should be followed, both for safety and for maintenance of a beautiful aging, housing stock. With that said, there is always room for discussion, we welcome it. The committee will also be exploring in the future months meetings how the codified ordinance looks at maintenance of exterior property areas.

Community Outreach – Mr. King reported that the Tech Advisory Committee met on March 8th with a presentation by Paul Hilgenberg of Rhea and Associates regarding their technology audit of the city. Following the presentation members of council voted to begin the RFP process to secure a managed security service provider to take over management of the city's IT infrastructure.

Economic Development – Mr. Rach reported that during the retreat council came up with goals for every committee and the Economic Development Committee had three goals - zoning, zoning and zoning. understanding that the work on the new zoning code will soon be underway. Mr. Rach said he was very excited about that and that he would like to schedule a meeting sometime in April or May to begin the process of formalizing a steering committee. It is important that a committee is formalized. The last time the Zoning Code was looked at a number of years ago he was a part of the zoning process and remembered that the steering committee included administration, members of Council to members of ARB, the Architectural Review Board, two members of the Board of Zoning Appeals, members of Planning Commission, residents, JCU representative and members from the business community. That made for a group being quite large, so maybe consideration may want to be given to condensing that number. But that

and what that would look like can be discuss in the committee. Mr. Rach added he understood that ZoneCo would be doing their process in four modules and the committee would begin its extensive work during module three.

Finance – Mrs. Weiss said that she would be scheduling a Strategic Planning Committee (a sub-committee of the Finance Committee) soon to discuss long term strategy for the city.

committee will be working with a Steering Committee on the new zoning code. And now that the budget has been approved, funds have been appropriated for ZoneCo as the selected company to conduct the rezoning. Mr. Rach added that he was hoping to get a update from the mayor's office if the ZoneCo contract was completed.

Mayor Brennan replied that the contract was not ready to go yet.

Mr. Rach stated that they would work with the administration on timing for that.

Service Committee – Mr. Rach read the report that Mrs. Sax provided to him for the meeting that was held on Tuesday, March 15 2022.

Increasing awareness, education and program promotion of the 2020 Solid Waste study continued with a presentation by Zoey at the store, who is the director of residential service for the Rust Belt rider. The committee made a formal recommendation that administration proceed with implementing participation in their neighborhood drop-off program in a centrally located public space that is accessible 24/7 365 days a year. For residents, the subscription service costs \$10 per month, and residents may purchase a weekly home pick up and swap for \$30 per week. After that, the committee continued its discussion regarding recycling. We agreed upon initial goals to improve cost of recycling through improvement of the city's recycling rate, which is currently at 5%. A few important factors that need to be pointed out. #1 recycling in University Heights is an opt in service, it's voluntary. Perhaps that's why the numbers are so low. #2 contaminated recyclables can ruin the entire load. #3 loose recycling is an important factor to increase the recycling rates by decreasing the contaminated recyclables and #4 purchasing 4,064 gallon bins for an unknown number of households who actually recycle again it's opt in is the epitome of wishful thinking and wishful recycling. We want to change that. There were comparisons made between neighborhood, sorry neighboring cities that engage in backyard blue bag recycling, and backyard loose recycling and curbside automated. According to the Cuyahoga County Solid Waste district in the 2020 annual report card. Shaker Heights, also does backyard pickup, but they do lose recycling in the backyard. Their recycling rate is 9%, a little about double ours. Pepper Pike also does backyard pickup. They do not do loose but they have bagged blue bag, backyard recycling pickup, and their recycling rate is 11%. South Euclid does curbside pickup, their rate is actually less than Pepper Pike's even though it is curbside at 10%. And Beachwood is at 13%. In Cuyahoga County, over 69% of the county or more than two thirds, which are curbside manual and automated collections are less than 13%. The Solid Waste Districts report card indicates that the metrics in Shaker, Pepper Pike, Beachwood and South Euclid are within the county average and that they have mixed between curbside, and backyard. The analysis of this data indicates three main relevant points that backyard collection, either loose or bagged can achieve nearly the same or better recycling rates than curbside. Other cities with backyard recycling collection implement best practices that University Heights may be able to adapt in order to improve our recycling. And practices that may actually reduce the rate include automated curbside recycling with 64 gallon bins if they are used for solid waste or there's contamination within the recyclables or residents unable to continue their opting in. The recommendation is that the administration prepare, present and implement backyard code of both solid waste and loose recycling with the goal of improving the University Heights recycling rate, while lowering its cost. Mrs. Sax encourages as many residents as possible to attend the Service and Utilities committee meetings in person, by zoom, or watch them on the city's youtube channel at your convenience, feedback to the Mayor and Mrs. Sax is encouraged.

Council Committee of the Whole – Mrs. Weiss stated that the committee will meet on March 30th from 6pm to 8pm to begin the discussion with departments on the facilities assessment and to formally create a subcommittee for facilities and infrastructure.

Reports of special committees, and the taking of action thereon

None

Unfinished and miscellaneous business

None

MOTION BY MR. GOULD, SECONDED BY MR. RACH to resume regular council session. On roll call, all voted “aye.”

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 9:45p.m.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council