

UNIVERSITY HEIGHTS CITY BEAUTIFUL CORPORATION
MINUTES

May 11, 2022
10:30am

Virtual (Zoom)

I. Roll Call

The meeting was called to order by Mr. Brennan at 10:33am.

Board Members present:	Mr. Brennan	Mrs. Weiss
	Mr. Gould	Mrs. Sax
	Mrs. Drucker	Mr. Englebrecht
	Ms. Weizer	

Board Members absent: None

Others Present:	Ben Schaefer	Mike Cook
	Luke McConville	Rebecca Slifer

II. Approval of Minutes

Mr. Brennan indicated there were two sets of minutes for consideration: the set from November 16, 2021 and the minutes from our last meeting on April 25, 2022.

November 16, 2021

Mr. Brennan indicated that Mrs. Weiss had previously requested a revision to these minutes, and inquired as to whether the revisions met her request. Mrs. Weiss indicated that they had.

A motion to approve the minutes was made by Ms. Weizer and was seconded by Mrs. Weiss. A voice vote was taken and the ayes were determined to have it. Mrs. Sax noted her abstention, as she was not a member of the Board at the time.

April 25, 2022

Mrs. Weiss made a motion to approve the minutes. Mrs. Drucker seconded the motion. A voice vote was taken and it was determined that the ayes had it. Mr. Gould abstained, noting that he was not present at the April 25 meeting.

III. Motion to Authorize Filing of IRS Form 990-EZ

Mr. Brennan noted that this item was tabled from the previous meeting. Mrs. Weiss made a motion to authorize the filing, which was seconded by Ms. Weizer.

A voice vote was taken and the ayes had it unanimously.

IV. Discussion of CIC Issuance of Waste Survey

Mr. Gould noted that contracts were sent out the previous day for Baldwin Wallace and includes attached document re: previous service quote from Dr. Tom Sutton, as well as printing quotes from Porath/Viscomm that Mike Cook obtained and Zippity. He shared that Porath/Viscomm presented options (one/two-sided, black/color, envelopes, postage and return envelope postage). He noted that the city/Mr. Cook has a working relationship with them and that Council had previously selected them for this work. Mr. Gould also noted, unlike previous times when post office was backed up, that he came to understand that the mailing could be done more cheaply by doing standard vs. first class. Mr. Gould suggests VisComm quote; with that and survey quote from Baldwin Wallace, the total comes in under \$10,000 and would ask for motion to approve up to \$10,000.

Mrs. Weiss stated that she reviewed the financials of the CIC and that the organization has over \$60,000 currently in its account. **She thus made a motion, clarified by Mr. Gould as a motion to authorize member Justin Gould to enter into contract with the Community Research Institute at Baldwin Wallace University related to a survey and to authorize Mr. Gould to accept a quote from Viscomm for printing/mailing of the same and instructing the CIC treasurer to make payment up to \$10,000 for these services. Mrs. Sax seconded the motion.**

Mrs. Drucker recalled July 2021 and a strategic planning committee meeting where outcome-based budgeting was discussed, and that garbage pickup was briefly discussed. Mrs. Drucker noted that she shared her opinion then and is restating now, that she is not a fan of surveys in general, does not support surveys, and does not believe you get a full and accurate depiction of the issue. She suggested that, if we truly want to know, the issue should go on the ballot – especially in a year with U.S. Senate, gubernatorial, and other items on the ticket – and believes two surveys will only add to confusion, and that the ballot is the way to move forward. She noted that she would not support this motion or any survey.

Mrs. Sax noted that she hadn't thought of placing the issue on the ballot, and wasn't aware of that discussion. She said she would like to hear the negative/any downside of putting it on the ballot.

Mr. Gould said he would be happy to speak to the ballot option. He noted that some on Council have stated that they want to hear opinions of residents, but that one of the overriding discussions wasn't mainly about opinions, but instead about gathering relevant data points – how many seniors who need assistance with carts, how much service would be required, how many people are new to the city and possible difference in thought between longer-term residents vs. newer residents, folks with disabilities needing assistance, and so forth. Mr. Gould said that this is critical data to give Council a better view of such a decision, and would not be gathered by a ballot issue. He understands Mrs. Drucker's position and thinks that a ballot issue would be more appropriate if we were more interested in seeking opinions.

Mrs. Sax notes that, no matter what method, data will still need to be collected. She stated that the ballot may be more public/accessible vs. survey, which could be complicated depending on delivery method. Either way, she reiterated, data will still be needed. The ballot route, Mrs. Sax suggests, could make it more accessible, less controversial, and better to compel follow through on getting information.

(At this time, a resident attendee attempted to interject, but Mr. Brennan informed her that participation from non-Board Members is not permitted in this portion of the meeting and asked Mr. Schaefer to mute her microphone.)

Ms. Weizer stated that she respects Mrs. Drucker's opinion, but does not agree. Ms. Weizer stated that valid surveys are good things and the data/analysis would give the group and city solid grounding from which to work. She noted that Tom Sutton's group (from Baldwin Wallace) does a wide range for other communities, including the Cuyahoga County Solid Waste District (CCSWD), and does so in a professional and unbiased fashion. Ms. Weizer stated further that, because this process has become politicized, it is good to let the residents speak, and that because people are interested and will want to respond, the city should get a good/healthy response rate with thoughtful responses. Ms. Weizer recalled the last time the city issued survey, under Mayor Infeld, we got a substantial response. The survey, Ms. Weizer said, will provide data that will help Council and the administration make good decisions. She noted that, while she is not sure how the results will turn out, such a survey will provide accurate data that will help us understand the cost and will be helpful in any instance. Ms. Weizer further stated that lots of numbers have been thrown around about costs, employees needed, etc. and that cost per person per year continues to grow, as does our workforce, but revenue doesn't grow at the same level and that can be problematic. She noted that there are lots of other things the city wants to do, like new facilities, but that any savings may be eaten up by new salaries and benefits. Getting this more solid info, Ms. Weizer said, will be the most useful way to go. Ms. Weizer said that dueling surveys and similar issues have become so politicized that it's become out of bounds; instead, getting some answers on these items will be the way to go.

Mrs. Weiss agreed that the city's residents are responsible and involved, noting that the city's last survey – regarding a master plan under former Mayor Infeld – got an outstanding response. If people are involved and passionate, Mrs. Weiss noted, we get a good response rate. She stated that we also have data that does need to be collected and that it is her belief that this is the most appropriate way to do it.

Ms. Weizer stated that we need to be very careful about comments re: Dr. Sutton and his organization, as she believes some have been below the belt. Ms. Weizer further notes that one thing that the administration needs to consider is that lots of universities in the area conduct studies and surveys for communities in the area; thus, if folks make unfounded comments, the city begins to lose credibility amongst all the other groups doing this work as well. Ms. Weizer said that comments should be couched appropriately going forward.

Mrs. Sax noted her appreciation for everyone's comments and that she sees a balanced discussion here. She stated that she has also worked with other organizations in the area that do client satisfaction surveys and other surveys, and that they have been extraordinarily helpful, statistically valid/reliable, and have helped shape her organization's goals. Mrs. Sax said that she understands Mrs. Drucker's opinion, but again, no matter what, we should start now with identifying who will need assistance with trash, how many people are voluntarily participating in recycling, etc. It is critical, Mrs. Sax noted, to get valuable data and perhaps a good way to start getting it is through the survey process.

Mr. Brennan stated that, under the city's charter, only the mayor can sign contracts and notes that the CIC was created by the City to promote economic/community development, not to circumvent normal city processes. Mr. Brennan further stated that, if Mr. Gould signs the contracts, it would be his position that he is violating the charter and will investigate all legal remedies. He urged that the group not continue with this proposed course of action.

Mr. Gould requested a legal opinion from Mr. McConville as to whether there is any violation of the charter with the Board taking such an action.

Mr. McConville stated that he does not see any violation of the charter, as the CIC is a separate corporation with its Board having the authority under ORC 1702 and its regulations to authorize its members to take actions and enter agreements. So as long as this is by roll call vote in a public meeting, Mr. McConville stated, that this is not a city action and is permissible.

Mr. Gould asked Mr. McConville if, regarding issues of the charter and the laws of the City, the organization was formed by City Council ordinance/action.

McConville stated that this was correct; further clarified that the organization was created by ordinance, and is also chartered through Ohio Secretary of State pursuant to filing of Articles of Incorporation.

Mr. Gould asked Mr. McConville if the mayor, Mr. Brennan, in his authority granted by the charter, signed off on the legislation authorizing the CIC and its structure.

Mr. McConville stated that he would have to check the record, but believes that Mr. Brennan did sign off on that legislation, but knows that he did not veto it.

Mr. Brennan confirmed that he did sign that legislation, and restated his belief that authority granted to the CIC cannot be exceeded by that granted in the city's charter. He again stated that the charter states that only the mayor can enter a contract and does not believe that the power can be granted to a third party.

Mr. Gould said that he was comfortable moving forward with a motion.

Mrs. Sax expressed her wish that Mr. Brennan would stop these narratives she considers to be divisive.

Mr. Brennan noted his wish that the Board Members could work together as well, and explained that it was the reason he went to work with CCSWD. Rather than simply saying “no survey,” he stated that he went to CCSWD and their recommendation was to develop and utilize other survey that they could facilitate and for which the city would not be paying.

Mrs. Sax stated that it’s “our survey,” not Mr. Brennan’s survey alone, and further is going to see who is actually paying this – suggested may be taxpayer dollars through roundabout method. She further stated her belief that Mr. Brennan is circumventing Council with this second survey and for suggesting that CCSWD is more legitimate than Baldwin Wallace. Even the language in the memo sent by Elizabeth Biggins-Ramer/CCSWD has biased wording, Mrs. Sax stated. She again asked Mr. Brennan to stop what she called his divisive narrative.

Returning to the motion made by Mrs. Weiss and seconded by Mrs. Sax, a roll call vote was taken. Mrs. Weiss, Mr. Gould, Mrs. Sax and Ms. Weizer voted aye. Mr. Brennan, Mrs. Drucker, and Mr. Englebrecht voted nay. The ayes have it and the motion carried, 4-3.

V. Adjourn

A motion to adjourn was made by Mr. Gould and was seconded by Mrs. Drucker. A voice vote was taken and the ayes carried the vote. Mr. Brennan declared the meeting adjourned at 11:07am.