

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MONDAY, FEBRUARY 6, 2023**

Mayor Michael Dylan Brennan called the meeting to order at 7:08 p.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

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

Approval of Council Minutes:

Council Meeting January 3, 2023

There were no corrections or additions to the Council meeting minutes from January 3, 2023.

MOTION BY MRS. WEISS, SECONDED BY MR. KING for the approval of the January 3, 2023 Council Minutes. On roll call, all voted “aye.”

Council Meeting January 17, 2023

There were no corrections or additions to the Council meeting minutes from January 17, 2023.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD for the approval of the January 17, 2023 Council Minutes. On roll call, all voted “aye,” except Mr. Rach and Mr. Cooney.

Additions and Removals from the Agenda; Referrals to Committee

There were no additions/removals from the agenda or referrals to Committee.

Comments from Audience

There were no public comments from the audience.

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

Mayor’s Report

On Wednesday, February 15, 2023 one week from this Wednesday I will deliver the 2023 State of the City Address. The State of the City will be at John Carroll University, Donahue Auditorium at Dolan Science Center at 6pm. That will be February 15th, 6pm.

We have a vacancy on the Architectural Review Board. Richard Kieley, who has served with distinction through his time on the ARB has concluded his term as of the end of January due to his professional obligations and limited availability to attend Thursday morning meetings in person. I have thanked Mr. Kieley for his service and announce this evening that the Administration is accepting applications for the

position. For the vacancy we are looking for a resident who is an Architect or in the alternative a person from a related profession. If a person has demonstrated interest, experience or knowledge in architecture, landscape architecture and design or related disciplines. The meetings are monthly, typically the second Thursday morning of the month at 8am in person here at Wiley. To apply, please send a statement of interest and resume or curriculum vitae to info@universityheights.com. There is no deadline, I will consider applicants on a rolling basis until I make a nomination to Council for confirmation.

One more brief item. We did receive two thank you notes. One from Greater Cleveland Food Bank and one from Cleveland Kosher Food Pantry thanking the City for recent donations of \$10,000 to each entity from our ARPA money. Both were grateful and thankful for our city's assistance to them on the issues of food insecurities especially in these challenging economic times and they thank us and I'm glad we were able to assist them in their effort to serve our shared constituents. This concludes my report.

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

Mrs. Weiss clarified that Mr. Kieley did not step down, he was asked to by the Mayor.

Council had two committee meetings. One was a Joint Finance and one was a Joint Facilities and Infrastructure Committee meeting. The Finance meeting discussed the potential Elected Officials Campaign ordinance. Important questions were discussed with the conclusion that more research has to be done. The Professional Services Ordinance was also discussed and is on tonight's Council agenda.

The Joint Facilities Committee met after eight months of touring facilities and meeting with city directors. The Facilities Committee has recommended changes to the original assessment, the directors on their own directive downsized their facilities. The Fire Department by 25%, the Police Department by 40% and the Service Department slightly lower the original amount by approximately 4,000sq. ft. The committee is updating the assessment and will give it to the Mayor for review as requested.

The Mayor was asked over a year ago to obtain a contract from the School Board regarding using part of the Wiley property for our Service yard, that needs to be obtained before moving forward with the plans. The city also hopes to also obtain the YABI property to begin the site work of the project. Financing is possible with no cost to the taxpayers. The safety and service employees work in deplorable conditions. The committee can begin the RFQ process for a owners rep for when the Mayor gets the Wiley contract and when the YABI site is secured.

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

A. Motion to Authorize the Mayor to Enter into a Contract with LNE Group in an amount not to exceed \$30,000 for Federal Advocacy Support for the City of University Heights

Mr. Lee Weingard, President and Founder of LNE Group was present and stated that LNE is the oldest and largest combined Federal/State Lobbying firm in the State of Ohio and have been in business since 2002. Mr. Weingart said that he had met with Mayor Brennan and spoke with Vice Mayor Weiss about pursuing Federal funding through the earmark process in the Federal budget. Earmarks are directed spending where members of Congress or the Senate direct a certain amount of money to a certain recipient for a certain project. In last year's budget there was approximately 15 billion dollars in earmarks across the United States and Ohio received its share of those dollars in about 25 million dollars. There are a lot of things University Heights can do; community development, health and safety. There was a focus on infrastructure particularly flooding and sewer work and there is a good amount of money in the government in regards to sewers, flooding and water related projects. There are four (4) different accounts that can be earmarked for sewer or flood related projects in the State of Ohio. Last year LNE secured \$1.5mil in the City of Brunswick, Ohio for a sewer project, \$800,000 to Belmont County Ohio for a sewer project and \$1.5mil for Mayfield Heights for a sewer project on Mayfield Road. If sewers or flooding are an issue that is a great way to secure federal funding. Most Federal lobbying firms will force you to enter a retainer relationship for one year with a minimum of \$6,000 a month, that is what Shaker Heights paid last year for their lobbyist and they received nothing. LNE absorbs a lot of the risk for their clients, where there would be three payments. The first payment is \$10,000 to prepare the earmark application, lobby the members of Congress, Representative Shontel Brown, Senator Sherrod Brown all of whom will take earmarks for this year. If your project appears in one of the 12 appropriation bills LNE will then get paid the second \$10,000. Once University Heights is in the Bill and as long as the budget passes University Heights will get its money. Projects never drop out of appropriation bills, nor are they ever added to appropriation bills. If the city's plan does not appear in any of the bills it is then done paying the \$10,000. The only other possible pitfall is not passing the Federal Budget and there is just the continuance of

spending from the previous year and stripping out all earmarks. The third \$10,000 payment occurs if the Federal Budget is enacted thus the not to exceed \$30,000.

Mayor Brennan added that in May of 2020 the NEORSR finalized their report for the necessary upgrades the city needed in the community for the sewer system. If you go through the various phases in May 2020 dollars we are looking at approximately \$178mil to finish three phases of that project. If the city were to pay for that itself without seeking any outside monies that would approximate \$42,000 a household. Mayor Brennan said that they were not in the position to ask the residents to pay \$42,000 on their property tax bill in a given year to upgrade all the sewers. There are things that need to be done under the Clean Water Act, things that need to be done to help keep Lake Erie clean for everybody's interest not just the residents of University Heights. Mayor Brennan noted that he, City Engineer Joe Ciuni and Service Director Jeffrey Pokorny made previous efforts to get monies for sewer projects but the project did not make the cut.

Mrs. Sax asked if University Heights is designated, how would University Heights get the good fortune for it to be its turn to receive any earmarks?

Mr. Weingart replied that he did not know if it would be anybody's turn in the process; but all cities are eligible for earmarked funding for a variety of projects. It is often helpful to have someone pushing your project with a member of Congress or Senate and that is what LNE does. Cities do not need anyone to push their projects and many don't, but they also don't receive the funding. LNE would promote the city's project in the best light so that it receives funding.

Mr. Cooney asked if the \$10,000 was per project.

Mr. Weingart replied that was correct.

Mrs. Weiss asked Mr. Weingart if he was suggesting a project of between \$1 and \$2mil.

Mr. Weingart replied yes.

Mrs. Sax asked the Mayor what was the role of the City Engineer in terms trying to procure different types of funding at any level.

Mayor Brennan stated that the City Engineer was not a lobbyist. The City Engineer primarily performs engineering functions. But did assist with an application that he had made two years ago and has from time to time assisted with for instance, NEORSR and certain funding sources.

Noting that there are multiple government advocacies or lobbying firms in the space of the capital partners, certain law agencies with a presence in DC, Mr. Gould asked Mayor Brennan how Mr. Weingart came to his office and to be selected as the group to present to Council and what the plan was in advance of the proposal being presented.

Mayor Brennan said that he first spoke to Mr. Weingart about the possibility of doing this immediately following the application the city did two years ago that did not work out. Mayor Brennan added that he knew that Mr. Weingart did this type of work so talked to him about it and just two weeks ago they spoke again picking up where they had left off at two years ago.

Mr. Gould commented to Mr. Weingart that Council has shared its desire to do less direct appointing of contracts and more biddings so that the taxpayers have some sort of transparency in the process. Mr. Gould said that he loved the structure of what Mr. Weingart was discussing and that it sounded like a fantastic deal for the potential return. Knowing Mr. Weingart as a Republican candidate for Cuyahoga County Council, Mr. Gould asked Mr. Weingart to share why he and his organization would be the best individual and entity to lobby two Democratic politicians?

Mr. Weingart replied that from the beginning they have been a bi-partisan firm. The person who runs their Federal lobbying practice is a democrat and others in the firm are both republican and democrats. And have always prided their selves on working across the aisle. Their work for the last two years has been with both parties. Last year they got \$500,000 for Karamu House from Sherrod Brown, \$1mil from both Sherrod Brown and Shontel Brown for United Black Fund. During the appropriation process the members of Congress do not look very much at the partisan issues, they look for professionals to bring forth good projects that they want to support. Mr. Weingart added that LNE works well with Republicans and Democrats to represent their clients to get funding for their projects.

Speaking of comparative success and being that University Heights is a small community; not a Shaker Heights or Cleveland Heights Mr. Gould asked Mr. Weingart to share what were the prospects of a community like University Heights, what success did he see for a city like University Heights.

Mr. Weingart replied that when you are going for water or sewer projects in Ohio the chances are higher because there is some much money available. Fifteen/twenty years ago, then Senator George Voinovich created a fund that is funded every year for only Ohio governments water and sewer related projects. The size of the city does not matter as much, if there is a perceived need by the member of Congress or Senate that city will be selected and submitted to the Appropriations Committee.

Mr. Gould asked how detail of a project was Mr. Weingart looking at because nothing had been provided to Council. Mr. Gould added that it was bothersome to him to hire a lobbyist to pitch a project that Council has not approved. What is the timeline and what details are needed in order to make a pitch.

Mr. Weingart replied that the detail is not that great because they would be limited to the number of words in the application. Plans and drawings are not needed, they would only need a description of the project, and what would be the public good coming from the project, who will benefit? Those are the important things to get the project moved to the top of the pile in a Senator's office. The challenge is the timing, deadlines start in February and March for House and then March and April for the Senate. Work can be done quickly but you would want to start the process in the next few weeks. Mr. Weingart added that the City would be the primary contact, not LNE.

Mr. Gould asked if the purpose of the advocacy was for the flooding?

Mayor Brennan replied that it would be for a project for the sewer upgrades overall and flooding would be a component of that.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. WEISS Authorizing the Mayor to Enter into a Contract with LNE Group in an amount not to exceed \$30,000 for Federal Advocacy Support for the City of University Heights

B. Motion to Authorize the Mayor to Enter the Contract for Transportation Services Contract with Senior Transportation Connection in an amount not to exceed \$20,000 (tabled Jan. 17, 2023)

Mayor Brennan noted that there was a clarification of the fuel charge that has been corrected with the presented contract.

Mr. Kennedy added that he had received proof of insurance from Senior Transportation Connection.

Mr. Gould asked the Mayor to explain the fuel escalation again, is it a rate or a dollar amount?

Mayor Brennan commented that if there was a question about what was meant in the contract then the Director of Senior Transportation Connection, Mrs. Laura Kleinman should be present and although she had offered to be in attendance Mayor Brennan did not think her presence would be needed. But in light of the question he will see if she can attend the next council meeting.

Mrs. Blankfeld said that would be helpful to have her present.

Mr. Cooney offered that the base rate listed is \$3.75 per gallon and the contract says if the cost is at or below \$3.75 per gallon but if the cost exceeds the \$3.75 per gallon the surcharge per cost a gallon would appear as a separate line on the invoice.

MOTION BY MRS. BLANKFELD, SECONDED BY MRS. SAX to table the Approval of the Transportation Services Contract with Senior Transportation Connection to allow the Director to be present to answer additional questions about fuel escalation cost. On roll call, all voted "aye."

C. Resolution 2023-08 Recognizing and Celebrating Black History Month 2023

Mayor Brennan read Resolution 2023-08 into the record.

MOTION BY MR. GOULD, SECONDED BY MR. RACH Approving Resolution 2023-08 Recognizing and Celebrating Black History Month 2023. On roll call, all voted "aye."

D. 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)

Mr. McConville stated that he was asked to look at the question whether contribution of the opioid settlement funds to existing social service programs within the County that are designed to address various issues caused by the opioid crisis constitutes a legitimate expenditure of those funds. In looking at the guidelines of regulations from the Ohio Attorney General in connection with the settlement fund it was Mr. McConville's legal opinion that contribution of those funds to existing programs is a permitted use of those funds.

MOTION BY MRS. BLANKFELD, SECONDED BY MR. KING Approving Ordinance 2022-56 Accepting Opioid Settlement Funds and Directing Placement of Such Funds in a Separate Fund and Declaring an Emergency. On roll call, all voted "aye."

E. Ordinance 2023-01 Acknowledging and Accepting the Appointment of Michael E. Cicero as Prosecutor and Assistant Law Director; Authorizing a Contract for Compensation and Declaring an Emergency (on emergency)

Mr. McConville stated that Mr. Cicero's initial contract expired as of the beginning of the year. This ordinance reads the same as the previous one except that the term of office was changed from a one (1) year term to a two (2) year term. The rate of pay and other conditions of the ordinance remain unchanged.

Mrs. Weiss commented that out of the three Prosecutors that Mrs. Weiss has worked with, Mr. Cicero has produced that most legislation and has been the most communitive with City Council. Mrs. Weiss added that the Police Chief was also satisfied with his work.

Mr. Rach added that the Charter Review Commission was also very happy with Mr. Cicero and that he has been very helpful with that Commission.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD Approving Ordinance 2023-01 Acknowledging and Accepting the Appointment of Michael E. Cicero as Prosecutor and Assistant Law Director; Authorizing a Contract for Compensation and Declaring an Emergency. Roll call on the suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."

F. Ordinance 2023-02 Amending Codified Ordinance Section 276.04 Entitled "Salaries and Expenses" to Include the Rate of Pay for Members of The Civic Service Commission and Declaring an Emergency (on emergency)

Mr. Kennedy reported that the next three ordinances will codify the rates of pay the citizen members of the Civil Service, Board of Zoning and Planning Commission Boards. The city has historically paid the members on a per meeting basis but outside of the Architectural Review Board there was on documentation that could be found.

Mr. McConville added that this would serve as a clean-up to make things uniform across the board with all the citizen boards and commissions. While the rates before Council for Civil Service, Planning and Board of Zoning are \$100 per meeting the current rate for Architectural Review Board is \$50. Depending on the ruling for these ordinances, if they are approved then Council can expect an Amended Ordinance at the next Council meeting increase the rate for Architectural Review Board from \$50 per meeting to \$100 per meeting to bring all the compensation rates for the boards and commissions in agreement with each other.

Mrs. Weiss added that neighboring cities rates are between \$75 - \$100 per meeting.

Mr. Rach stated that he was on the Board of Zoning Appeals ten years ago and the rate of compensation has not changed to bring the rates up to the cost of living and for the time involved.

MOTION BY MRS. SAX, SECONDED BY MRS. WEISS Approving Ordinance 2023-02 Amending Codified Ordinance Section 276.04 Entitled "Salaries and Expenses" to Include the Rate of Pay for Members of The Civic Service Commission and Declaring an Emergency. Roll call on the suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."

G. Ordinance 2023-03 Amending Codified Ordinance Section 1244.02 Entitled “Organization” to Include the Rate of Pay for Members of The Board of Zoning Appeals, and Declaring an Emergency (on emergency)

There was no further discussion for this item.

MOTION BY MRS. SAX, SECONDED BY MRS. BLANKFELD Approving Ordinance 2023-03 Amending Codified Ordinance Section 1244.02 Entitled “Organization” to Include the Rate of Pay for Members of The Board of Zoning Appeals, and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

H. Ordinance 2023-04 Amending Codified Ordinance Section 1220.01 Entitled “Membership” to Include the Rate of Pay for Members of The Planning Commission, and Declaring an Emergency (on emergency)

There was no further discussion for this item.

MOTION BY MR. KING, SECONDED BY MRS. WEISS Approving Ordinance 2023-04 Amending Codified Ordinance Section 1220.01 Entitled “Membership” to Include the Rate of Pay for Members of The Planning Commission, and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

I. Ordinance 2023-05 Enacting Codified Ordinance Section 1064.021 Entitled “Loose Recycling Services.” (on first reading)

Mrs. Sax stated the following.

One year ago, I was honored with the assignment to chair University Heights’s Service and Utilities Committee.

The Service and Utilities Committee met on January 4, 2023.

I am proud to announce that our committee fulfilled its goal to follow up on the 2020 Solid Waste Study’s recommendations to the greatest extent that the legislative branch of government can do, and look forward to working collaboratively with the Mayor, Service Director and administration when they present a plan to City Council that incorporates the points in the legislation before us which is in accordance with University Heights’s residents expressed wishes.

Striving to provide the highest level of rubbish and recycling collection customer service, the committee responded to University Heights’s Residents preferences as expressed in two (2) surveys...Residents of University Heights...Your opinions matter! We hear you!

- You made it very clear in both surveys that the majority of you want better recycling
- The highest responses in both surveys are to maintain the current method of backyard/side door collection. (63.5% BWC and 49% RRS).
- You indicated your preference not to reduce service personnel staffing levels

After much discussion at the January 4, 2023 Service & Utilities Committee meeting, the committee made its unanimous decision based on the list of due diligence efforts and research described in the ordinance noting that I...

- Toured neighbor cities who also collect rubbish and recycling from the backyard/side door but with approximately tripe the % recycling rate than UH
- Spoke to service directors from a dozen or so municipalities in Cuyahoga County
- Met virtually with authorities at the state level and in national organizations that contribute to recycling industry standards
- Arranged for local professionals at several Service & Utilities committee meetings to present on sustainable recycling measures

And

- Spoke to the consultant who conducted the 2020 Solid Waste Study

I want to take a moment to be crystal clear about expenses associated with rubbish and recycling collection...

City Council is cognizant of our city's finances.

At the January 4, 2023 Service and Utilities Committee meeting, I presented a spreadsheet comparing the costs of rubbish and recycling collection methods. Current data from December 2022 and from the 2023 budget was used. It passed a cursory review by our finance director attesting to the validity of the numbers.

The spreadsheet demonstrates little cost difference between collection models when staffing levels are unchanged because rubbish and recycling collection is labor-driven and labor-intensive.

I would like to acknowledge Mr. John Pucella, University Heights's veteran senior member of our Service Department, who addressed this body at the January 17, 2023 City Council meeting.

Prior to Mr. Pucella's presentation, Council was led to believe that the collection of loose recycling could not be done using the current method of backyard/side door rubbish collection.

Council appreciates Mr. Pucella's remarks as the veteran foreman in charge of rubbish and recycling collection because he highlighted what he may need to get the job done!

Yes, there is a path to moving AWAY FROM bagged recycling without sacrificing University Heights' residents preferred method of rubbish collection!

Regarding recycling in general, the goal to increase recycling by making the transition from bagged to loose recycling collection is expected to result in increased recycling – no matter where it is collected.

This is one of the main reasons that additional resources may be needed according to Mr. Pucella.

One of the interesting things that Mr. Pucella mentioned is the need for a transfer station so just a few comments and questions to explore in a future committee meeting...

- Mr. Pucella said that "The transfer station is a necessity when it comes to refuse, recycle, brush and leaf collection".
- This is the first time that anyone from the administration mentioned the need for a transfer station.
- It has not been mentioned this entire year.
- It has not been included in the original municipal facilities' assessment or in the updated facilities assessment.
- If a transfer station could have been used for the back pile of leaves and yard waste – it was not mentioned prior to Mr. Pucella's remarks.
- If a transfer station is needed for loose vs. bagged recycling, the reason has not been stated.
- While aware that Shaker Heights has a transfer station, it is unknown which other neighboring municipalities have transfer stations and the reasons for them.

To reiterate the key point that Mr. Pucella made is that transitioning from bagged to loose recycling can happen!

It would require an administrative plan to accommodate the increase in recyclables collected regardless of where the loose recycling is collected – whether in the backyard/side door or at the curb. I am stating for the record that ordinance 2023-05 and the discussion regarding it relates to the current method of backyard/side-door rubbish and recycling collection.

Based on all findings and discussions in public committee meetings including on January 4, 2023, the Service and Utilities Committee, consisting of Councilman Chris Cooney; Councilman Justin Gould, and Councilman John Rach, voted unanimously for these three (3) main recommendations/directives to be voted on by council via ordinance and enacted by the Mayor and his administration;

1. Continue current rubbish and recycling collection at the back yard/side door while transitioning to modernized loose recycling. Since the committee unanimously voted in this but isn't clearly stated in the ordinance, I am asking Mr. McConville to advise how to clarify the location in the ordinance language
2. Administration to improve the quality of recycling and improve % recycling rates by reducing contaminated recyclables through opt-in sign-up. This process is to include training on correct recycling and is to be at no cost to UH Residents who choose to voluntarily transition to loose recycling
3. Administration to obtain quotes for University Heights to purchase 32-gallon or comparable recycling bins to provide to UH Residents who opt-in and sign up to modernize and improve University Heights's recycling to support our city's transition to modernized loose recycling collection in the back yard/side door

This ordinance is based on the expressed priorities of University Heights's Residents, supported by the Service and Utilities committee which represents a majority of City Council.

I want to make it very clear that Council, through the Service & Utilities Committee, welcomes working together with the Mayor and Service Director and anyone else in administration to work together collaboratively; to find common ground; to devise a plan complete with costs for implementation.

As such, a Doodle poll for the Service & Utilities Committee is in process to start working together.

I want to thank all who have provided opinions and insights throughout this past year and especially those who attended the January 4, 2023 Service & Utilities Committee meeting and engaged in constructive discussion.

I want to thank Mr. John Pucella for his comments and insights

I am proud to announce that our committee fulfilled its goal following up on the 2020 Solid Waste Study's recommendations to the greatest extent - to move and shift from a policy debate to a way to achieve our goals together in a thoughtful, constructive, collaborative, and expeditious manner.

Mr. McConville stated that procedurally the Ordinance has been introduced without emergency language. If the ordinance is to be considered not on emergency it would necessarily have to go through two readings or upon passage it would become effective 30 days after adoption. Council can by motion move to amend the ordinance, including any amendments within the ordinance could be a condition of an emergency clause and that would be permissible as long as it is specified what the emergency is to justify passage on one reading. That would have to be done by amendment. In connection with substantive issue raised specifying back yard or side yard pickup, Mr. McConville stated that he believed that it was within Council's purview to be as specific as they want to be in connection with the expenditure of taxpayer dollars. Council would simply add a phase in all likely hood to sub-section "b" indicating that loose recycling services shall be offered by means of the backyard and/or side yard pickup.

Mr. McConville stated that sub-section "b" currently reads the city shall offer loose recycling services to residents or occupants of residential dwellings. Mr. McConville said that he thought council could make a substantive amendment, by adding a sentence to that section that reads "loose recycling services shall be offered by means of backyard and/or side yard pickup." Sub-section "b" would read in its entirety with amendment as follows "the city shall offer loose recycling services to residents and/or occupants of residential dwellings. Loose recycling services shall be offered by means of backyard and/or side yard pickup."

MOTION BY MR. GOULD, SECONDED BY MRS. BLANKFELD for amendment to sub-section "b". The city shall offer loose recycling services to residents and/or occupants of residential dwellings. Loose recycling services shall be offered by means of backyard and/or side yard pickup." On roll call, all voted "aye," except Mr. King who voted "nay."

Mayor Brennan stated that the amendment passed.

Mr. King thanked Mrs. Sax for her work on this subject over the past year. Mr. King said that he stated in the ordinance on first reading this evening, she reviewed results of two survey. Reports from GT Environmental, Cuyahoga County Solid Waste District and the recycling partnership. She also invited

industry experts from the Solid Waste District and Kimball to speak before the services and utilities committee. Additionally, she had conversation with numerous Service Directors across the county and participated in site visits to other municipal facilities. Mr. King thanked Mrs. Sax for her diligence and stated that he agreed with almost everything that was written in the ordinance, but it was just changed and he was not prepared to address that. But tonight, he wanted to focus on the opt in aspect of the ordinance. Mrs. Sax recited the recycling partnerships 2020 State of the Curbside Recycling Report in her research. Mr. King said he first quoted this report during the April 4 meeting of this body. Elizabeth Biggins Kramer, Executive Director of the Cuyahoga County Solid Waste District presented to us on the State of the Recycling Practices in the county as well as the industry as a whole. Chapter Two this report is titled Local Curbside Program Performance. In this chapter, there are two tables that are relevant to this topic. The first is titled pounds per household curbside program performance by type of container. The table states that communities that use bags for recycling collection, on average collect 324 pound per year. For bins 360 pounds per year, the 18-gallon tubs and 458 pounds for wheeled carts. Mr. King broke the numbers down as follows. Bins average 36 pounds more than bags, carts average 98 pounds more than bins. The difference between bags and carts was 134 pounds, this is a dramatic difference in results. The recycling partnership also recognizes this disparity. From the report the roughly 100 pounds or almost 28% difference underscores that moving the bin-based program to carts is still an enormously important strategy for improving the performance of US curbside recycling services. The difference between bagged based and cart-based recycling collection is even more pronounced and indicates substantial opportunity to increase material capture. Perhaps these numbers may have helped persuade Mrs. Sax that loose recycling was the right direction for our city. The numbers are certainly compelling. However, I mentioned there was another chart in this chapter, titled average and median pounds per household per survived community curbside programs. Mr. King said that was where his confusion began. The chart states that opt in programs collect on average 331 pounds against programs with automatically provided services, that is the main universal service. Those collected 459 pounds, that is a difference of 128 pounds. These numbers are very similar to the previous chart where carts yield better results than bags. From the report requiring households to opt in is a detriment to the material capture. The conversion of opt in programs in the US is a universal service would address that shortcoming. Given those findings, Mr. King said he struggled to understand how Mrs. Sax arrived to the conclusion that opt-in recycling would be best in University Heights. Turning to other cities within the county that have opt in recycling programs. There is only one according to the Cuyahoga County Solid Waste District and that is the City of Cleveland. And, Cleveland has very different circumstances than from University Heights. Cleveland adopted an opt in program as a drastic measure to combat catastrophic levels of contamination. According to then Cleveland Chief of Operations Darnell Brown, the rate of contamination was 68%. He stated to the Cleveland City Council that 68% of your recycling product is going into a landfill, you really don't have a recycling program. Mr. King said he found it hard to disagree with that statement, but University Heights is not Cleveland, and do not have a problematic level of contamination. Therefore, do not share in their reasoning for an opt-in program. On May 4 of last year, representatives from Kimball the operators of the city's Material Recovery Facility presented to the services and utilities committee. At this meeting, Don Johnson, our business development manager stated that he was not aware of any contamination issues from University Heights. Again, the reason for the only other city in the county to have an opt in program has astronomic levels of contamination and that does not apply to University Heights. Another practical aspect to consider with opt in programs are administrative and operational issues. By their very nature, you must track unique households that have opted into the service. At first glance, this seems like a feature. Only residents who want to take the time to recycle will participate. In practice, creation and maintenance of the list add to administrative overhead. Who does this work? What do we do when a new resident requests this service, do we just add them. Mrs. Sax frequently cited that our rubbish collection could be made more efficient by updating the routes. I agree that revisiting routes may be a worthwhile endeavor. One of the primary issues with opt in programs is that route changes route changes every time the resident signs up. Today we have a universal program. The Kubota drivers drive up every driveway and collects each household. With opt in not only do we have to administratively maintain the list, but we must make an operational change by continually updating the routes. Efficiency is gained through standardization, not by creating exceptions. Opt in programs also create issues with economies of scale. With universal service the city would just order 4278 carts and a small reserved. What can we do with opt in, only order enough carts for those who sign up? What do we do when a new resident request service? Order small batches of carts a higher cost per unit and where do we store this inventory? If we are going to order a cart for every household, it would be more cost effective to do that up front. Again, efficiency is gained through standardization not creating exceptions. Finally, we know that recycling is important to the vast majority of University Heights residents. The University Heights solid waste service community survey prepared by the Baldwin Wallace Community Research Institute found that 88% of respondents consider recycling important. University Heights residential rubbish and recycling collection survey prepared by Resource Recycling System found that 84% of residents consider recycling important. Furthermore, the Recycling Partnerships 2020 curbside recycling report states that 84% of Americans view recycling as a valuable public service. Support for recycling is strong in University Heights and across the nation as a whole. In light of this data, why would we choose to implement and opt in recycling program that will limit access to service that residents demand? To reiterate, Mr. King discussed the sub-par results of opt in recycle.

The fact that no other city in the county other than the City of Cleveland has chosen opt in. The administrative and operational overhead of opt in. And with over 80% of University Heights residents in support of recycling these numbers don't justify opt in. Opt-out might make more sense. Thank you.

Mrs. Sax stated that she looked forward to working together in the Service and Utilities Committee because Mr. King brought up a lot of interesting points. The first is to differentiate between recycling desert, as opposed to curbside. Curbside is a word for household whether or not it is at the curb or in the backyard side door. Mrs. Sax said that she spoke to people at the recycling partnership who verified that. It is opposed to not having recycling or not having access to actually get a premium type of curbside recycling on the properties.

Mr. King clarified that he was speaking to opt-in.

Mrs. Sax continued to say regarding the side door or backyard that she would not ignore the resident's preference for that. So that is what this was predicated on the location. As far as citing the Solid Waste District reports, the Recycling Partnership, in Cuyahoga County when you look at from 2020 to 2021, the Solid Waste Districts annual report, where everybody pretty much except for three or four of us out of 59 where their trash is collected at the curb including recycling 48% did worse, went in the negative from 2020 to 2021 in terms of the percent recycling rate, without yard waste; 71% had no change or worse. The data is not supporting improvement at the curbside with the automated or those types of collections. The data is just not there to support that. As far as audits, Kimbell does not do audits, so Mr. Johnson was not aware of University Heights' contamination rate. With all due respect, that's not part of their service. Finally, regarding the 85% respondents to the survey, yes, we agree the overwhelming majority of those who responded do you want improve recycling. That is not to be confused with the number of households that actually voluntarily currently participate. Mrs. Sax said that she talked to Mr. Pucella afterwards and asked him approximately how many households currently voluntarily participate in recycling? Mrs. Sax added that she asked the Administration, many times can you just count the bags? Can you just you count from Monday through Thursday, so they could have an idea. And you can do that seasonally, you know, just have an idea that was chosen 25% of our households had comebacks. So that's, well the majority of the people took the time that the majority. A significant statistically significant number of people responded favorably to wanting to recycle the actual number of households that are currently participating is 25%. So, opting in acting is an excellent opportunity to train and move forward when I might also add in a communication from the Recycling Partnership will always tell you that the community can provide this type of recycling and optimism that action will rather see opt in recycling knowing curbside recycling, can provide that. We would rather see bins then no curbside recycling. We have talked about goals for the community with community choices and how best to achieve them. All of these actions and choices are viable, they may just deliver different results, we need to start in a way where we can really identify who wants to volunteer who wants to do recycling and who wants to do it correctly. This is an opportunity to train and to give the residents the tools they need. More discussion can be had in committee. Mrs. Sax said she welcomed discussion from members of council and administration to put heads together to figure out the best way to move forward.

Mr. King reiterated that having opt in programs do not perform as well as programs that are universal. The numbers do not lie on that. Mr. King said that he did not believe in having an opt in program and that University Heights would be the only city in this county besides Cleveland that does that and University Heights does not have the same reason as Cleveland has.

Ordinance 2023-05 was placed on first reading.

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS to add item (N) to the agenda. A motion to approve Fire and Police Lexipol Contracts not to exceed \$26,000 on the recommendation of the Safety Committee. On roll call, all voted "aye."

MOTION BY MR. GOULD, SECONDED BY MR. KING to add to the item (O) to the agenda. A motion approving the recommendation of the GPD Group and the City Engineer to re-bid the annual Street Striping Program for 2023 based on the recommendation of the Safety Committee. On roll call, all voted "aye."

J. Ordinance 2023-06 Amending Codified Ordinance Section 220.11 Entitled "Order of Business" By Moving Reports and Communication of Directors up on the Agenda, and Declaring an Emergency (on emergency)

Mrs. Weiss stated that one of the City Directors mentioned to her that other cities have the Director's reports at the beginning of the Council meetings so if they do not have any agenda items they are free to leave after their report.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to approve Ordinance 2023-06 Amending Codified Ordinance Section 220.11 Entitled “Order of Business” By Moving Reports and Communication of Directors up on the Agenda, and Declaring an Emergency. Roll call on the suspension of the rules, all voted “aye.” Roll call on passage, all voted “aye.”

K. Ordinance 2023-07 Amending Codified Ordinance Sections 212.01 Entitled “Contracting Procedures” and 212.02 Entitled Professional Contracts; Unique Services and/or Supplies, and Declaring an Emergency (on emergency)

Mrs. Weiss stated that this Ordinance appeared almost one year ago discussing the need for large professional service contracts that are \$50,000 and over to be competitively bid out. This ordinance was placed on pause because there was a request that the City Engineer piece be discussed further in a small working group. That working group was affectively stopped by the Mayor; however, this ordinance came back to the Finance Committee after an Economic Development Committee meeting with the City Engineer discussing nuances of how this could look in an ordinance. Mrs. Weiss added that that was not the only piece in the ordinance. There are different legal contracts in the ordinance and also any other type of professional service contract over \$50,000.

Mayor Brennan asked Mrs. Weiss what she meant when she said that the working group was stopped by the Mayor.

Mrs. Weiss replied that there were more sessions to be had and that the Mayor had proposed an ordinance on the agenda whereby it took away the City Engineer as an individual and made it a company. But they were not done in that working group. In fact, she and Mr. Ciuni were working on something.

Mayor Brennan said it needed to be stated that everyone was under the impression that the City Engineer was under a one-year contract and it was the end of 2022. And had the impression that a contract needed to be passed for 2023 and the ordinance that appeared was appointing GPD Group as requested by GPD Group to have a contract for 2023 and upon subsequence examination a two-year contract was sign to go through 2023. The Mayor said that the only reason he took action was although the working group was not done there was the need to have a City Engineer in 2023 and it was everybody recollection that it was the end of the contract. Mayor Brennan noted that he even had the need to come before Council to request permission to extent the then current contract. Mayor Brennan said that he did not stop negotiations or discussions we were simply looking at the calendar with the belief it was the end of the contract period.

Mrs. Weiss replied that the Mayor’s comment was untrue, Council would have extended Mr. Ciuni’s contract anyways until the working group was finished and it was not finished. Mrs. Weiss said that they were actually at the end and it would have had a great outcome with the lay citizens who were part of the working group. Mrs. Weiss said that the committee did have a robust committee meeting with Mr. Ciuni present and the committee went through many nuances and different scenarios. Council values Mr. Ciuni and his work and want him to stay. This profession ordinance was also discussed in committee last week and it seemed that everybody was on board with it.

Mayor Brennan said that he was at that committee meeting and Mr. Ciuni was not. Adding that he stated that he had not had the opportunity to review the changes to the profession service ordinance based upon several working meetings that were had and it doesn’t look like there were any changes here at all. Mayor Brennan stated that he believed that this needs to go back and have another look and the could be done within the confines of the meeting or resuming the working group. Mayor Brennan said he didn’t believe that this ordinance reflected any of the work/break throughs Mrs. Weiss said was with Mr. Ciuni.

Mrs. Weiss said that she specifically asked if there were any comments at that committee meeting and the ordinance was sent out weeks before the committee meeting and the Mayor did not say anything. There was ample time for discussion and the specifics were discussed with Mr. Ciuni.

MOTION BY MR. GOULD, SECONDED BY MR. RACH to Ordinance 2023-07 Amending Codified Ordinance Sections 212.01 Entitled “Contracting Procedures” and 212.02 Entitled Professional Contracts; Unique Services and/or Supplies, and Declaring an Emergency

Mr. Ciuni stated that he was blindsided by this ordinance and he did not understand how it will actually work. Mr. Ciuni added that he had gone to a meeting the day after I buried his father and at that meeting they discussed the proposed city engineering contract that was never passed. Discussion was also held about the City Engineers duties versus the additional services by GPD Group. That was the main discussion that whole night, and he had left that meeting with the understanding that they were going to have another working meeting to discuss exactly how that would work, right? Practically, how does it

work? And then this came out. Mr. Ciuni stated that if he is going to do his job here, and if he was going to continue to as the engineer, he would have to understand how this works. Mr. Ciuni was talking specifically about Exhibit B that is part of the ordinance. The title of it is Professional Contracts, unique services and supplies. But everybody is exempted out except for the engineer. So, it is obvious what this is doing. The Law Director is not in there and council had two contracts here today with consultants that did not get any public bidding or any other prices. Mr. Ciuni added that he needs to understand how this is going to work, specifically the line in one paragraph, the Mayor or the Mayor's designee shall recommend the Council the best bid proposal. Mr. Ciuni said he was not going to give council a legal opinion on bidding engineering services versus quality based selection that for the Law Director to do. But who is the Mayor's designee, what is the infrastructure in place to do that? Mr. Ciuni stated that council said that he could prepare an RFP, collect them all, review them all, interview the candidates, and then to present to council who the best person is for the job. Mr. Ciuni said that he did not know who that would be or how that would work right. And, also that is not in his contract as part of his engineering duties. Is that expected or not. Mr. Ciuni said that he would prefer to submit a proposal for the work versus being the one that prepares the work and interviews people and recommends them for the job and that was made clear at that meeting. You have to be careful what you are asking for your City Engineer to do, if you are not going to get him to work, because GPD does not do business that way in any of the other 22 other cities that they represent, and, Mr. Ciuni said he was not sure he wants to do business that way, if this gets passed. How will this work or will it all be on the Mayor.

Mr. McConville said that the ordinance was modeled after an ordinance that exists in Shaker Heights and that Shaker Heights has a very similar procedure as it relates to engineering design services that are above \$50,000. There is however, a material difference in the way Shaker Heights is structured as compared to University Heights and that differences are that they have a on staff full-time Engineer. All of the tasks that Mr. Ciuni referenced in his comments would presumably be performed by that full-time employee and/or their staff. Mr. McConville said he I believe that there are some pragmatic issues that are being raised that ought to be discussed, again, notwithstanding the fact that a committee meeting was held last week or no comment was offered on the ordinance. And certainly, understandably, that may generate some frustration. Mr. McConville added that he thought that there are some practical aspects to what's being required under the ordinance that should be fleshed out a little bit and discussed further prior to passage.

Mr. Rach noted that the other material change between Shaker Heights and University Heights is the threshold in which Shaker Heights requires it to be publicly held for a threshold of \$25,000 and we are asking that it be \$50,000 for an RFQ, or RFP process.

Mrs. Weiss commented that Mr. Ciuni may not have seen the agenda item for Professional Services Contract at the Finance meeting. Mrs. Weiss said she had no problem sending it back to committee one more time so that they could flesh out things to see how it would look. The contracting for \$50,000 and above would stay but everything else in between would be looked at.

Mr. Ciuni again asked who would be doing the work, who will prepare, review the RFP and present to council including contracts above \$50,000, etc. because that is not in his job description.

Mr. Rach stated that Mr. Ciuni's contract was very vague. Understandably so the role of the City Engineer is to have the City's back and prepare for Council and the administration for review of potential projects that should be pursued. The Engineer should put together documents of potential bidders, pre-qualified list of vendors. And anything over \$50,000 needing to be bid out is not the City's rule but what the State of Ohio requires. Again, Mr. Ciuni's role as engineer is to have the city's back, to review the contracts, the other design professionals and to let Council know if something out there just doesn't look right. If they are asking for additional service it's the engineer's job to question that. If a contractor is doing something that is out of the design process it his job to point that out. If there is a change order the engineer is to have the city's back and explain as to way that may not be in the best interest of the city. Mr. Rach said he has always assumed that the role of the engineer was that of the project manager or representative of the city to make sure the projects are in on time, within budget but only reviewing the work and not doing the work.

Mr. Ciuni asked Mr. Rach if he was saying that he did not have the city's back and interest in heart since 1992? But, if that is what they want him to do he wasn't interested in the job. There is a 90-day clause in his contract and he could give it to the Mayor tomorrow. Mr. Ciuni added that he would not leave the city without an engineer, if it takes 4 or 5 months to find someone else he will stay.

Mr. Gould in relation to bidding out different projects if there are additional responsibilities of going out to bid is there a way to draft a letter stating the issue going out to bids for this and here is the price for doing that.

Mr. Rach explained what he meant about Mr. Ciuni having the city's back and gave the example of if there was a project where GPD Group did the design work and there was an error or omission and if there was a claim would Mr. Ciuni represent the city or GPD Group?

Mr. Gould suggested adding to attachment B a paragraph J that says "notwithstanding any prohibition herein this ordinance shall not apply to the work of the City Engineer until December 31, 2023 or until future action of Council." And the intent there is to have all of the provisions go into effect for the work of the city and to have time to discuss visioning with Mr. Ciuni and other in committee how else the effect of this needs to be amended.

Mrs. Weiss commented that she liked carving this piece out and having Mr. Ciuni come back to committee to hash out a process that everybody is comfortable with. Then this piece can be place back into the ordinance. And the RFQ piece can also be hammered out.

Mr. Ciuni said he welcomed the RFQ process and he can submit his qualifications, along with his competitors, but again, that can be talked about in committee. Council will need a committee then to review that, to put the RFP together and somebody who can decide because Mr. Ciuni will also be submitting for the project. Mr. Ciuni added that he had no problems with the threshold but you have to have infrastructure in place for that.

Mr. Gould stated that he confirmed with the Law Director that the effect of the paragraph is to cut out Mr. Ciuni and his work. If this passes it has no effect on Mr. Ciuni or the work that he does.

Mr. Gould withdrew his motion and Mr. Rach withdrew his second.

MOTION BY MR. GOULD, SECONDED BY MR. RACH to adding to attachment B a paragraph J that reads as follows: "notwithstanding any provision herein, this ordinance shall not apply to the work of the City Engineer until December 31, 2023, or until future action of Council." On roll call, all voted "aye."

Mr. McConville stated for the record his legal opinion that the ordinance as amended would carve Mr. Ciuni out the previsions of the ordinance and would allow him to continue to do business as usual under his existing contract.

Mr. Rach asked what would it mean with the \$15,000 spending authority, where any proposal over \$15,000 would have to come to council for approval.

Mr. McConville stated that the \$15,000 spending authority applied to the administration so yes Mr. Rach was correct in the anything over \$15,000 would go back to council for approval.

Mayor Brennan commented that that has not been done customarily and was done for the Law Director.

Mr. McConville clarified that

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS to add as paragraph I to 212.01 exhibit A "notwithstanding any provision herein, this ordinance shall not apply to the work of the City Engineer until December 31, 2023, or until future action of Council." On roll call, all voted "aye."

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS to pass Ordinance 2023-07 Amending Codified Ordinance Sections 212.01 Entitled "Contracting Procedures" and 212.02 Entitled Professional Contracts; Unique Services and/or Supplies, and Declaring an Emergency as amended on Emergency.

Mayor Brennan commented that even as amended a yes vote on this means we are firing Mr. Ciuni at the end of the year.

Mr. Rach replied that the Mayor did that by recruiting Mr. Ciuni's firm for the next contract and removing Mr. Ciuni as Engineer.

Mayor Brennan replied that that was asked for by GPD Group.

Roll call on the suspension of the rules, all voted "aye." Roll call on passage, all voted "aye."

L. Motion Confirming Mr. Timothy Loyd to the Board of Zoning Appeals for a Two-Year Term Commencing February 2023 through January 2025

Mayor Brennan stated that Mr. Loyd already serves on the Board of Zoning Appeals and this renews his appointment for another two (2) years.

Mrs. Weiss commented that both Mr. Loyd and Mrs. Jablonski are excellent members of the BZA and she was in support of renewing their appointments.

Mr. McConville added the Board of Zoning Appeals, including Mr. Lloyd and Mrs. Jablonski is an outstanding board. They are highly sophisticated, they work with the residents to in a collaborative manner to try to achieve good results for the community. They function very smoothly and we benefit from all their expertise.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD Confirming Mr. Timothy Loyd to the Board of Zoning Appeals for a Two-Year Term Commencing February 2023 through January 2025. On roll call, all voted "aye."

M. Motion Confirming Mrs. Kelly Jablonski to the Board of Zoning Appeals for a Two-Year Term Commencing February 2023 through January 2025

There were no additional comments.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD Confirming Mrs. Kelly Jablonski to the Board of Zoning Appeals for a Two-Year Term Commencing February 2023 through January 2025. On roll call, all voted "aye."

N. A motion to approve Fire and Police Lexipol Contracts not to exceed \$26,000 on the recommendation of the Safety Committee. On roll call, all voted "aye."

Mr. Gould stated that the Safety Committee heard testimony from both the Police and Fire Chief regarding the updates for the Lexipol contracts.

MOTION BY MR. GOULD, SECONDED BY MR. KING to approve the Fire and Police Lexipol Contracts not to exceed \$26,000 on the recommendation of the Safety Committee. On roll call, all voted "aye."

O. A motion approving the recommendation of the GPD Group and the City Engineer to re-bid the annual Street Striping Program for 2023 based on the recommendation of the Safety Committee

Mr. Gould stated that Mr. Ciuni provided the Safety Committee with a memo requesting permission to re-bid the annual street striping program in order to insulate the city from the higher cost of the second and third year of the annual Street Striping Program. The original bid was for a three-year contract with the option not to accept years two and/or three.

Mr. Rach asked if the items for quantities that was misrepresented at the last bidding would be corrected for this re-bid process.

Mr. Gould replied that during the meeting it was discussed who that work belonged to and who would be responsible for going on site to make sure the lines have been striped and it was agreed that that would be in concert with GPD and the Administration, possibly someone from the Police Department. Also, recalculating the lines to be use will be the responsibility of GPD.

Mr. Ciuni replied that was correct.

MOTION BY MR. GOULD, SECONDED BY MR. RACH to add to the item (O) to the agenda. A motion approving the recommendation of the GPD Group and the City Engineer to re-bid the annual Street Striping Program for 2023 based on the recommendation of the Safety Committee. On roll call, all voted "aye."

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

Mrs. Weiss said there was a need to enter executive session for litigation and real estate.

MOTION BY MR. RACH, SECONDED BY MRS. WEISS to enter executive session for the discussion of litigation and real estate matters. On roll call, all voted “aye.”

Director’s Reports

Finance Department – Mr. Kennedy

Mr. Kennedy reported that property tax bills would be due in February and reviewed the monthly summary statements for the various funds.

Law Department – Law Director Luke McConville

Mr. McConville reported back to council on the question of the possibility of having a viewing room that would accommodate disabled residents who wish to attend meetings and or participate in the public portion. On the legal side, additional research was conducted and we are comfortable that such an arrangement would be a legitimate accommodation under the ADA provided that the technology work. Mr. McConville said that he did have a conversation with Mrs. Thomas as directed and in the course of that conversation she indicated that she believes that technology would revolve around a zoom connection. It would be basically through zoom that we would be attempting to facilitate the public participation. The technology piece does cause me some concern because if you have an instance where the technology fails, then you have potentially prevented someone from being able to dissipate publicly causing an ADA violation. You really would need to be as competent as you possibly can be that that you have technology that will work seamlessly.

Fire Department – Chief Robert Perko

Chief Perk stated that the Cuyahoga County Fire Chiefs Association worked with the Cleveland Division of Fire to work a plan to place 160 firefighters from suburbs departments in Cuyahoga County to cover all 25 Cleveland Fire Stations so that all Cleveland firefighters could attend the funeral of one of their own due to a tragic accident. The City of Cleveland presented all Fire Departments with a plaque to show their appreciation.

Housing and Community Development – Mr. Englebrecht

Mr. Englebrecht update everyone on the Community Development side of the department. On January 27. NOACA Planning and Programming committee approved the cities of University Heights, Cleveland Heights and South people's proposal for the Heights Regional Neighborhood Greenway phase one. Our combined efforts to collaborate and connect our cities to improving and enhancing mobility options for our residents through bicycle boulevards, also known as greenways is the first in the Cleveland region and as part of a much broader component of the Cuyahoga County Planning Commission's town or greenways network. This will eventually link our communities with other neighborhoods, parks, Lake Erie River and public transit through a comprehensive county wide network of trails that are safe and welcoming for people of all ages and abilities. age.

City Engineer – Mr. Ciuni

Mr. Ciuni reported that the ODOT Cedar Road Project was under budget and that the city would receive a refund from ODOT.

Communications and Civic Engagement – Mr. Cook

The next Mosaic issue will be out soon and the State of the City Address will take place in a few weeks on the 15th in the Dolan Science Center at JCU.

There were no other director reports.

Standing Council Committees:**Building Committee – Mrs. Blankfeld**

Mrs. Blankfeld reported that the next meeting will take place on February 21 at 6pm.

Economic Development – Mr. Rach

Mr. Rach reported that the meeting with Zone Co was rescheduled to March 22, 6pm at John Carroll in the Jardin Room.

Finance Committee – Mrs. Weiss

The Finance Committee will meet on January 30.

Service Committee – Mrs. Sax

The Service and Utilities Committee met on January 4 2023. There were four recommendations. Based on the discussions that we had and that were voted for unanimously by the committee consisting of Chris Cooney, Justin Gould, John Rach as the alternate and myself as Chair. These recommendations were based on the results of the two surveys that residents received over the summer. The three items that came across voiced by our residents were; #1 to maintain the current method of backyard side door collection, #2 to improve recycling, and #3 to maintain the service or the level of service staff personnel. So those recommendations are being worked on with the Law Director to bring to council meeting. And I guess a spoiler alert, we are looking to do away with blue bags, as one of the main things that's come across loud and clear from just about everyone. So, I want to thank the committee and we look forward to making improvements in modernizing our recycling and collection based on the will of the residents.

There were no other Council Committee reports.

Finance Committee – Mrs. Weiss

Mrs. Weiss stated that based on this Council meeting the Finance Committee will have a meeting in the next 2 – 3 weeks to discuss the Professional Services ordinance.

Safety Committee – Mr. Gould

Mr. Gould reported that in addition to the two agenda items the committee discussed traffic issues on Hadleigh. The Police Chief with work with the City Engineer and the Mayor's Office to try to find a middle ground solution.

Committee of the Whole – Mrs. Weiss

Mrs. Weiss reported that there will be a meeting within the next month.

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 exit Executive Session and to resume the Council Meeting. On roll call, all voted "aye."

MOTION BY MR. KING, SECONDED BY MR. COONEY to adjourn the Council meeting.

There being no further business, the meeting was adjourned at 10:35pm

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council