

**COUNCIL MEETING MINUTES
CITY OF UNIVERSITY HEIGHTS, OHIO
MONDAY, FEBRUARY 22, 2022**

Mayor Michael Dylan Brennan called the meeting to order at 7:02p.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
City Engineer Joseph Ciuni
Housing and Geoff Englebrecht
Economic Development Susan Drucker
Service Director Jeffrey Pokorny
Communication and Civic Engagement Michael Cook

Approval of Council Minutes:

Council Meeting February 7, 2022

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD for the passage of the February 7, 2022 Council Minutes as presented. On roll call, all voted “aye.”

Additions and Removals from the Agenda; Referrals to Committee

MOTION BY MRS. WEISS, SECONDED BY MRS. SAX to remove agenda item “c” from the agenda per the discussion at the previous Council Committee of the Whole meeting. On roll call, all voted “aye.”

Mr. Gould stated that he understood that agenda items “d” and “g” could be referred to committee without affecting either the Lexipol subscription or any pending applications for grant opportunities so he would like the opportunity to discuss those in committee. Mr. Gould added that he also discussed with the chiefs the referral of agenda item “d” to committee as neither of them have not provided their input regarding that item in committee session.

MOTION BY MR. GOULD, SECONDED BY MR. KING to refer agenda items “d”, “g” and “h” to the Safety Committee for discussion. On roll call, all voted “aye.”

Comments from Audience

Bert Seibert, 2645 Whiton stated that he was happy the City Council is taking up the topic of recycling again and noted that he was in favor of the city supplying residents with recycling bins.

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

Mayor’s Report

Tonight, I want to talk in my report about the budget. Since the Finance Committee meeting, I have refrained from public comment until this evening. However, there are proposed cuts from the Council

Finance Committee that I want to address on the record. Starting with the cut to purchase the recycling carts.

When I introduced recycling modernization in the 2022 budget, I received overwhelming support for the change from our residents.

According to the 2020 Annual Report & Residential Recycling Report of the Cuyahoga County Solid Waste District, University Heights recycles just 5% of its solid waste. That's the third worst in the County among suburban cities in this county. Last week I received the figures for 2021 for our city, and that figure dropped in 2021 to 4%.

As a city we simply do not provide the infrastructure to recycle effectively. We do not provide our Service Department employees the equipment they need for effective pickup (much cardboard pickup is thrown away since there is nowhere to put it), and we still require our residents to use single use blue plastic bags. Those bags are torn open and thrown away at the Materials Recovery Facility. And University Heights pays a 50% premium for service of handling single-use bags – that's costly, both for the environment and for operations.

Those blue bags don't hold cardboard easily either. So, we require residents to both flatten cardboard boxes and tie them together with twine, to better allow our service employees to handle.

Why? Because all residential recycling is placed in two small fixed bins on the front of the rubbish scooter. City employees drive those scooters up the driveways and into the backyards and place those recyclables in those bins. If the cardboard isn't tied or – even if it is tied – if it doesn't fit in those two small bins, then it ends up in the hopper on the back of the scooter with the rest of the trash. Once the cardboard is back there, it is trash and it won't be recycled.

Currently we bid our recycling with the East Side Consortium, a group of east side suburban cities that bid together for rubbish and recycling processing. We all drop off our recyclables to Kimble's MRF in Twinsburg. Consortium cities pay \$69 a ton for processing of loose recycling, and \$96 a ton for bagged recycling. This last contract was the first time the bidding MRFs charged for recycling, as well as the first time they charged a premium rate for handling bagged recycling.

The Solid Waste District has advised us that future bids for recycling processing likely will not include a bagged processing option. Without it, our city must be ready and have transitioned to loose recycling, or our program will end, for want of a bidder for our bagged recyclables.

We are nearing the end of our contract. It expires this year, on Sept 30, 2022. While the contract provides for an option year, that is only on mutual agreement of both the City and our recycling contractor. That said, the East Consortium cities are expected to not exercise the option and go back out to bid, as the recycling markets have rebounded.

For example, Chagrin Falls Village has a market-based rate, and is now *receiving* over \$16/ton for recycling, while University Heights *pays* \$96/ton – a \$112 delta. And without throwing away thousands of single use plastic bags every week – as Chagrin Falls has loose recycling, picked up from residential homes out of carts like the ones I have proposed for our city.

When the East Side Consortium cities go back out to bid, we do not expect an option for bagged recycling. At this rate, if we have not transitioned, and if we lack mutual agreement to exercise the option to extend, we will not be ready. Our residential recycling pickup program will be incompatible and will end.

If it ends, it will end because we failed to transition and keep up with the times.

The people want better recycling. Not an end to the residential recycling pickup program. The cuts by the Finance Committee may result in the end residential recycling pickup in University Heights, possibly as soon as this October. That is what is at stake in cutting the recycling carts from the 2022 budget. There is still time to fix this.

I know we all have the city's interests at heart. I've heard members of the council say they support recycling. We do that not with words, but by funding a solution. I am not going to address in this report all the cuts. I will address two more.

With respect to the proposed cut to eliminate the senior services position, I would note that our city does very little for our seniors by any measure. We do not have a full-time recreation or activities director to fold that responsibility into. I am open to other ideas, of course, and I would ask that the Community

Outreach committee take up this issue and explore alternatives. If one is found that has a budgetary impact, I hope the Finance Committee takes up the issue again this year, and makes an adjustment.

Finally, I would touch on the elimination of the City Planner position from the budget. The City Planner is essential for projects here at the City. Projects like the Cedar Road project, the Comprehensive Zoning Code update, grant writing, and more. While the management of the Cedar Road project is now being handled by ODOT, after consulting with members of administrative staff, I am concerned about the viability of proceeding with the Zoning Code Update without a City Planner on staff to work with the consultants as we redevelop our city in a thoughtful way, the presence of a planner on staff, as we had in Brendan Zak in 2020, is essential to a successful process. We should all recall that the last time the city attempted a comprehensive rezoning, the process failed. I want to be sure we give ourselves every chance to ensure a successful process. The restoration of the City Planner position, will help promote that.

Coming up later this week:

GPD Group will present on the Municipal Facilities Study this Thursday at 6pm at the Committee of the Whole, here at Wiley and online via Zoom. All of this being done in order for municipal departments to better serve the community and to make the site of municipal operations a true center of the community year-round.

Coming up next week:

Sauce the City will have its grand opening at the Cedar-Green plaza this Monday February 28th at noon. I will be there for the ribbon cutting, happy to welcome Chef Victor Searcy Jr. and his staff to the City of University Heights. With the Ohio City location now closed, University Heights will be THE home of Sauce of the City in Greater Cleveland. Thank you. This concludes my report.

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

Mrs. Weiss reported that the Service and Utilities Committee had an excellent first meeting with a speaker who discussed recycling. There was also a discussion regarding community gardening. As Mayor Brennan said, the Council of the Whole will have the first of many facility meetings this week on Thursday. Mrs. Weiss thanked the Finance and Finance Advisory Committee for referring the Budget to Council for approval, the committee had unanimously approved the Budget to go to City Council for a vote. Mrs. Weiss also thanked the lay Finance Advisory Committee for their input during that process and although the committee would have liked to approve everything the Mayor proposed, the fact is that the City's operating budget does not generate enough revenue to sustain all of the requests. Because of that the Finance Committee will be holding Strategic Planning meetings to begin the process of planning for the future and additional revenue streams over the next few months. The committee kept the commitment to road resurfacing scheduled, as well as the Cedar Road project. Council is looking forward to new signage for the city, a comprehensive zoning code review will begin shortly, ongoing facility assessments will provide a path forward to facilities planning. Also kept in the budget was a prudent reserve of 15 percent of the General Fund as well as additional unrestricted funds for future facility assessment needs in the upgrading the infrastructure and the hiring of an outside IT firm will be new additions to the city. Hiring a human resource company to assist in human resources issues will ease the burden of the Finance Department's workload. Almost 100% of all Capital Expenditures, including all new vehicle purchases were approved.

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

A. Motion to Approve Citizen Director to the University Heights City Beautiful Corporation

Mayor Brennan asked for a motion to go into Executive Session to discuss this appointment.

MOTION BY MR. KING, SECONDED BY MR. COONEY to enter into Executive Session to discuss.

Mrs. Sax asked for clarification if this was an option to enter into Executive Session because it was an employee situation that would be discussed.

Mr. McConville explained that this would be a technical exception where it was an appointment of a public official by council. This was one of several eligible categories with respect to which Council can conduct discussions in executive session.

Mr. Gould asked Mr. McConville if it was his legal opinion that the appointment of an individual to the city's CIC non-profit makes that individual a public official?

Mr. McConville replied yes and added that Chapter 1724 indicates that the Community Improvement Corporation (CIC) is a public entity and that it must publicly post its meetings. Furthermore, it must invite the public to those meetings. There are circumstances in which the CIC can conduct negotiations and other activities in Executive Session that the City cannot but nevertheless it's a public entity.

Mr. Rach stated that he was confused, because Council makes motions to appoint members to the Planning Commission and to the Board of Zoning Appeals and he did not remember them ever going into Executive Session to discuss those candidates.

Mr. McConville replied that he did not know if Council had gone into Executive Sessions to discuss those appointments, but Council has gone into Executive Session for example to interview candidates for positions such as the Law Director.

Mr. Rach stated that it was his understanding that this item was ready for a vote and that the interview process was completed and ready for the selection.

Mr. McConville said that he could not comment on Mr. Rach's statement, but in the future if members of council wished to have Executive Session for discussions regarding a City Board appointment that would be permissible.

On roll call, all voted "nay" except Mr. Gould and Mr. King who voted "aye."

Motion to enter into Executive Session failed.

Mrs. Weiss amended the motion to include that the term would be for a period of three years.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to appoint Winifred Weizer to the University Heights City Beautiful Corporation for a Period of three years.

Mrs. Weiss also noted that Council needed to appoint two Council members to the CIC and asked if that could be added to the agenda. Mr. McConville replied that was appropriate.

Mayor Brennan reiterated his interest in entering into executive session to discuss the appointment of Winifred Weizer to the CIC. But because the vote failed he would make his opinion known in open session.

Mayor Brennan stated that he had voiced his reservations of appointing Winifred Weizer to the University Heights City Beautiful Corporation for numerous reasons. First and foremost, the record that Ms. Weizer has had on this body is one that merits looking in another direction for continued citizens representation on the CIC.

Mr. McConville interrupted the Mayor and suggested that council reconsidered their motion to enter into executive session. Notwithstanding anyone's opinion, Ms. Weizer has served the public and Mr. McConville felt that unless she wanted to articulate something to the contrary, by having this discussion in public Mr. McConville was not sure it was worthy of her service as a public servant and that it troubled him airing this discussion in public unless Ms. Weizer was okay with it.

Mayor Brennan agreed with Mr. McConville's statement, adding that he wanted an opportunity to be heard in executive session because this discussion is distasteful to have in a public forum.

Mr. Gould stated that he had spoken with Ms. Weizer regarding the anticipated conversation that could be held on the record and also about the possibility of entering into executive session for the matter. In answer to Mr. McConville's concerns, Mr. Gould said it was his understanding from talking to Ms. Weizer that she welcomed the opportunity to hear the public criticisms being lodged against her and was prepared to respond accordingly.

Mayor Brennan noted his agreement that the discussion would be distasteful, but that he believed that he was being placed in a position where if he is to be heard on this then it must be done publicly and that is disgraceful for all the reasons that Mr. McConville previously stated. Any yet Mayor Brennan believed that for the record things need to be shared with the Council and if then they choose to disregard these observations then they will do as they will with the proposed appointment. One of the things he wanted in a citizen representative, and to be clear, is not a yes person. That person should bring

independent judgment, be someone who comes at that with good faith and is a valuable contributor to the CIC. Mayor Brennan said that no one was disputing Ms. Weizer's credentials or that she has an independent voice. However, Mayor Brennan said he was troubled by the fact that when the CIC made the decision to proceed with the townhome project, something which Ms. Weizer supported at the time when the project was before the CIC, that afterwards in public Ms. Weizer was a vocal critic of that project. Ms. Weizer undermined confidence in that project while acting as if she did not have a seat at the table where she supported the project, she had a voice on the matter and a hand in the decision to proceed with the townhomes. Mayor Brennan said that he found that to be duplicitous and dishonest. Ms. Weizer did not have to agree with all of the decisions of a particular body, but once a decision has been made and she had decided in an affirmative, the idea that she would undermine the work of the CIC with her unfair and unfounded criticism is not conduct becoming for reappointment to this position. Similarly, there was a situation with regards to the Ashurst rain garden where, like any one can do, Ms. Weizer missed a meeting. But Ms. Weizer could have provided input in advance of the meeting as to her opinions and observations on that property, and those comments would have been read at the meeting prior to her whipping up the street against the CIC and acting as if she was not a part of it or didn't have other means to help reverse a decision that in that particular neighborhood was viewed unpopularly. And while the CIC did make the decision ultimately to reverse course and it was worked out with the builder where there was an agreement and signed contract to transfer that parcel, a parcel which incidentally was still then a U-1 parcel for a single-family home. Mayor Brennan said that was another instance where he felt that Ms. Weizer had done a disservice to the organization and had not faithfully discharged those responsibilities by acting sooner and acting with more tact. There were other instances outside and beyond the CIC that Mayor Brennan found troubling. When the Strategic Planning Commission resumed meetings, the last meeting was held in July 2021 and at that meeting the sole item on the agenda was a presentation by Ms. Weizer and Ms. Weizer gave a PowerPoint was exhibited to the public, thus making the presentation a public document. At the conclusion of the meeting the City's Economic Development Director asked Ms. Weizer for a copy of the presentation and Ms. Weizer declined to provide it. Mayor Brennan said that the next day Vice Mayor Weiss asked him if he would be willing to meet with her, Ms. Weizer and Chief Perko to discuss the proposed outcome-based budgeting per Ms. Weizer's presentation. Mayor Brennan said that he replied to the email chain (that Ms. Weizer was also a part of) that he would like an opportunity to review the presentation again before committing to that meeting and asked for a copy. Mayor Brennan said he got no response from Ms. Weizer and certainly did not receive a copy of the presentation. Ultimately, the City's Clerk of Council, Mrs. Thomas asked Ms. Weizer for a copy of the presentation and she was informed that the flash drive allegedly containing the presentation had been damaged and the files were now unattainable. Now the city is in the position where a public document was created and was withheld by the person who created it, it was withheld after two requests for it and then on the third request somehow the document had been destroyed, lost or corrupted. Approximately four to six weeks later a reconstituted document was provided, that document may or may not have been the document because it did not look like the same one based upon the Mayor's recollection of the meeting. Mayor Brennan noted that Ms. Weizer's credentials were mentioned earlier and given her profession as a lecturer at a local college nobody knows better than she about what one must do to protect a public document because she teaches students about those responsibilities. Mayor Brennan said he was most disappointed that the content of a public record was lost, mishandled, seemingly destroyed and perhaps not even produced, that speaks to her judgment. For all those reasons Mayor Brennan believed that the council and city would be well served to look elsewhere for this appointment. There are other people in the city who may not be aware of the CIC, its works or of the opening on the board. Those persons could be approached, recruited or advised that there is an opening and informed on how to get more information or apply. Mayor Brennan again stated that he regretted having to go through all of that on the public record because he felt it was distasteful and that he wished council would have allowed him the courtesy to express those things in executive session.

Ms. Weizer commented that when Councilman Gould voiced his concerns about the possible discussion she informed him that she had an idea of what the Mayor would be saying. This would provide her with an opportunity to correct the record and to appropriately state the facts. Ms. Weizer commented that the Mayor's recollection that she missed a meeting was incorrect because when the Ashurst residents appeared before the CIC she was there. But, what the Mayor left out was that when the CIC started to do infill, she was the Director that argued that the CIC was not notifying anyone on either side of those lots and those are the residents who's lives are turned upside down every time the CIC does something. Ms. Weizer argued that the CIC needed to have that as a standard and thanked Councilman Gould, who also served on the CIC at that time for changing the bylaws to ensure residents would be notified. Ms. Weizer stated that she thought it was the resident's representative's responsibility to make sure those things were done and the reason she pushed for the Ashurst residents to be heard was because she was

contacted by one of the residents who said they were never notified and those discussions had already been had. Ms. Weizer said that she did not make the decision to pull that lot nor did the Mayor make that decision, it was council's decision. Council has the ultimate authority on what the CIC does. With regards to Ashurst, Ms. Weizer said that when she argued about having those items placed in the bylaws the Mayor informed her that his vision was to ensure that every empty lot in University Heights had an infilled house on it and that was what was going to be done. Ms. Weizer said that she was supportive of the Mayor's vision, but that she also thought that the CIC also needed to care for the people who live next door to those homes and have paid the freight for the city. For instance, when the house on Tullamore was being built the neighbors received a knock on their doors and was told to move their cars out of their driveways and to park them on the street. Those residents ended up having to leave their cars on the street for almost a month because the foundation of the new house was being laid. Ms. Weizer said that the neighbors were also told by the contractor that they (contractor) could do anything they wanted to do on the neighbor's property because the City told them they could. Those are the kind of issues that are problematic and things that the neighbors have to go through. As far as the Taylor Road townhouses, Ms. Weizer stated that she was not in any way against the townhouses on South Taylor Road, she thought they were a good idea. But, the CIC needs to remember that they are providing developers with land as a reduced price to be able to induce them to develop the land. That means the city has the responsibility or should have to get the best possible deal. Ms. Weizer said it seemed to her that in the planning definition that Councilman Rach made an excellent argument regarding the fact that they were totally building the lot without any visitor parking spaces. If somebody wants to do a deal where the city has enhanced their profit that much, then the city should be able to get a few visitor parking spaces out of that deal. The city has to stop being afraid that there is only one developer, there are two other developers. Cleveland Heights does not use the same one as University Heights does and there is a third developer floating out too. Those are important things that the CIC has not even considered. Ms. Weizer referred to a back and forth discussion she had with Mayor Brennan on Messenger. During that discussion Ms. Weizer said that she pointed out that the resident director on the CIC comes in with their hands tied behind their back because a lot of the pre-discussion that happens for things that move into the CIC happen in Council executive sessions and the resident CIC director is not part of that. The resident CIC director is provided plans when things hit the CIC agenda, so Ms. Weizer did not think it was inappropriate and even probably good. In response to the Mayor's comments about Ms. Weizer's PowerPoint presentation, Ms. Weizer said that if the Mayor had played the tape of the presentation he would have seen that the copy of the presentation she provided was basically the same because she based it on the printouts she made of the presentation. Ms. Weizer added that she did not receive any type of payment from the city for her presentation that she provided it on a volunteer basis. Ms. Weizer said that she emailed the City's Law Director, Mr. McConville replied to her email and stated that she was in no way shape or form in any violation of anything. Ms. Weizer spoke of her support of Mayor Brennan when he first ran for Mayor because he had a vision and talked about transparency and resident rights, but in the two years of the CIC Ms. Weizer see the Mayor running away from some of those things. In regards to the CIC Ms. Weizer said that she personally felt strong about community improvement corporations as they are critical for cities such as University Heights but they can also become problematic because they work outside of the public eye. Ms. Weizer said she has a lot to bring to the CIC one because she is not the average citizen, she like to read government finance journals and the American public works association monthly magazine, she also teaches municipal budgeting.

Mr. Gould spoke to the issue of the Ashurst raingarden and the Tullamore new home build issues. The Tullamore issue was in regards to the contractor telling the neighbors that they could not park in their own driveways, etc. and Ms. Weizer said that issue could have been avoid by just openly communicating with the contractors and residents who would be affected by the construction prior to the construction starting. Currently neighborhood meetings are held prior to construction so that the neighbors are made aware of timelines, etc. for the project. Prior to the Ashurst project, Vice Mayor Weiss had asked if notification had been made to the neighboring residents and the answer from the administration was yes, there had been notification. Based on that representation and understanding that the neighbors had been notified, Council voted to proceed with the infill and then a resident who had been sitting in their home saw someone measuring the rain garden and she asked them what was going on, it was not until that point that the neighbor knew what was going on. So, it was not Ms. Weizer, it was the resident from Ashurst who spoke out against the proposed Ashurst project. It was that neighbor, Mrs. Gilbert who said in her statement to the media that she was furious with the administration for what they had done. Mr. Gould noted that Ms. Weizer was present at the CIC's June 11, 2020 and referred to the minutes where it was noted that Mrs. Gilbert stated that she was really unhappy with the notification process because when the pocket park was being built the neighbors were able to be a part of the process but now that the rain garden was being destroyed the residents were not a part of it. Mr. Gould stated that

the June 11th minutes also stated that there was discussion and that the City's Development Director, Mrs. Drucker stated that the lack of notification to the neighbors was due to an oversight of the Board and the lack of a secretary at the time of the original decision by the Board. As a result, the City's Law Director Mr. McConville drafted an amendment to the CIC bylaws to say that in the future when the CIC gives over a piece of property the residents in the neighborhood would be notified. The Ordinances of the City were also changed where public notification is required prior to Council transferring over any piece of property to the CIC, again this supports Ms. Weizer's statements regarding notification and the lack of notification to residents in these types of instances. Mr. Gould added that Ms. Weizer passionately argues for the citizens of University Heights in her role as resident director of the CIC and can be critical of not just the Mayor, the administration but also others who are on the CIC. Those criticisms have resulted in the changes that Mr. Gould mentioned and for those reasons Ms. Weizer had Mr. Gould's support in her continuing her role as resident director of the CIC.

Mrs. Weiss added that with the amount of historical knowledge that Ms. Weizer has the City is fortunate to have her on the CIC and in general as a servant leader of the community. Mrs. Weiss said that Ms. Weizer is an asset to the CIC and has her full support.

Mrs. Blankfeld agreed with Mr. Gould and Mrs. Weiss and added that Ms. Weizer has exceptional historical knowledge which is very important. Furthermore, where the CIC may think it is doing something right and the intentions are well, Ms. Weizer is able to provide sound reasoning as to why it may not be the best course of action and offer sound suggestions. Mrs. Blankfeld said that Ms. Weizer should continue her role on the CIC for the benefit of the residents.

MOTION BY MRS. WEISS, SECONDED BY MRS. BLANKFELD to appoint Winifred Weizer to the University Heights City Beautiful Corporation for a Period of three years. On roll call, all voted "aye."

MOTION BY MRS. WEISS, SECONDED BY to appoint two members of City Council to the City Beautiful Corporation.

Added item: Appoint two members of City Council to the City Beautiful Corporation

Mayor Brennan opened the floor up of nominations to the City Beautiful Corporation.

Mr. Gould nominated Mrs. Sax as a Council representative to the City Beautiful Corporation for a term on three years. Mr. Gould's nomination was seconded by Mrs. Weiss and Mrs. Sax accepted Mr. Gould's nomination.

Mrs. Weiss nominated Mr. Gould as a Council representative to the City Beautiful Corporation for a term on two years. Mr. Gould's nomination was seconded by Mr. King and Mr. Gould accepted the nomination.

Mr. Gould added that in the year 2024 Council would make an appointment for a three-year appointment.

There were no other nominations from the floor.

MOTION BY MR. GOULD, SECONDED BY MR. RACH to close the nominations from the floor.

MOTION BY MR. GOULD, SECONDED BY MRS. WEISS to nominated Mrs. Sax as a Council representative to the City Beautiful Corporation for a term of three years. On roll call, all voted "aye."

MOTION BY MRS. WEISS, SECONDED BY MR. KING to nominated Mr. Gould as a Council representative to the City Beautiful Corporation for a term on two years. On roll call, all voted "aye," except Mr. Gould, who "abstained."

- B. Ordinance 2022-09 Authorizing the Mayor to Enter into a Contract with the State of Ohio, Department of Transportation for the Resurfacing of Cedar Road between South Taylor Road and Fenwick Road and between Miramar Boulevard and South Green Road and Authorization of Payment of the City's share of costs and expenses thereunder, and Declaring an Emergency (on second reading)**

Mr. Rach stated that this was discussed in committee and that he supports this legislation.

MOTION BY MR. RACH, SECONDED BY MR. GOULD for the passage of Ordinance 2022-09 Authorizing the Mayor to Enter into a Contract with the State of Ohio, Department of Transportation for the Resurfacing of Cedar Road between South Taylor Road and Fenwick Road and between Miramar Boulevard and South Green Road and Authorization of Payment of the City's share of costs and expenses thereunder, and Declaring an Emergency. On roll call, all voted "aye."

- C. Ordinance 2022-12 Providing for Submission to the Electors of the City of University Heights A Propose Amendment to the Charter to Amend Article 3 Section 5 Relating to Council Procedure, to Provide that Council Meetings and Other Public Meetings can be Held Live by Teleconference, Videoconference or Similar Technologies, and Providing for Executive Sessions with Legal Counsel, and Declaring an Emergency (on emergency)**

Ordinance 2022-12 was removed from the agenda.

- D. Ordinance 2022-13 Enacting Codified Ordinance Section 1280.13 Entitled "Manufacture, Distribution and Sale of Fireworks Prohibited" (on first reading)**

Ordinance 2022-13 was referred to the Safety Committee.

- E. Ordinance 2022-14 Resolution of Necessity Declaring the Intent to Appropriate and Acquire the Fee Simple Interest in Certain Real Property Titled to University Square Parking LLC, known as 14060 Cedar Road, bearing Permanent Parcel No. 721-01-003, City of University Heights, County of Cuyahoga, State of Ohio, as more fully described herein, for the Purpose of Eliminating Blight**

Mayor Brennan stated that clarification on the record there was a prior resolution of necessity with regard to the core retail parcel that went up on two readings and was passed. This resolution of necessity deals now with the parking garage parcel.

Mr. Gould stated for the record that he would review the comments he made regarding the specific types of blight found at this retail parking garage and that he also supports this legislation.

Ordinance 2022-14 was placed on first reading.

- F. Ordinance 2022-15 Permanent Appropriations for Current and Other Expenditures of The City of University Heights, Ohio for the Period Commencing January 1, 2022 and Ending December 31, 2022 (on first reading)**

Mr. Kennedy stated that the expenditures represented the recommendations made at the Finance Committee meeting.

Mr. King commented that this was his first time going through the City's budget process and that he had some concerns that he wanted to express. Mr. King said that he expected the decision-making process would be would occur during the actual Joint Finance/Finance Advisory public meetings. Cuts to the budget had appeared to already have been made prior to the start of the last meeting. Members of the advisory committee expressed that they were not consulted on the decisions. Mr. King noted that he

was also disappointed that the opportunity to reform the city's recycling program was not given more consideration. The current method of collection is not delivering satisfactory results and proposed changes that have aligned more closely with the best practices followed by other communities. The city needs to reform its programs or the city may soon find itself in a situation where the blue bagged recyclables will not be accepted. There are a series of Service/Utilities Committee meetings to evaluate the recycling program and Mr. King said that he hoped that those meetings will take a deep dive and ensure all options. Mr. King added that he was hopeful that a more effective method of recycling collection will be revisited later in the year.

Ordinance 2022-15 was placed on first reading.

G. Approval of Lexipol Invoices from Police and Fire Departments in the amount of \$25,483.96

- 1. Police Department – two invoices \$13,049.96 & \$1,966.50 Totaling \$15,016.46**
- 2. Fire Department – invoice totaling \$10,467.50**

This item was referred to the Safety Committee for discussion.

H. Motion to Approve Fire Department Applying for Grant Opportunities Related to Public Safety During FY 2022

This item was referred to the Safety Committee for discussion.

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

There was no need for Executive Session.

Director's Reports

Finance Department – Mr. Kennedy reported that the Auditors were on premise to begin working on the City's financial audit. The CIC will need to meet to review various invoice and approve the engagement letter for the audit of the CIC.

Law Department – Mr. McConville stated that the County Board of Elections provided their proof of what the voters will see on the upcoming ballot in regards to the Ordinance that Council passed calling for an amendment to the Charter relating to the Civil Service Commission 1-3 rule.

Communication and Civic Engagement – Mike Cook reported that the new issue of the Mosaic will be out soon.

There were no other director reports.

Standing Council Committees:

Building and Housing – Mrs. Blankfeld stated that the committee will be meeting.

Economic Development – Mr. Rach reported that the committee will begin to meet this year once a company has been contracted to review the City's zoning code.

Safety Committee – Mr. Gould reported that the Council agenda items that were referred to committee will be on the 6pm March 7th committee agenda.

Service Committee – Mrs. Sax reported that the first service and utilities committee meeting of 2022 was held both in person and virtually on zoom on Wednesday, February 16th where there was a presentation given by Karen Miller on how to properly recycle. Mrs. Sax recommended that residents go to www.cuyahogarecycles.org to get additional information on recycling. That meeting also had a discussion on having community gardening. Going forward, the first set of meetings will have priority goal of addressing the recommendations of the May 2020 solid waste study in the order in which they appeared to support the most appropriate outcome. The purpose of the study was to analyze the current

method of rubbish collection in an effort to identify resident's preference to achieve a more cost-effective method and improve sustainable outcome for rubbish collection. The first recommendation is education awareness and program promotion. Specifically pertaining to the various forms of rubbish including solid waste and the variety of available local sustainable alternatives and options. This was made known in public meetings in the almost two years when that solid waste study was presented.

Council Committee of the Whole – Mrs. Weiss stated that Council will have their Retreat Meeting on March 10, 2022 at Shaker Lakes.

Reports of special committees, and the taking of action thereon

None

Unfinished and miscellaneous business

None

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

There being no further business, the meeting was adjourned at 8:41p.m.

Michael Dylan Brennan, Mayor

Kelly M. Thomas, Clerk of Council