

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MONDAY, SEPTEMBER 19, 2022**

Vice Mayor Michele Weiss called the meeting to order at 7:00p.m. Mayor Michael Dylan Brennan was out of town.

Roll Call:

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

Also Present: Law Director Luke McConville
Clerk of Council Kelly Thomas
Fire Chief Robert Perko
Police Chief Dustin Rogers
Housing and Community Development Geoff Englebrecht
Economic Development Susan Drucker
Service Director Jeffrey Pokorny

Additions and Removals from the Agenda; Referrals to Committee

There were no additions or removals from the agenda.

Comments from Audience

There were no comments from the audience.

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

Law Director Luke McConville stated that there is not a report from the Mayor.

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

Vice Mayor Weiss reported that the Council of the Whole completed tours of newly built police and fire department stations in preparation for the updated facilities assessment. Mrs. Weiss stated that there is a good sense between the Chiefs and Council members who attended the tours of what needs to happen in terms of space design. Tours of service departments need to be done and will be completed in the next few weeks.

Mrs. Weiss reported that the Finance Committee and Strategic Planning Committee met to begin the budgeting process and a strategic plan.

The Charter Review Commission continues to meet every other week and are making good headway.

There were no further reports or communications from Council.

Reading and Disposition of Ordinances, Resolutions, Motions and Consideration of agenda items:

A. Motion to Approve Change Order #1 for the 2022 Pavement Marking Program

City Engineer Joe Ciuni could not be present this evening, but he did send a memo regarding this issue and a GPD representative, Nick Fini, is present on his behalf. Mrs. Weiss noted that Council was concerned about this because there were additional charges and overages that were not included in the original bid and the project has been completed.

Mr. Fini stated that there is little that he can add to Mr. Ciuni's remarks. He stated that it sounds as if the inventory may have been outdated as far as what striping exists and where, and that it is not known until after the work is performed. Mr. Fini explained that normally before this type of work begins a pre-construction meeting is held with the contractors to convey what amounts are to be adhered to and regardless of the inventory, work is to continue until the threshold is met. Once reached, the work should stop. Mr. Fini is not certain whether such a pre-construction meeting took place in this instance. He also noted that each year before work begins, even if the inventory is updated it still needs to be tweaked because of road programs that may have been completed and there could be an overlap. He cited the Cedar Road project as an example, pointing out that the striping may have already been done by the Ohio Department of Transportation (ODOT) and in that case, it would not be necessary to stripe the road. All markings on the road would be performed by the City's annual contractor. Mr. Fini stated that this is something that needs to be managed in detail.

Vice Mayor Weiss stated that this item was referred back to committee and members were very specific when reviewing the bid requirements, emphasizing that the stated amount not be exceeded. Not only did the document come back with overages, there were additions listed that were not included in the original contract. Mrs. Weiss doesn't believe that the City should pay for any of those items. It was also pointed out that Mr. Ciuni should actually be here to explain this and that perhaps this item should be tabled again. She opened the floor for further discussion.

Councilman Rach noted that he does not have the change order which should have been included in the packet. He pointed out that Mr. Ciuni's memo referred to bids that took place in 2016 and 2019 and that he would like to see same. When this was considered in committee it was noted that there was a cost increase from 2021 to 2022 which was significant, much more than the 6% inflation that was being experienced; something like 20%. There were inconsistencies between University Heights and Shaker Heights; unit costs used in Shaker Heights were different from those used for University Heights. Although that issue has since been remedied, that was an error. A prior memo stated that the crosswalks in the bid documents were 12,000 linear feet, but they painted 24,000 linear feet; they were off by double. Mr. Rach also noted that the bike lanes were not a part of this package but the contractor chose to paint them anyway. It is not understood why the school markings were not a part of the work. In reading the latest memo from Mr. Ciuni, Mr. Rach pointed out that Mr. Ciuni was acting as project manager and while he acknowledged that this went over budget, a change order was approved. Mr. Rach stated that is not what project managers do; there should have been questions asked when the inconsistencies were discovered. Councilman Rach noted that there was no communication between the project manager and the contractor and it appears that Mr. Ciuni was surprised that there was no change directive issued to the project manager because the budget had been exceeded and some of the work was not included in the bid documents. Mr. Rach questioned who "we" represent in Item 3 in the September 6, 2022 memorandum from Mr. Ciuni, Mr. Rach questioned whether it was Mr. Ciuni or other members from administration who authorized the work without coming back to Council. It was mentioned that the additional cost and/or changes in the scope of work have to be authorized by Council, not the City Engineer. Councilman Rach stated that he does not feel obligated to pay this contractor the 20% overage. Discussion continued regarding this item and the contents of Mr. Ciuni's correspondence, which is attached to these original minutes for reference.

Councilman Gould addressed Mr. Fini regarding previous data being used for the current program for bids. Mr. Fini stated that it differs depending on the city, adding that inventories are updated on an annual basis for some clients. Mr. Fini acknowledged that GBD provides Shaker Heights data to incorporate in their bid documents. It was noted that data from 2016 to 2018 was used. Mr. Gould expressed concern that perhaps some data in 2016 was not from a public bid but rather from notes of an internal employee. Mr. Fini stated that bids from 2016-2018 refer to a three-year contract that was publicly bid, but he did not have that information in front of him and that 2019-2021 documents were publicly bid. In response to Mr. Gould's query, Mr. Fini indicated that he didn't know who was responsible for updating the numbers, but the inventory should be updated and coordinated with active projects as well as recently completed ones because the quantities can go down. Mr. Fini stated that he is working on a packet ranging from 2016-2018; the program was publicly bid in December 2015 and the 2019 to 2021 document was also publicly bid with Shaker Heights.

Mr. Gould expressed concern that notes from an employee were used which had also been utilized for subsequent bids without verifying and/or updating them. He asked who is responsible for providing the information - the city engineer or the administration? Mr. Fini replied that the street inventory is coordinated with the city and the administration.

Councilman Gould stated that this is the second time that this item has been on the agenda and he would be inclined to make a motion to decline it and disapprove the change order. While Mr. Gould would like to hear from Mr. Ciuni regarding this, he believed that the item should be removed from the agenda.

Mrs. Blankfeld agreed with Mr. Rach and Mr. Gould. Having worked as Clerk of Council for many years and an architectural form, Mrs. Blankfeld stated that she has not observed service providers creating large overruns in the contract they were awarded. This did not come to Council for approval of the additional monies. Mrs. Blankfeld addressed Mr. McConville, pointing out that often Council is provided with only a one-page memo for a change order. This should be accompanied with an ordinance and the memo can be provided as a part of it as backup. She stated that she does not like things showing up before this body that are not in the form of an ordinance, adding that other cities employ the practice and she supports same.

Councilman Cooney stated that it may be appropriate to table this item and for Mr. Ciuni to provide additional information. He added that the city is only responsible for the amount agreed upon and he believed that something more formalized may be the best way to handle this.

Councilman Rach asked Law Director McConville if the City Engineer could give blanket approval for a change in the field for something that would change the scope of work, the cost or the time. Mr. McConville stated that the manner of accomplishing a change order is governed by contract, but in all likelihood the answer to the question is no. There is a process the contractor has to go through in order for the change order to be authorized. Unless the contract specifies that manner of authorization for a change order, it will not be effective. Mr. McConville stated that his understanding of the fact pattern differs. He indicated that he believed the contractor was out doing the work and did the extra work. After having done it, he contacted Mr. Ciuni. If Mr. Fini isn't sure about that, this would be pertinent for Mr. Ciuni to address.

Mr. McConville stated that this item can be removed from the agenda which is different from declining it or it can be tabled. Either way, the Administration will ask Mr. Ciuni to be at the next meeting. Mr. McConville noted that if the item is declined, then it would have to come up at the next meeting for reconsideration; there would be a one-time opportunity to reconsider.

It was not known whether or not Mr. Ciuni could attend the next Council meeting. It was pointed out that he can put this item back on the agenda when he is ready.

MOTION BY MRS. WEISS, SECOND BY MR. RACH, to remove the Motion to Approve Change Order #1 for the 2022 Pavement Marking Program from the agenda. On roll call all voted "aye".

B. Motion to Accept the bid from Thomarios as the best and lowest bidder for the 2022 Painting of Purvis Pool in an amount not to exceed \$79,680.00

Mrs. Weiss stated that the amount is double the actual budgeted amount. Mr. Fini. GPD Group, was called upon to explain. Mr. Fini reported that this was advertised, and during the bidding process, a pre-bid meeting was set up to walk the site with contactors to ensure everyone understood the scope of the work and the timing. Three contractors attended the meeting, but only one turned in a proposal. Mr. Fini stated that the bid received is from someone who previously worked for Frank Novak, who painted the pool the last time in 2015. Mr. Fini pointed out that recently there have been low bid turnouts and it seems there aren't many small contractors willing to bid; he added that when the bids for this project were done in 2015 there was also only one bid. Mr. Fini stated that GPD works with the Service Director to coordinate the documents as well as answer questions, advertise, open and tabulate the bids. He noted that the proposal was itemized and delineated sections, i.e., the main pool, the diving signs, lifeguard chair supports, diving boards, etc. Mr. Fini stated that this bid was identical to the last one when the pool was painted, although there may have been a couple more items in the 2015 document, but the painting was basically the same.

Councilman Cooney asked if there had been an assessment of the pool itself and wondered if any of the pool had been compromised by any minor cracks or repairs needed with the surfaces that should be completed versus just painting. Service Director Jeffrey Pokorny stated that there are no major cracks in the pool. There is some chipping in the joints which are caulked between them; and if that needs to be re-caulked, it would be included and considered as prep before the painting.

It was mentioned that a more expansive document would have been helpful considering the amount is double; the budget was for \$35,000. In response to Mr. King's question about the timing of the project, it was pointed out that the 29 days referenced in the bid document has to do with the project being completed 29 days from a "Notice to Proceed", and the project would be completed before winter. The temperature needs to be above 50 degrees. Concern was expressed that only one bid has been received. Mr. Fini reiterated that when this was advertised the last time (seven years ago), only one bid was received.

Councilman Rach asked if the pool would be able to open if this was not done now. Mr. Pokorny stated that it is not just about the cracks, but the surface of the pool; the paint worn off wears on your feet when you are in the pool. In response to a question about whether it would be problematic to the integrity of the structure itself if this is not done this year, it was explained that it would be detrimental to the surface of the concrete; it will start to pit from the chemicals and that this should be coated and sealed.

Mr. Gould asked Mr. McConville about the contract and referred to Mr. McConville's earlier comment about not reviewing parts of the previous contract discussed above because he had not seen it. Mr. Gould wondered if the contract would come back to Council once the bid has been accepted. Mr. McConville stated he did not know what was in the specs because he has not seen same, but typically contracts would not go back to Council. The contract would be administratively reviewed and executed.

Vice Mayor Weiss confirmed with Mr. Pokorny that the pool is included under capital expenditures. The original budget was \$125,000; \$30,000 has been used and an encumbrance of \$27,000 was for pool chairs. It was noted that there is room in the budget. It was also agreed to include the steel slide in the project. Mr. Cooney stated that based on preliminary information provided by Finance Director Kennedy, the overall revenue and expenditures are favorable.

MOTION BY MRS. WEISS, SECOND BY MR. COONEY, to accept the bid from Thomarios as the best and lowest bidder for the 2022 Painting of Purvis Pool in an amount not to exceed \$70,680.00.

Councilman Rach noted that the restroom rehab will not be done this year, so there will be some capital expenditure that can be saved for next year. Mr. Pokorny did not recall the subject of a budget for heating the restrooms, nor did Mr. Cooney. It was recalled that discussions about winterizing had been held. Mr. Rach pointed out that the money that would have been spent can be used for this bid which exceeded the budget because the bathroom project will not be done.

On roll call on the motion to accept the bid from Thomarios as the lowest and best bidder for the 2022 Painting of Purvis Pool in an amount not to exceed \$70,680.00, all voted "aye".

C. MOTION TO ACCEPT THE PRICE QUOTE FROM McNULTY CONSTRUCTION for the Reconstruction of the City Hall Entrance Roof in an amount not to exceed \$18,500.00

Vice Mayor Weiss described the dire condition of the entrance to City Hall, including the fact that the overhang is in complete disrepair. Once inside the vestibule, there is mold and water from rain draining inside. Mrs. Weiss asked Service Director Pokorny to seek bids to repair this unsafe condition. Mr. Pokorny explained that the roof is a flat one with a vessel that doesn't drain properly. He described what is being proposed to remedy the problem. It is certain that the water damage inside the vestibule is from the overhang. Some of the work will include removing the drain, sloping the roof from the window to the second-floor window on the landing back out to the front. There will be wood construction framing; another flat roof will be installed but pitched a little more. The columns will be rebuilt and wrapped with the same fluting that matches the door.

Councilman Rach stated that he supports doing this project because it needs to be repaired. He wondered if copper gutters should be used to provide a nice touch to match existing gutters around the building. However, since the future of the building and budget are unknown in view of the facilities assessment underway, Mr. Rach expressed concern that the design of the building is being changed including the slope, as well as the columns and materials and suggested that because of these structural changes, this should be referred to the Architectural Review Board, the same process that is required of residents when making such changes. He believes it would be beneficial for the ARB to review the project to ensure that everything looks good because the design of the front entrance is being changed. Councilman Rach also stated that City Hall should be opened to the public once this work is complete and the entrance is safe.

Discussion ensued regarding the possibility of the project being delayed because the next scheduled meeting of the ARB is October 20, and this should be done sooner rather than later. In addition, since the requirements are being changed, Mr. Pokorny stated he would have to go back to the contractors who submitted a proposal to adjust their plans, i.e., extra costs perhaps for removal of columns and/or material substitutions. The costs for components of the proposals submitted were discussed.

Councilman Cooney voiced concern that waiting for the ARB meeting would hamper the process considering the weather, and he did not believe it is necessary to go to ARB.

Mr. McConville stated that it is a good practice to go to ARB for this but because of the City's home rule powers, the City can waive that requirement. He stated that it is the Council's purview. Mr. Rach stated that contractors are not designers; the ARB can make certain that this fits aesthetically and residents are asked to follow the same process (appear at ARB). The infrastructure and building committee have been created to review all projects that come before the city using city funds and an expert can review the proposal to make sure we are getting the best value for funds being spent.

Regarding Councilman Rach's request to have City Hall opened, Law Director McConville recommended that this be referred to committee to discuss. This request is not relevant to work of the contractor(s).

Mrs. Sax agreed that this project should be reviewed to make sure it looks appealing since this is the first entry to our city.

In response to Mr. Gould's comments about the safety and whether or not people are getting wet entering the building, Mr. Pokorny explained that the roof extends from the face of the building, which is the Fire Department 12 feet back to below the window of the first landing in the building, which covers the vestibule roof/ceiling. That is why the roof is causing a leak in the vessel.

Mrs. Weiss suggested that there be called a special meeting of the Architectural Review Board. The next meeting for ARB is scheduled for October 20. Mr. Cooney mentioned that he is not disagreeing with Mr. Rach regarding having an idea of what is going to be (regarding plans, design, materials, etc.). He just thinks this is unusual to require this now. Councilman Rach expressed concern about having a different set of rules than residents. The City needs to be doing exactly what residents are doing and following the same rules.

Vice Mayor Weiss asked Mrs. Thomas to hold ARB for a special meeting either this week or next in conjunction with Mr. Pokorny requesting the contractors for a rough drawing of the overhang.

MOTION BY MR. RACH, SECOND BY MRS. SAX TO ACCEPT THE PRICE QUOTE FROM McNulty Construction for the Reconstruction of the City Hall Entrance Roof in an amount not to exceed \$18, 500, subject to the condition that this goes before the next Architectural Review Board.

On roll call on the motion, Mrs. Sax, Mrs. Weiss, Mr. Rach, Mrs. Blankfeld and Mr. Gould voted "aye"; Mr. King and Mr. Cooney voted "nay".

D. Resolution 2022-60 Authorizing the Mayor to Seek Financial Assistance from the Ohio Public Works Commission (OPWC) State Public Works Program to Fund a Capital Infrastructure Improvement Project for Resurfacing of Warrensville Center Road, and Declaring an Emergency (on emergency)

Mr. Nick Fini stated this a request to apply for a grant to resurface a portion of Warrensville Center Road. He pointed out that Warrensville Center Road has not been paved since 2002. The project limits are from the south fork at Fairmount to Cedar Road at the north end. This job would grind and pave the entire surface areas of Warrensville Center Road. Mr. Fini stated that there would have to be basin repairs before paving; and since the work includes grinding, the road will have to be restriped. All of the curb ramps will be examined to make certain the ramps are ADA (American Disability Act) compliant. If the curbs aren't compliant, they would be upgraded. In response to Mrs. Weiss' question regarding the striping since Cedar Road has been recently restriped, Mr. Fini stated that the striping would have to be reapplied.

Mrs. Weiss asked if ODOT would be taking the lead on this project. Mr. Fini stated no, that this would be a city-run project.

Mrs. Weiss commented that when the bicycle lanes were restriped, she received many calls from residents because it was confusing. She acknowledged that this has nothing to do with the grant, but wanted to mention it.

Councilwoman Blankfeld clarified that this application is for a grant from the Ohio Public Works Commission to pay for a portion of this project. The estimated loan amount is \$1,472,344 and the overall cost of the project is almost \$2 million. She clarified that this is something that has to be in the budget. Mrs. Weiss stated that the city would be responsible for about \$500,000. Mr. Fini recited the following numbers:

- The total project cost is \$2,368,607.00
- The local revenue is \$250,000 with a public match from the Cuyahoga

- County Engineer of another \$250,000
- The subtotal of the local resources would be \$500,000
- The grant from the Public Works Commission is \$1,868,607.00

It was noted that the numbers Mr. Fini recited differ from those that Council had been provided,

Councilman Gould noted that there is nothing in the ordinances or Charter that obligates the administration to seek approval from City Council to go out to bid. Law Director McConville stated that it has been a practice that developed over time because Council does not want to hear about projects for the first time; if Council doesn't like the project or the reason for going out to bid, it puts Council in a tough position. Mr. McConville stated that in order to avoid that and not put Council on the spot, potentially rejecting free money, the practice is to seek authorization to go out to bid and the intent is then known. Council can be the gatekeeper of what is sought. Many municipalities in Northeast Ohio do this by ordinance; others by custom. This City is one that typically does it by custom.

MOTION BY MRS. WEISS, SECOND BY MRS. SAX TO APPROVE RESOLUTION 2022-60 WITH THE FOLLOWING REVISIONS: The removal of Section 2 and the updating of Section 3, that there is a matching fund for the share and the City shares the same with a total project amount of \$2,368,607; The estimated loan amount is \$1,868.607; and an additional line item is to be added to Section 3 that "following the award of the grant any design engineering approved by Council will go out for Request for Qualifications (FFQ) in the public domain."

Mr. Gould referred to Section 3 (5) of the ordinance and asked whether this document will come back to Council or if it implies that Council is agreeing to appropriate that amount now. Mr. McConville stated that he thinks the amount will be approved annually, and that there is no commitment at this point.

Councilman King asked if changing the language in the resolution will jeopardize the application for the grant. Mr. McConville stated that it is his understanding that the award will be based on the quality of the application, and we are permitted to reserve the right to accept grant funding when we choose.

In response to Councilman Gould's question regarding what is in the contract now, Mr. Fini stated that it contains the cost estimate, the useful life certification, and all the details that go into estimating and the need. When asked if he (Mr. Gould) could see same, Mr. Fini agreed to provide Mr. Gould a copy.

Economic Development Director Susan Drucker referred to a note from the Director's meeting this morning. She reported that she thinks the application was submitted on September 15; she tried to contact Mr. Ciuni to confirm but was unable to reach him. She stated that perhaps the application was submitted because of the September 30 deadline.

Mr. McConville was not aware of this, but noted that it is not relevant to discussions before Council and that the approval is given today. If Council were to decide not to go out for this grant funding, the County would have to be notified. Mr. Gould questioned why the County would have to be alerted since Council has no control over what the administration applies for. Mrs. Drucker stated it would be necessary if Council said no to the application; she stated that she wanted Council to be aware of the application submission. Mr. McConville stated that in his view, the City's reputation could be harmed with those being applied to if they award a grant and it comes back and is rejected. If there was a rejection this evening, there could possibly be a rejection down the road.

Councilman Gould thanked Mrs. Drucker for her candor. He stated that he is probably going to vote against this because the certification referred to is not attached; there are differing details in the notes referred to by Mr. Fini, and a copy has not been provided to Council.

Councilwoman Sax noted that since this is an annual occurrence, Council should be made aware of same in ample time, not late. She also acknowledged that she is aware that some grants do come up with a quick turnaround for submission.

On roll call on the amendments to Ordinance 2022-60, Mrs. Sax abstained; Mrs. Blankfeld, Mr. Rach, Mr. Cooney, Mrs. Weiss, Mr. Gould, and Mr. King voted "aye":

Motion by Mrs. Weiss, second by Mr. Rach to pass Resolution 2022-60 with the amendments on emergency. On roll call on suspension of the rules, Mrs. Sax abstained; Mrs. Blankfeld, Mr. Rach, Mrs. Weiss, Mr. Gould, Mr. Cooney and Mr. King voted "aye".

On the main motion to adopt Resolution 2022-60, Mrs. Sax abstained; Mr. Gould abstained; Mrs. Weiss, Mrs. Blankfeld, Mr. Cooney, Mr. King, and Mr. Rach voted “aye”.

The vote is passed 5 – 0 with two abstentions.

E. Ordinance 2022-56 Accepting Opioid Settlement Funds and Directing Placement of Such Funds in a Separate Fund, and Declaring an Emergency (On Second Reading and Emergency)

Law Director McConville advised Vice Mayor Weiss that the Administration requested that this be referred to the Safety Committee so that the Chiefs can make a presentation to the committee on what programs they would recommend for use of opioid funds. Mr. McConville stated that in the meantime, members would be provided guidelines that relate to the fund expenditures.

Mr. Gould asked Mr. McConville if he has documentation relating to this; Mr. McConville stated that he has a publication outlining the types of expenditures that are permitted. Mr. Gould referred to an exhibit to what appears to be an attachment to an agreement and asked Mr. McConville if he had same. Mr. McConville did not. Mr. Gould referred to requests he had made previously and stated that he'd like to see all documentation that has been received by the City related to this. Mrs. Sax stated that all of Council should receive those documents requested by Mr. Gould.

MOTION BY MRS. WEISS, SECOND BY MR. GOULD, to remove Letter E, Ordinance 2022-56, from the agenda and refer same to the Safety Committee when the appropriate documents are received. On roll call, all voted “aye”.

Mr. Gould stated that he will add this to the Safety Committee agenda once the documents have been received, not before then. Mr. Kennedy will be contacted to obtain the documents.

F. Ordinance 2022-58 Amending Codified Ordinance Chapter 1476 Entitled “Certificate of Occupancy” and Declaring an Emergency (on emergency)

Mr. McConville noted that Ordinance 2022-58 and 2022-59 are similar to a group of ordinances adopted at the last Council meeting in June 2022. These are building code ordinances being updated to include references to the Director of Housing and Community Development and also to remove anachronistic timing provisions. These were considered by the Building and Housing Committee, so Mr. McConville deferred to Councilwoman Blankfeld, chair of the committee, for additional comment.

Mrs. Blankfeld stated that these ordinances are part of a larger set of ordinances in the Code regarding the Board of Zoning Appeals. These ordinances were found when Prosecutor Cicero and Housing and Community Development Director Englebrecht reviewed sections of the Code and discovered many items that needed updated or clarified. Ordinance 2022-58 and 2022-59 are the remaining two of all of those passed in June. Mrs. Blankfeld thanked Mr. Cicero, Mr. Englebrecht and Mr. McConville for all of the hard work.

Councilman Cooney moved to go into Executive Session regarding this ordinance, citing pending litigation. On roll call all voted “aye” to go into Executive Session.

Motion by Mrs. Weiss, second by Mrs. Sax to resume regular session. On roll call, all voted “aye”.

Vice Mayor Weiss stated that Letter F, Ordinance 2022-58 Amending Codified Ordinance Chapter 1476 Entitled “Certificate of Occupancy” and Declaring an Emergency (on emergency). will remain on first reading and will be placed on the next Council agenda.

Mrs. Weiss stated that after conferring with the Law Director and the Economic Development Director, the Director's Reports will be moved up now before considering letter H, because there will be an Executive Session dealing with pending litigation and real estate matters.

Motion by Mrs. Weiss, second by Mr. Gould, to move to consider the Director's reports and all of Council's reports now before considering Letter H. On roll call, all voted “aye”.

DIRECTOR'S REPORTS

Finance: Mr. Kennedy is not present, and there is no report.

Law: Mr. McConville will give his report in Executive Session.

Police: Chief Rogers had no report.

Fire: Chief Perko had no report.

Service: Mr. Pokorny had no report.

Housing & Com. Dev. Mr. Englebrecht had no report

City Engineer Not present; no report.

Community Eng. Mr. Cook not present; no report.

Economic Dev. Mrs. Drucker had no report.

COMMITTEE REPORTS:**Building and Housing/Mrs. Blankfeld:**

Mrs. Blankfeld stated that the committee will probably meet again in November, unless something urgent arises. The last two pieces of legislation this evening that were on first reading tonight were what remained from all of the hard work done in the spring. There may be another item to explore but Mr. McConville has to do additional research and we are waiting to hear about state legislation that might impact that.

Community Outreach – Mr. King

No report

Economic Development – Mr. Rach

No report

Finance – Mrs. Weiss

Mrs. Weiss stated that the Finance Committee will meet on November 2, where the directors will be presenting their budgets.

Recreation – Mr. Cooney

The committee will meet tomorrow at 6:00 pm and will be reviewing Purvis Park pool and the summer concert series feedback. Revenues and expenditures will be discussed to prepare for the upcoming 2023 budget.

Safety – Mr. Gould

No report

Service and Utilities – Mrs. Sax

No update, but we are in the process of scheduling the next meeting.

Committee of the Whole – Mrs. Weiss

Mrs. Weiss stated that service department tours will be scheduled with Mr. Pokorny hopefully within the next three to four weeks so we can move on to the next phase of the facilities and infrastructure committee.

Mrs. Weiss thanked the audience for attending the meeting.

Mr. McConville informed the public that in all likelihood Council will be taking action following the Executive Session.

Motion by Mrs. Weiss, second by Mr. Rach to move into Executive Session for the purpose of discussing real estate matters and litigation. On roll call, all voted “aye”.

Motion by Mrs. Blankfeld, second by Mr. Rach, to resume the regular session of Council. On roll call, all voted “aye”.

- H. Ordinance 2022-63 Adopting A Certain Blighted Parcel Determination Study Performed by CT Consultants, Inc., including Adoption of All Findings Therein, And Declaring an Emergency (on emergency)**

Motion by Mrs. Weiss, second by Mr. King on suspension of the rules. On roll call, all voted “aye”.

Motion by Mrs. Weiss, second by Mr. King, to adopt Ordinance 2022-63. On roll call, all voted “aye”.

- I. Ordinance 2022-61 Authorizing the Appropriation of the Fee Simple Interest in, and an Easement Appurtenant to, Certain Real Property Titled to University Square Parking LLC, known as 14060 Cedar Road, Bearing Permanent Parcel No. 721-01-003, City of University Heights, County of Cuyahoga, State of Ohio, as More Fully Described Herein, for the Purpose of Eliminating Blight, and Declaring an Emergency (on emergency)**

Motion by Mr. Gould, second by Mrs. Weiss, to remove Item I from the agenda. On roll call, all voted “aye”.

- J. Ordinance 2022-62 Authorizing the Appropriation of the Fee Simple Interest in Certain Real Property Titled to University Square Real Estate Holdings, LLC, known as 2203 Warrensville Center Road, Bearing Permanent Parcel No. 721-01-001, City of University Heights, County of Cuyahoga, State of Ohio, As More Fully Described Herein, for the Purpose of Eliminating Blight, and Declaring an Emergency (on emergency)**

Motion by Mr. Rach, second by Mr. King, to remove Item J from the agenda. On roll call, all voted “aye”.

- K. Ordinance 2022-64 Authorizing the Mayor to Enter into a Real Estate Purchase Agreement with University Square Acquisitions, LLC, and Declaring an Emergency (on emergency)**

Motion by Mr. Gould, second by Mrs. Sax, to remove Item K from the agenda. On roll call, all voted “aye”.

Motion by Mr. Gould, second by Mrs. Blankfeld to adjourn the meeting. On roll call, all voted “aye”.

There being no further business to consider, the meeting adjourned.

Jeune Drayton, Assistant Clerk

Michele Weiss, Vice Mayor

