

**COUNCIL MEETING MINUTES  
CITY OF UNIVERSITY HEIGHTS, OHIO  
TUESDAY, JUNE 7, 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

Also Present: Prosecutor/Assistant Law Director Michael Cicero  
Clerk of Council Kelly Thomas  
Finance Director Dennis Kennedy  
Housing and Community Development Director Geoff Englebrecht  
Economic Development Susan Drucker  
Service Director Jeffrey Pokorny  
Communications/Civic Engagement Mike Cook  
City Engineer Joe Ciuni

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

**Approval of Council Minutes:**

**Regular Council Meeting of May 16, 2022**

There were no corrections to the May 16, 2022 Council meeting.

**MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD, to approve the minutes of May 16, 2022. On roll call, all voted “aye”.**

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

**MOTION BY MRS. WEISS, SECONDED BY MRS. SAX, to move agenda Item E to the Building and Housing Committee for discussion. On roll call, all vote “aye”**

**Comments from Audience**

There were no comments from the audience.

**Reports and Communications from the Mayor, and the taking of action thereon:**

**Mayor’s Report**

**Memorial Day parade recap.** For the first time since 2019, our parade returned to Memorial Day. I would like to take a moment to recognize a few people who made the parade and ceremony possible.

Thank you to:

Father Lukas Laniauskas, Rabbi Alexander Charlop, Rabbi Joseph Kirsch.

University Heights Symphonic Band under the direction of Musical and Artistic Director Devlin Pope, under direction at the event by Scott Soeder.

City Service Director, Jeff Pokorny, Assistant Service Director, John Pucella and the City Service Employees.

The University Heights Fire Department, as well as the South Euclid Fire Department.

The University Heights Police Department and Auxiliary.

The Chagrin Falls VFW and American Legion.

John Carroll University.

Music Performance Trust Fund.

Special Projects Coordinator, Ben Schaefer who working together with our Memorial Day Planning Committee brought all of this together.

Memorial Day Planning Committee members including:

Communications and Civic Engagement Director Mike Cook, Councilman Chris Cooney, Rich Fried, Robin Gernsheimer, Wendy Gernsheimer, Jerry Jacobson, Annie Rawlinson, Ben Schaefer, Sean Weiss.

Our University Heights City Council, both those in attendance, and those who were not, as all Council members were supportive in the ongoing planning of the event.

And finally, our Parade Grand Marshal and featured speaker, Major Jake Allen, United States Army Reserves and JCU ROTC.

**June is Pride Month.** I am proud to report we are once again flying the Pride Flag outside City Hall as our statement of support for our LGBTQ+ residents, friends, and neighbors. In addition, I issued a proclamation recognizing June as Pride Month once again in the City of University Heights.

**Thank you Mrs. Gray.** I also issued a proclamation last week celebrating the retirement of Gearity Administrative Assistant Delthia Gray, who has been with the school since 1987, and represented the last staff member who worked with Dr. Laurie Gearity for whom Belvoir Elementary was renamed. Mrs. Gray was a beloved part of the school community, revered by faculty, staff, parents, and students. She was well regarded, will be missed, and we wish her well in her retirement.

**Events.** Other events in the greater community I was delighted to take part in include the Dinner celebrating the 10<sup>th</sup> anniversary of Bike Cleveland, whose advocacy over the last ten years has led to creating a more multi-modal transportation network across Greater Cleveland, including bikeways, walkways, and public transit. Thank you to Councilmember Brian King for his service on the Board of Bike Cleveland.

I also attended the 2022 CLE Pride March and Rally, having attended a number of these, this was definitely the biggest and best one yet here in Cleveland, a welcome return covering both Malls B and C downtown. Thank you to Councilmember Justin Gould for his service on the Board of the LGBT Community Center of Greater Cleveland.

Turning to the next events here in our community:

**Summer Concert Series + Juneteenth.** Summer Concert Series returns next Thursday, June 16, and our inaugural Juneteenth Celebration happens on Sunday, June 19.

The Michael Weber Show kicks off our summer series on June 16 at 7 p.m. at Walter Stinson Community Park. In 2018, Weber won MTV's "Amazingness" talent and variety show. He has also performed with numerous Grammy winners and Rock Hall inductees. He'll play mostly originals, but lately he has been performing at local Michael Stanley tributes, so don't rule out hearing a little MSB at The Walt.

Juneteenth is finally a national holiday, and it's now also an official city holiday in University Heights. Our inaugural Juneteenth Celebration will be held at The Walt starting at 1:30 on June 19. Jazz band Forecast will headline, and we'll have entertainment from DJ Marcus Alan Ward, a performance from poet Raja Belle Freeman, and a fashion show from New York City's Fashion for All Foundation, and more – including a performance by Nova's Performing Arts Center, and an Oral History by Cleveland Municipal Court Judge Charles F. Patton, Jr. on the Battle of Brownsville, Texas involving a Black Union Regiment and the

Confederate Army. There will also be vendors and food trucks. The event will be hosted by Kiera Cotton from WKYC.

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

Vice Mayor Michele Weiss reported that the joint Facilities and Infrastructure committee met regarding the city's safety facilities, and that by the end of June, a summary will be prepared. Mrs. Weiss also reported that the Building and Housing committee had an extensive meeting updating many pieces of legislation brought to the table today.

There were no other reports from Council.

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

**A. Motion to Approve the Bid from Ronyak Paving Inc, as the lowest and best bidder for the 2022 Street Improvement Program and entering into a contract with same in an amount not to exceed \$753,920.75**

City Engineer Joe Ciuni summarized the project, stating that three bids were received and opened on April 28. The project includes three streets: Bushnell from Edgerton to Warrensville Center Road; Glendon from Meadowbrook to Washington; White Road, and Green Road. All streets would be crack-sealed and patched with this program. All three bids received were over budget. Mr. Ciuni pointed out that these roads were on the list two years ago but had to be cut and stated that the roads definitely need to be paved and resurfaced. Mr. Ciuni recommended that the budget for this project be increased in order to accept the bid from this reputable company that has done satisfactory work for the city.

In response to Vice Mayor Weiss' question about the budgeted amount for this project, Finance Director Kennedy confirmed that the budget amount is \$501,000 and that funds would have to be transferred from the general fund in order to pay for the project. It was suggested that this item be referred and added to the June 13 Finance Committee meeting agenda.

Councilman Rach requested to see the actual notifications posted for the project that were published. Mrs. Thomas agreed to provide same.

**MOTION BY MRS. WEISS, SECONDED BY MR. GOULD to table the Motion to Approve Bid from Ronyak Paving Inc, as the lowest and best bid for the 2022 for the 2022 Street Improvement Program and entering into a contract with same in an amount not to exceed \$753,920.75. On roll call, all voted "aye".**

**B. Appointment of Council's Citizen Representatives and City Council Members to Cuyahoga County Solid Waste District Materials Management Collection Evaluation Team**

**MOTION BY MR. GOULD, SECONDED BY MRS. WEISS, to enter into Executive Session to discuss appointments. On roll call, all voted "aye".**

**MOTION BY MRS. BLANKFELD, SECONDED BY MR. RACH to resume the regular meeting. On roll call, all voted "aye". The regular meeting resumed from Executive Session.**

**MOTION BY MRS. SAX, SECONDED BY MR. GOULD, to recommend the appointment of Neil Gould as one of the citizen representatives to the Evaluation Team for the Cuyahoga County Solid Waste District. On roll call, all voted "aye".**

**MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD, to appoint Erin Schwartz, as one of the citizen representatives to the Evaluation Team for the Cuyahoga County Solid Waste District. On roll call, all voted "aye".**

**MOTION BY MR. GOULD, SECONDED BY MRS. SAX, to appoint Councilman Rach as one of the members of the Evaluation Team for the Cuyahoga County Solid Waste District. On roll call, all voted "aye".**

**MOTION BY MR. RACH, SECONDED BY MR. GOULD. to appoint Councilwoman Sax to the Evaluation Team for the Cuyahoga County Solid Waste District. On roll call, all voted "aye".**

**C. Amended Ordinance 2022-25 Establishing a Charter Review Commission; Setting Qualifications for Members of Such Commission, and Setting Forth the Authority and Duties of such Commission and Declaring an Emergency (on emergency and Second Reading)**

Mr. Cicero, Assistant Law Director, acknowledged that it is time for a charter review. He stated that each Council member appoints one individual to the Commission and the Mayor appoints four. Mr. Cicero stated that deadlines are established in the ordinance for submission to the Clerk of Council, and that this ordinance sets forth the process which needs to be followed as required by the Charter.

Mayor Brennan recalled points addressed in committee meetings regarding this process. He added that with reference to the four appointments that he would be making, he is willing to consider any citizen who expresses an interest in the charter review. An addition to the process was made that besides the requirement of an interim report, there will be an advance report that Council and the Mayor may have public comment; the Charter Review Commission can then go back and adjust issues if appropriate, based on comments they receive. Mayor Brennan stated that the goal is to create fairness and have a democratic process. Residents who are not office holders or employed by the city are encouraged to approach him or Council members to express interest. The deadline is June 30.

**Motion by Mr. Gould, second by Mrs. Blankfeld, to adopt Ordinance 2022-25 Establishing a Charter Review Commission; Setting Qualifications for Members of Such Commission, and Setting Forth the Authority and Duties of such Commission and Declaring an Emergency (on emergency and Second Reading)**

Mayor Brennan noted that since this ordinance is on second reading, it does not require a vote on suspension of the rules. It does require five votes to pass. **On roll call on passage of Ordinance 2022-25, all voted “aye”.**

**D. Resolution 2022-30 Adopting the Alternative 2023 Tax Budget**

Finance Director Kennedy stated that this is a state law statutory requirement. Mr. Kennedy explained the process and noted that there is no increase in millage being assessed next year. This year is the last payment for the 2013 general obligation bonds; once expired that millage can be used for other purposes. This legislation needs to be approved by July 15, and submitted to the Cuyahoga County Budget Commission by July 20; hence, it will be considered at Council’s next meeting.

Resolution 2-22-30 was placed on first reading.

**E. Ordinance 2022-31 Amending Codified Ordinance Section 1060.02 Entitled “Notice to Owner or Occupant to Repair” to Establish the Obligation of the City to Maintain Stormwater Features Installed by the City in the Right-of-Way (on first reading)**

Councilman Rach referred to discussions held regarding the intersection of Washington and Silsby as well as intersections in which the right-of-way portion occurs. He referred the bioswales in three of the corners of that intersection, and stated that it would not be fair for the residents of the contiguous households to maintain the bioswale. It would be the City’s obligation to maintain the bioswales since they would be the city’s stormwater feature being installed.

Assistant Law Director Cicero commented that this ordinance overlaps proposed Ordinance 2022-34. He also noted that while it is proposed that the City shall maintain, there is no reference to cost and that it needs to be made clear that it is the city’s intention to absorb the expense and that the resident would not be fined for not maintaining.

**MOTION BY MR. RACH, SECONDED BY MRS. BLANKFELD, to refer Ordinance 2022-31, Amending Codified Ordinance Section 1060.02 Entitled “Notice to Owner or Occupant to Repair” to Establish the Obligation of the City to Maintain Stormwater Features Installed by the City in the Right-of-Way, to the Building Committee. On roll call, all voted “aye”.**

**F. Ordinance 2022-32 Enacting Codified Ordinance Chapter 812 Entitled “Peddler and Solicitors” and Declaring an Emergency (on emergency)**

Mr. Gould stated that this ordinance will create a registration and permitting process for peddlers and solicitors in the City of University Heights. Mr. Gould stated that he is grateful to the Mayor and the Police Chief for ensuring there is administrative support to keep the city’s residents safe.

The proposed amendments to the ordinance are as follow:

(c) That the applicant has had a permit revoked within the previous year for violations of soliciting regulations in the City or any other municipality in Cuyahoga County or any adjacent county.

(d) That the WebCheck reveals any violation of the terms of this ordinance, including any false statement made on the registration or application, any felony conviction, any conviction for a misdemeanor involving moral turpitude, or any violation of the ordinances of another community made during peddling or soliciting activities.

Such permit shall be valid for a period of ninety (90) days. No permit issued hereunder shall be assigned or transferred to any other person.

**§ 812.05 DISPLAY OF PERMIT OR REGISTRATION; RETURN**

Each peddler or solicitor shall carry in plain view the permit, the front of which shall be fully displayed, at all times when in the city for the purposes set forth in the permit or registration. They shall provide to any resident or municipal officer and/or employee the permit upon entering the property of any resident. At the conclusion of the period of time for which the permit or registration was issued, the permit and/or registration shall be returned to the Police Chief or designee.

**Motion by Mr. Gould, second by Mrs. Weiss, to adopt as amended Ordinance 2022-32 Enacting Codified Ordinance Chapter 812 Entitled “Peddlers and Solicitors” and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye”. Roll call on passage, all voted “aye”.**

**G. Ordinance 2022-33 Amending Codified Ordinance Chapter 1064 Entitled “Solid Waste Disposal” and Declaring an Emergency (on emergency)**

Mr. Cicero described the various styles of garbage can placements in the City and how best to address where pickups should be; i.e. homes with detached garage in the back of the house or in the front, rear placement, unsightly placement on the sidewalk, houses on hills, etc. The responsibility of monitoring and/or accommodating residents was discussed in terms of if it should be the Director of Housing or the Building Department. It was agreed that additional updates need to be made to the ordinance.

**MOTION BY MRS. BLANKFELD, SECONDED BY MR. COONEY, to refer Ordinance 2022-33 Amending Codified Ordinance Chapter 1064 Entitled “Solid Waste Disposal” and Declaring an Emergency (on emergency) to the Building Committee for further discussion. On roll call, all voted “aye”.**

This item will be discussed at the next Council meeting.

**H. Ordinance 2022-34 Amending Chapter 1060 entitled “Sidewalks, Driveways and Tree Lawns” and Declaring an Emergency**

Mrs. Blankfeld stated that this legislation had been discussed in committee.

Mr. Cicero stated that where necessary, the Director of Housing was identified to have authority to enforce this chapter. Mr. Cicero recommended passage of this legislation.

**Motion by Mrs. Blankfeld, second by Mr. Cooney, to adopt Ordinance 2022-34 Amending Chapter 1060 entitled “Sidewalks, Driveways and Tree Lawns” and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye”. Roll call on passage, all voted “aye”.**

**I. Motion to Approve Purchase of Replacement Sewer Utility Van through the State of Ohio Cooperative Purchase Program from Valley Ford Truck Inc. in an amount not to exceed \$38,694.00**

Mr. Pokorny stated that this item had been discussed in the Finance Committee in November and explained that the current sewer van is at the end of its service life. Furthermore, this follows the departments replacement schedule for vehicles.

**MOTION BY MR. COONEY, SECONDED BY MRS. SAX to approve Purchase of Replacement Sewer Utility Van through the State of Ohio Cooperative Purchase Program from Valley Ford Truck, Inc. in an amount not to exceed \$38,000. On roll call, all voted “aye”.**

**J. Motion to Approve Purchase of 1-Ton Dump Truck Replacement through the State of Ohio Cooperative Purchase Program from Valley Ford Truck Inc. in an amount not to exceed \$86,547.00**

Mr. Cooney stated that this was also discussed at the Finance Committee meeting in November. This item is also on the replacement schedule and needs to be replaced. This item is available under the Ohio Cooperative Purchase Program and was awarded to Valley Ford Truck of Cleveland.

**Motion by Mrs. Weiss, second by Mr. Cooney, to approve purchase of 1-Ton Dump Truck Replacement through the State of Ohio Cooperative Purchase Program from Valley Ford Truck Inc. in an amount not to exceed \$86,547.00. On roll call, all voted “aye”.**

**K. Motion to Authorize Seeking Bids for City Signage**

Mayor Brennan stated that this signage program will further the re-branding of the city which was started in 2018. Gateway and secondary signs were discussed, including the placement(s) at Green Road, John Carroll, and Taylor Road, among others. Mayor Brennan discussed the movement of one monument sign at Fairmount Circle, the side approaching John Carroll. Councilman Rach noted that the 2019 project was done at a cost of \$99,593.03 and he would like to compare those installations with the ones being proposed. It was noted that there are now a total of 12 signs.

**MOTION BY MRS. WEISS, SECONDED BY MRS. SAX to authorize Seeking Bids for City Signage. On roll call, all voted “aye”.**

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

**An Executive Session was not necessary.**

**Director’s Reports**

**Finance Department – Mr. Kennedy.**

Mr. Kennedy gave an update on income tax collections. He stated that there has been about a 15.7% increase from the same time period last year. The Finance Department is finishing up the audit process and there will likely be a post audit conference in August to get the results of the audit. Mr. Kennedy reported that he is completing the closing of main reports, which he will have done prior to Monday’s Finance Committee meeting.

**Service Department – Mr. Pokorny**

Mr. Pokorny stated that sewer and catch basin cleaning is being done with work in the areas of; Warrensville Center to South Green Road from Cedar to Fairmount. Mr. Pokorny reported that the tree contract program will be worked on at the end of the month.

**Housing and Community Development – Mr. Geoff Englebrecht**

Mr. Englebrecht reported that within the last two weeks, there have been 39 rental inspections; 40 point-of-sales inspections; 62 lawns cut, and there are several cases which will be filed with the Court.

Mr. Englebrecht noted that Juneteenth is coming up and that it should be a nice event for all, adding that there are over 30 vendors

**City Engineer - Joseph Ciuni**

Mr. Ciuni reported that the ODOT Cedar Road resurfacing project is ahead of schedule, and that they switched traffic a week early. After July 4, they will do the west side of town from Taylor to Fenwick.

Regarding the Traymore water line project, pipe laying began yesterday. The gas line project Ashurst/Meadowbrook area from Fairmont and Meadowbrook started this week; this project will last all summer.

A pre-construction meeting was held with street stripers, who will begin work next week.

There were no other director reports.

**Standing Council Committees:**

**Building and Housing** – Mrs. Barbara Blankfeld stated that the committee will meet before the next Council meeting on June 21.

**Economic Development** – Mr. John Rach

Mr. Rach stated that there will be a meeting soon to formalize the sub-committee to the economic development committee.

**Finance Committee** – Mrs. Michele Weiss

Mrs. Weiss stated that there will be a meeting on June 15.

**Safety Committee** – Mr. Justin Gould

Mr. Gould stated that the committee discussed an amendment to legislation relating to gun crimes. A meeting is scheduled with Judge Keller to discuss same. Mr. Gould reported that a Criminal Ordinance Review sub-committee has been established and the following have been appointed to the committee: Mayor Brennan, Police Chief Roger, Terry Gilbert, Assistant Law Director Mike Cicero and Justin Gould.

**Service and Utilities Committee** – Mrs. Sheri Sax

Mrs. Sax stated that the next meeting will be in June. Mrs. Sax distributed a list of questions that will be included on the next committee agenda. The purpose of the questions is to make informed decisions about the cost impact of rubbish collection with transmission to the curb. Mayor Brennan stated that these questions are a distraction.

**Committee of the Whole** – Mrs Michele Weiss

Mrs. Weiss reported that the Facilities and Infrastructure committee will meet the last week in June.

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

None

**Unfinished and miscellaneous business**

None

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

There being no further business, the meeting was adjourned.

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Michael Dylan Brennan, Mayor

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Jeune Drayton, Assistant Clerk of Council