



## CITY COUNCIL MEETING

### AGENDA

7:00PM

MONDAY, MAY 15, 2023

**LOCATION:**  
City Meeting Room  
(former Wiley Middle School Media Room  
next door to Board of Education)  
2181 Miramar Blvd.  
University Heights, Ohio

**Per current CDC guidelines, the City no longer requires participants and attendees to wear masks or face coverings.**

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NOTE: Executive Session may follow meeting to discuss legal, personnel and real estate matters.  
(Motion Required)

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1. Roll Call
2. Pledge of Allegiance;
3. Reading and Disposal of the Journal;
4. Additions and Removals from the Agenda; Referrals to Committee;
5. Comments from the Audience;
6. Reports and Communications from the Mayor, and the taking of action thereon;
7. Reports and Communications from the City Council, and the taking of action thereon;
8. Reports and communications from the Directors of the Department of Finance, the Department of Law, the Department of Public Safety, the Department of Public Service, and other department heads as applicable, and the taking of action thereon;
  - a) Finance
  - b) Law
  - c) Public Safety (Police/Fire)
  - d) Service
  - e) Building
  - f) Housing and Community Development
  - g) City Engineer
  - h) Communications / Civic Engagement
  - i) Economic Development
9. Reading and Disposition of Ordinances, Resolutions, Motions, and Consideration of agenda items:
  - A. Nomination for Vacant Council Seat
  - B. Heights Arts presents Poem Readings by Poet Laureate Siaara Freeman and Former Poet Laureate Ray McNeice
  - C. Ordinance 2023-19 Establishing that the Annual Rate of Pay for Members of Council Shall not be Less than the Minimum Amount Necessary to Qualify for Eligibility for Ohio Public Employee Retirement System Years of Service, and Declaring an Emergency (on second reading)
  - D. Ordinance 2023-21 Authorizing the Mayor to Enter into a Project Award Agreement with Cuyahoga County for ARPA Grant Funds in the amount of \$129,420.00, and Declaring an Emergency (on second reading)

- E. Motion to Approve the Additional Expenses related to the Blight Study performed by CT Consultants
- F. Motion to Enter Executive Session for the purpose of Discussing Legal Proceedings, Personnel and Real Estate Matters

**Reports of standing committees and the taking of action thereon;**

**BUILDING/HOUSING**

Chairperson Barbara Blankfeld

Committee: Chris Cooney, John Rach, Brian King (alt.)

**COMMUNITY OUTREACH**

Chairperson Brian King

Committee: Michele Weiss, Barbara Blankfeld, Sheri Sax (alt.)

**ECONOMIC DEVELOPMENT**

Chairperson John Rach

Committee: Michele Weiss, Barbara Blankfeld, Justin Gould (alt.)

**FINANCE**

Chairperson Michele Weiss

Committee: John Rach, Justin Gould, Barbara Blankfeld (alt.)

**RECREATION**

Chairperson Chris Cooney

Committee: Brian King, Sheri Sax, Michele Weiss (alt.)

**SAFETY**

Chairperson Justin Gould

Committee: Brian King, Sheri Sax, Chris Cooney (alt.)

**SERVICE AND UTILITIES**

Chairperson Sheri Sax

Committee: Chris Cooney, Justin Gould, John Rach (alt.)

**COMMITTEE OF THE WHOLE**

Vice Mayor Michele Weiss

- 10. Reports of Special Committees, and the taking of action thereon;
- 11. Unfinished and Miscellaneous Business;
- 12. Adjournment

**ORDINANCE NO. 2023-19**

**INTRODUCED BY: All of Council**

**AN ORDINANCE ESTABLISHING THAT THE ANNUAL RATE OF PAY FOR MEMBERS OF COUNCIL SHALL NOT BE LESS THAN THE MINIMUM AMOUNT NECESSARY TO QUALIFY FOR ELIGIBILITY FOR OHIO PUBLIC EMPLOYEE RETIREMENT SYSTEM YEARS OF SERVICE, AND DECLARING AN EMERGENCY**

**WHEREAS**, City Council wishes to pass a self-executing ordinance that will raise the rate of pay for all Council members in the event that such a raise is necessary to qualify for years of service in the Ohio Public Employees Retirement System; and

**WHEREAS**, the current rate of pay for members of Council qualifies them for years of service in the Ohio Public Employees Retirement System;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, COUNTY OF CUYAHOGA, AND STATE OF OHIO, THAT:**

**Section 1.** In the event that the Ohio Public Employees Retirement System raises the rate of pay at which a public employee qualifies for the accrual of years of service to an amount that exceeds the amount of Council pay, the rate of pay for Council members shall automatically increase to the minimum amount necessary to qualify for the accrual of years of service in the Ohio Public Employees Retirement System.

**Section 2.** This ordinance shall not effect a pay raise for any member of Council who is a member of Council as of the date of passage of this ordinance during any such Council member's current term of office. The pay raise contemplated herein shall be self-executing for any member of Council not a member as of the date of passage of this ordinance, and for any current Council member subsequently elected to a new term of office.

**Section 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**Section 4.** This Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights, by immediately establishing a minimum rate of pay for Council members that will allow Council members to accrue years of service in the Ohio Public Employees Retirement System. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise it shall become effective at the earliest time allowed by law.

**City of University Heights, Ohio**

\_\_\_\_\_  
**Michael Dylan Brennan, Mayor**

**Passed:** \_\_\_\_\_

**Attest:** \_\_\_\_\_  
**Kelly M. Thomas, Clerk of Council**

**Approved**  
**as to form:** \_\_\_\_\_  
**Luke F. McConville, Law Director**

**ORDINANCE NO. 2023-21**

**INTRODUCED BY: Mayor Michael Dylan Brennan**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROJECT AWARD AGREEMENT WITH CUYAHOGA COUNTY FOR ARPA GRANT FUNDS IN THE AMOUNT OF \$129,420.00, AND DECLARING AN EMERGENCY**

**WHEREAS**, Cuyahoga County awarded the City the amount of \$129,420.00 in American Rescue Plan Act (“ARPA”) grant funds for use by the City to pay costs and expenses incurred in connection with the Ohio Department of Transportation Cedar Road Resurfacing Project; and

**WHEREAS**, this Agreement is necessary to document the award and receipt of said ARPA grant funds;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, COUNTY OF CUYAHOGA, AND STATE OF OHIO, THAT:**

**Section 1.** Council hereby authorizes the Mayor to enter into the Project Award Agreement with Cuyahoga County for \$129,420.00 in American Rescue Plan Act (“ARPA”) grant funds for use by the City to pay costs and expenses incurred in connection with the Ohio Department of Transportation Cedar Road Resurfacing Project. The Agreement is attached hereto as Exhibit A and is incorporated herein by reference as if fully rewritten.

**Section 2.** Council hereby accepts and authorizes receipt of the ARPA grant funds in the amount of \$129,420.00, to be applied to pay costs and expenses incurred in connection with the Ohio Department of Transportation Cedar Road Resurfacing Project.

**Section 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**Section 4.** This Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights, by allowing the City to make timely disbursement of amounts owed in connection with the ODOT Cedar Road resurfacing project. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise it shall become effective at the earliest time allowed by law.

**City of University Heights, Ohio**

\_\_\_\_\_  
**Michael Dylan Brennan, Mayor**

**Passed:** \_\_\_\_\_

**Attest:** \_\_\_\_\_  
**Kelly M. Thomas, Clerk of Council**

**Approved**  
**as to form:** \_\_\_\_\_  
**Luke F. McConville, Law Director**

## memorandum

**TO:** Luke McConville, University Heights Law Director

**FROM:** Kris Hopkins, Manager of Planning Services

**SUBJECT:** University Square Blight Study Invoices

**DATE:** January 2, 2023

The last time we talked I mentioned that CT had taken more time to complete the University Square Blight Study than originally estimated. Please see the analysis below which quantifies the hours and associated fee accrued by CT between February and September 16, when we submitted the final report. My apologies on the delay in sending you this summary. I would like to set up a time to discuss the summary with you and the best way to proceed.

CT has generated two invoices for this project, summarized in the table below and attached for your review. The first invoice was issued in April for initial work completed in February. The second invoice with the overage includes work completed between March and September 16, when the final report was emailed. An explanation of the work completed is provided following the summary of invoices.

Summary of Invoices				
Invoice #	Dates of Service	Hours	Fee	Total
<b>Invoice No 1</b>	Feb 1 – Feb 28, 2022			
Planner 3		8.5	\$1,303.39	
<b>Total</b>		<b>8.5</b>		<b>\$1,303.39</b>
<b>Invoice No 2</b>	Mar – Sept 16, 2022			
Planner 3		34.5	\$5,290.23	
Planner		50	\$5,232.00	
<b>Total</b>		<b>84.5</b>		<b>\$10,522.23</b>
<b>Grand Total</b>		<b>93</b>		<b>\$11,825.62</b>

As noted in the General Work Description table below, the invoiced amount exceeded the budgeted amount by \$3,835.62 due to unexpected costs related primarily to two issues: the quantity of Fire Department reports received about two weeks before finishing the report, and



extent of research and data analysis required for the Core Retail Building due to the number of 'buildings' and store fronts involved.

General Work Description	Hours	Fee
Garage Repair Documentation	17	\$1,778.88
Fire Dept Reports <sup>[1]</sup>	30.5	\$3,410.67
Other Data Analysis <sup>[2]</sup>	24	\$3,339.26
Site Visit	7	\$1,073.38
Report Writing	14.5	\$2,223.43
<b>Total</b>	<b>93</b>	<b>\$11,825.62</b>
<b>Budget Amount</b>		<b>\$8,000.00</b>
<b>Over Budget</b>	<b>~30</b>	<b>\$3,825.62</b>

Areas that contributed to the overage:

<sup>[1]</sup> Fire Department Reports: On September 1, 2022, CT received 559 separate pdf reports for 11 different stores plus reports for the common area. This required reviewing and sorting through the Fire Department reports to find and analyze those relevant to the Blight Study.

<sup>[2]</sup> Included multiple 'building' records for 721-01-001 Core Retail Parcel.



Send payments to: Attn: Lockbox  
CT Consultants  
8150 Sterling Court  
Mentor, OH 44060  
phone: 440.951.9000  
acct@ctconsultants.com

Fed ID #34-0792089

Luke McConville  
Law Director  
City of University Heights  
2300 Warrensville Center Road  
University Hts., OH 44118

March 31, 2022  
Invoice No: 220163 - 1

Project 220163 University Heights/University Square Blight Study  
Services are in accordance with the Proposal dated February 7, 2022

**Professional Services through February 28, 2022**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Planner 3	8.50	153.34	1,303.39	
Totals	8.50		1,303.39	
<b>Total Labor</b>				<b>1,303.39</b>
		<b>Total this Invoice</b>		<b>\$1,303.39</b>

Email mcconville@nicola.com  
Kris Hopkins/dar



Send payments to: Attn: Lockbox  
CT Consultants  
8150 Sterling Court  
Mentor, OH 44060  
phone: 440.951.9000  
acct@ctconsultants.com

Fed ID #34-0792089

Luke McConville  
Law Director  
City of University Heights  
2300 Warrensville Center Road  
University Hts., OH 44118

October 31, 2022  
Invoice No: 220163 - 2

Project 220163 University Heights/University Square Blight Study  
Services are in accordance with the Proposal dated February 7, 2022

**Professional Services through September 30, 2022**

	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>	
Senior Planner	10.00	104.64	1,046.40	
Planner 3	34.50	153.34	5,290.23	
Planner	40.00	104.64	4,185.60	
Totals	84.50		10,522.23	
<b>Total Labor</b>				<b>10,522.23</b>
		<b>Total this Invoice</b>		<b>\$10,522.23</b>

Email mcconville@nicola.com  
Kris Hopkins/dar