



SHAKER HEIGHTS

**SAFETY AND PUBLIC WORKS COMMITTEE MINUTES
FRIDAY, MARCH 6, 2020
8:00 AM
FIRE STATION 1**

Members Present: Robert Zimmerman, Council Chairperson
Sean Malone, Council Member
Carmella Williams, Council Member
Jonathan Hren, Citizen Member
James Sammon, Citizen Member
Kimberly Harris, Citizen Member
Patricia Speese, Director Public Works
Patrick Sweeney, Chief of Fire
Jeffrey DeMuth, Chief of Police

Others Present: Mayor David E. Weiss
Jeri Chaikin, Chief Administrative Officer
William Gruber, Director of Law
James Health, Assistant Fire Chief
Kelly Baker, Recording Assistant
Barbara Bradley, League of Women Voters
Samson Aklog, Citizen

The meeting was called to order by Council Chair Robert Zimmerman at 8:03 am.

Council Chair Zimmerman started the meeting stating that Safety and Public works was his first committee he ever chaired and feels like he came back to where he began. He stated that at this time not everyone was present so the Minutes from October and December could not be approved and he defer them until more members were present. He moved down the agenda to item number four.

City Hall Fire Alarm Replacement – Additional Funds

Patricia Speese, Director of Public Works

Director Speese started by saying the City Hall Fire Alarm Replacement is a very important project that the Fire Chief will agree on. She explained that when this was first sent out to bid, all the bids came back higher than the engineer's estimate. We went to council for additional funds and was appropriated in the 2020 capital budget. The second time we put it out to bid the bids came back higher than prevailing wage project. The lowest bid exceeded the State of Ohio's threshold of \$75,000 for prevailing wage. She explained that prevailing wage is something that the Ohio Department of Commerce regulates that all government agencies must abide by. The latest public bid received two bids with the lowest being \$115,000.

Director Speese requested to amend the ordinance with an increase of \$39,260. She stated this is very important in a building as old as City Hall. Last upgrade was in the 1970's. Because

requirements have changed significantly over that past 45 years we need to update the buildings fire safety system. The funds requested are in the unallocated capital fund.

Council Chair Zimmerman asked for questions or comments and said we could move forward with a recommendation without quorum.

Council Member Malone asked if there was anything that could have been done differently.

Director Speese advised that companies are very busy and really don't need the business right now and also historic buildings are not preferred projects and are very difficult to work.

Fire Chief Sweeney added that the building is about to undergo a lot of renovations and construction and this is a time when a building like this is most vulnerable. From a fire safety standpoint he feels this project is really critical.

Council Chair Zimmerman asked for a motion with the understanding that the committee can only recommend without a quorum and will advise council when it goes to council.

Motion made by Council Member Malone and seconded by Citizen Member Wren.

2020 Street Resurfacing Contractor Recommendation

Patricia Speese, Director of Public Works

Director Speese explained that the 2020 Resurfacing project was publicly bid accordingly and as you know we award to the lowest and best bid and the lowest price was Chagrin Valley Paving and the lowest and best bid was Ronyak Paving. That is part of our charter to go with the lowest and best. Our experience with Chagrin Valley Paving is that their work was fair and not good and not good to administer with a lot of problems, they did not meet expectations. Their bid was less than one percent lower than the second lowest bid we are recommending awarding it to Ronyak Paving as the lowest and best bid.

Council Chair Zimmerman asked Law Director Gruber to explain what lowest and best means.

Law Director Gruber stated that it was explained clearly by both Council Chair Zimmerman and Director Speese. We look at price but we also have to look at experience and recommendations.

Council Chair Zimmerman asked for a motion to approve Ronyak Paving as the 2020 Resurfacing Contractor. Motion was approved by Council Member Malone and seconded by Citizen Member Wren. Quorum had been met so the motion passed.

Recommendation of Permanent Gas Pipeline Easement for Dominion Energy of Ohio

Patricia Speese, Director of Public Works

Director Speese stated this item on the agenda is somewhat routine. However, the topic of conversation is going to be Warrensville Center Road for quite some time going forward because of all the work that is going to take place on this road. This easement project is in preparation for the bridge work on Warrensville at Shaker Boulevard which has been weight limited for approximately 3 to 4 years now. The county is going to replace the bridge in 2022. Currently the gas line that is attached to the bridge. They are proposing to bore directly underneath the tracks and put it underground. Public works is totally fine with this easement and is more comfortable with having it

underground. Director Speese states that they are requesting approval to enter into an easement of pipeline with Dominion Energy of Ohio.

Council Chair Zimmerman asked if the Law Director could add anything. Director Gruber stated the city looked it over and has no issues and that Dominion Energy of Ohio also has to get permission from RTA.

Council Member Malone asked how far down does the pipe go and in theory could something be constructed on top of the buried pipe. He asked if the city wanted to develop those properties would the gas line need to be re-routed.

Director Speese stated that she believes that it will be down far enough that it won't interfere with anything as far as a passive area or if any building would need to be looked at as all utilities are when we are building something major.

Council Chair Zimmerman asked for a motion to Recommendation of Permanent Gas Pipeline Easement for Dominion Energy of Ohio. A motion was approved by Citizen Member Wren and seconded by Council Member Carmella Williams. The motion passed.

APPROVAL OF DECEMBER 6, 2019 MEETING MINUTES

Council Chair Zimmerman asked if there were any questions, changes or additions to the December 6, 2019, Safety and Public Works Committee minutes. There being none, a motion was made by Citizen Member Wren, it was seconded and the minutes were approved as presented.

APPROVAL OF OCTOBER 4, 2019 MEETING MINUTES

Council Chair Zimmerman asked if there were any questions, changes or additions to the October 4, 2019, Safety and Public Works Committee minutes. There being none, a motion was made by Citizen Member Wren, it was seconded and the minutes were approved as presented.

Mayor Weiss introduced Kim Harris and asked that everyone introduce themselves

Legislation to Amend the City's Ordinances – Food, Games and Ice Cream Trucks Regulations.

William Gruber, Law Director

Director Gruber showed a power point presentation of the proposed changes to the City's ordinances regarding the regulation of Food, Games and Ice Cream Trucks. He explained that the City's laws on sales from vehicles are located in the Traffic Code, and they are very confusing and sparse. The existing ordinance is mainly focused on food trucks, and there hasn't been a huge demand for the use of them in Shaker Heights. But residents have asked about allowing Ice Cream trucks in the City. The laws are so convoluted and difficult to navigate and to follow that it makes it difficult, if not impossible, for ice cream trucks to operate in the City. So some citizens and the Mayor asked us to take a look at the ordinances regulating sales from vehicles to see what changes were possible.

Director Gruber explained how we are proposing to simplify the section of the ordinances regulating sales from vehicles, and to move most of the provisions and regulations to the Business Regulation Code. The standard regulations are being left in the Traffic Code because they are the key things for the police to look out for and allow them to ticket in order to enforce. Director Gruber went over some of the changes, such as, we changed the name of Chapter 545 from

Solicitors and Peddlers to Solicitation of Sales of Goods and Services. We are proposing no amendments to the existing provisions of Chapter 545. However, we are proposing to add an explicit prohibition on sales on sidewalks and tree lawns or other City-owned properties such as parks. Unsolicited material will be prohibited in the right of way, on vacant property, and on private property, except if ordered by the resident. Otherwise, if it is unsolicited it has to be delivered to within five feet of the door and it has to be wrapped so it doesn't blow around.

Director Gruber stated that they are creating a new chapter 546. This will be our mobile food and game vehicle chapter. The basic rules will be that no mobile food vehicles will be permitted to operate on City property or in the right-of-way except as part of a special event permit or license. Game vehicles will only be allowed for special events, and not in the right-of-way, but they may park on the street adjacent to where a private event is being held. Ice Creams trucks will be required to get a license from the police department for a \$40.00 fee.

Council Chair Zimmerman asked if there were any changes regarding materials for elections. Director Gruber stated there were not. Council Chair Zimmerman also asked if there were time restrictions to solicitors for candidates. Director Gruber said there are not time restraints if they are not asking for money. Citizen Member Sammon asked if the 500 feet restriction to food trucks being near restaurants is a common restriction. Director Gruber said they have seen others but can't say it's common. Citizen Member Harris asked if there were any restrictions on placing materials on cars. Director Gruber stated that this hasn't been addressed. Council Member Carmella Williams asked if the police will be issuing warnings to the people who may be in violation or tickets for Ice Cream trucks. Director Gruber said the police can check up on them. Chief DeMuth stated that they will warn. He stated that it would primarily be based on citizen complaints. The safety of the children is the main concern. Council Member Sean Malone asked if we get ice cream trucks will we give them a summary of what they can and cannot do. Director Gruber stated yes.

Council Chair Zimmerman asked if there were any more questions and stated that Director Gruber was looking for a recommendation to take this Legislation to Amend the City's Ordinance to Council. He asked for a motion and it was moved by Citizen Member Wren and seconded by Council Member Carmela Williams. The motion passed.

Fire Chief Sweeney explained the tradition when a new fire truck is brought into the firehouse and asked that the Safety and Public Works Committee members participate in pushing the new fire truck into the station.

Meeting adjourned at 8:55 am.

Handwritten signature of Robert Zimmerman in blue ink, with a horizontal line underneath.

Robert Zimmerman, Council Chairperson
Safety & Public Works Committee