



SHAKER HEIGHTS

COUNCIL MINUTES

April 22, 2019

The Council of the City of Shaker Heights met in regular session at 7:31 p.m., Mayor David E. Weiss presiding.

Council members present: Mrs. Senturia, Ms. Williams
Mr. Williams, Mr. Zimmerman
Mr. Malone, Mrs. Moore, Mr. Roeder

Council members absent: None

* * * *

It was moved by Mrs. Moore, and seconded by Ms. Williams, that the minutes of the regular meeting of March 25, 2019, be approved as recorded.

Roll Call: Ayes: Mrs. Senturia, Ms. Williams
Mr. Williams, Mr. Malone
Mrs. Moore, Mr. Roeder
Abstain Mr. Zimmerman
Nays: None

Motion Carried

* * * *

Audio of this meeting may be found [here](#) through July 22, 2019.

* * * *

The Mayor invited members of the audience to comment on any of the agenda items.

No comments were offered.

* * * *

Ordinance No. 19-33, by Mrs. Moore, accepting a proposal and authorizing a personal services contract for professional construction administration and inspection services with Greenman-Pedersen, Inc., in the total not to exceed amount of \$233,949, for the Warrensville Center Road Streetscape Improvements Project, and declaring an emergency.

Joyce Braverman, Director of Planning, stated that this recommendation is to enter into a professional services contract with Greenman-Pederson Inc. (GPI) for construction inspection and administration for the Warrensville Center Road multi-purpose path and streetscape project. This consultant is required by the Ohio Department of Transportation (ODOT) when federal funding is involved in the project, which it is. They will act as the City's onsite construction manager and full time inspector. The primary activities of this job include concrete sidewalks, lighting, asphalt pavement, ADA ramps, landscaping and signage. The path goes from Scottsdale on Warrensville to Farnsleigh down to Thornton Park. The City posted a request for qualifications (RFQ) on the ODOT website per their rules and regulations, and received six letters of interest. A selection committee reviewed the letters, ranked them, and interviewed the top two firms. This ODOT process is based on qualifications and then they request a price proposal from the top consultant. GPI was selected and we received a price proposal in the amount of \$233,949, a few dollars less than our budgeted estimate of \$234,000. The funding sources for the streetscape project include a NOACA grant of \$1.5 million, a state capital grant of \$490,000, and the City's match of \$476,500 contained in the Van Aken district capital fund. The main job of this inspector is to be onsite every day and monitor the construction. We recently bid the construction work which should start this June. This item is requested as an emergency and with a suspension of the rules in order to start construction in June.

Council member Mrs. Moore stated that this item was reviewed and supported by the Safety and Public Works Committee although the bids were not in at that time. The specifications are required by ODOT so there was not a lot of leeway.

Council member Mr. Malone stated that this item was reviewed and supported by the Finance and Administration Committee. The primary questions were when the project would occur and the cost proposal. Hopefully, the bulk of the work will be completed this year.

Director Braverman stated that some landscaping could take place next year.

Council member Mr. Zimmerman asked about the bidding procedure and clarified that ODOT governs the bidding process, although they did not participate in the selection process.

It was moved by Mrs. Moore, and seconded by Mr. Roeder, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 19-33 be placed upon its final enactment.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Roeder, that Ordinance No. 19-33 be enacted as read.

Director Braverman stated that it is located at the back of the property next to two houses. It is marked as Parcel A on the map that was distributed. The original School District property is made up of several residential size lots. The School District will design a playground and community park. They have meetings scheduled for April 26 and April 30 to gather input to help design the park. There will probably be some space for a parking lot, traditional playground area, and play fields. They have not set a design yet. When they do it will come before the City Planning Commission for approval.

It was moved by Ms. Williams, and seconded by Mr. Zimmerman, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 19-34 be placed upon its final enactment.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Motion Carried

Moved by Ms. Williams, and seconded by Mr. Zimmerman, that Ordinance No. 19-34 be enacted as read.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Ordinance Enacted

* * * *

Ordinance No. 19-35, by Mrs. Moore, authorizing the City to apply for and accept Ohio Department of Natural Resources grant funds, in the amount of \$100,000, for the Fernway Community Park adjacent to Fernway Elementary School and to enter into any agreements as may be necessary in conjunction with such grant for the Fernway Community Park.

Joyce Braverman, Director of Planning, stated that this request is to apply for and accept a grant from the Ohio Department of Natural Resources (ODNR) in the amount of \$100,000, with a local match required of 25% which will be provided by the School District. The park will be a community space for people of all ages and provide fitness equipment, playground equipment, recreational and green space. The School District plans to have an online survey to help design the park. This item was reviewed and approved by both the City Planning Commission and the Finance and Administration Committee. This item is requested as an emergency and with a suspension of the rules as the application is due June 1.

Commission and Neighborhood Revitalization and Development Committee. The City Planning Commission also held a public hearing and recommended to City Council the approval of the amendments. A Council public hearing is scheduled for May 28 with a more detailed presentation.

Mayor Weiss stated that there will be three opportunities for the public to comment on the proposed changes with a second reading after the Council public hearing on May 28. The City Planning Commission reviewed the proposed draft regulations to ensure they reflected the conditions Council previously expressed, but it is open to further comment. Public comment was received at the City Planning Commission and those minutes will be included in the Council materials for May 28.

Council member Mr. Zimmerman stated that this has been discussed extensively by the City Planning Commission.

Council member Mrs. Moore stated that she attended the City Planning Commission meeting and felt they had a good discussion. Since that time two residents have contacted her with questions. The Council public hearing on May 28 is an opportunity to make any suggestions to the amendments, in addition to the conditions Council is already suggesting.

Mayor Weiss stated that this item will remain on first reading.

* * * *

Ordinance No. 19-37, by Mrs. Moore, authorizing the sale for \$1.00 of a used rescue squad from the Shaker Heights Fire Department to the University Hospitals Training and Disaster Preparedness Institute, and declaring an emergency.

Fire Chief Patrick Sweeney stated that a year ago the Fire Department decommissioned a 2004 rescue squad which had served the City for 14 years. In an effort to get rid of the vehicle and move it out of our inventory we would like to donate it to University Hospitals EMS and Training Disaster Preparedness Institute. The Fire Department has had a long working partnership with University Hospitals (UH) for over 25 years providing medical direction that we need to operate a paramedic rescue squad. They provide all of the continuing education training for our paramedics along with a host of advanced life support equipment they have donated to the Fire Department to continue our operations. The training alone would equate to roughly \$6,000 that we do not incur. In addition, they have donated equipment that equates to over \$50,000 in the last ten years. University Hospitals reached out to see if we would be willing to donate the rescue squad. They perform community medicine for different events throughout all of Northeast Ohio and would utilize this vehicle to provide onsite first aid treatment for any event staffed with paramedics. With our long relationship and the generosity they have afforded the Fire Department he hopes Council will allow the donation of the rescue squad to UH. This item is requested as an emergency and with a suspension of the rules in order to move forward as quickly as possible.

Council member Mrs. Moore stated that this item was reviewed and supported by the Safety and Public Works Committee. There was a suggestion that credit for the donation be

given to Shaker Heights. There was a question about liability with the City's name on the vehicle.

Fire Chief Sweeney stated that UH would actually strip down this vehicle and repaint it with the hospital logo. Their might be some place to put on the vehicle that it was donated by Shaker Heights.

Robert Baker, Finance Director, stated that while this is described as a donation it is a sale for \$1 because we may not under the codified ordinances give property away free. It must be sold.

Council member Mr. Malone stated that this item was reviewed and supported by the Finance and Administration Committee. They supported this gesture of goodwill towards UH.

Council member Mr. Roeder asked about receiving various pieces of equipment from UH.

Fire Chief Sweeney stated that UH donated new equipment to the City that was given to all their medical control fire departments in the area. When there is new equipment that they want in the community it is cost prohibitive for a lot of fire departments to purchase so they donate it. About 3 or 4 years ago they donated two Lucas CPR machines worth \$12,000 each to all of the fire departments. The machines have made a big impact on the survival rate of the patients we treat. If somebody was to have a cardiac arrest you might try to do chest compressions, maintain an airway, start an IV or give medications. A lot of things have to happen in a short period of time. Having a piece of equipment like that has made a big impact.

It was moved by Mrs. Moore, and seconded by Mr. Malone, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 19-37 be placed upon its final enactment.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Malone, that Ordinance No. 19-37 be enacted as read.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Ordinance Enacted

* * * *

Ordinance No. 19-38, by Mrs. Moore, authorizing the sale for \$1.00 of a used ladder truck from the Shaker Heights Fire Department to the Western Reserve Fire Museum and Education Center, and declaring an emergency.

Fire Chief Patrick Sweeney stated that in 2017 with support from Council we purchased a new ladder truck that replaced several pieces of equipment, in particular a 1991 ladder truck that had been used for 26 years. That truck was decommissioned. In an effort to remove it from the inventory we listed it for sale with the Brindley Mountain Fire Apparatus Company which specializes in selling used fire equipment. Last year in March we were contacted by the Western Reserve Fire Museum asking if we would be willing to loan them this equipment to help promote their museum and education center. The truck has been there since then while being listed for sale. There has been zero interest and zero inquiries. The museum asked if we would be willing to sell it to them for \$1. They are a great organization that promotes fire safety education in Northeast Ohio. This item is requested as an emergency and with a suspension of the rules so we can transfer the vehicle as quickly as possible to remove it from our inventory.

Council member Mrs. Moore stated that we do not have any other offers and it has served us for more than its share of years. This item was reviewed and approved by the Safety and Public Works Committee.

Council member Mr. Malone stated that this item was reviewed and approved by the Finance and Administration Committee. The discussion involved whether our name would remain on the vehicle.

Fire Chief Sweeney stated that they are still researching the legality of having the City's name on the vehicle and waiting for a response from the insurance company. The vehicle will be transferred to the museum and it is not uncommon for them to leave the donor's name on it.

It was moved by Mrs. Moore, and seconded by Ms. Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 19-38 be placed upon its final enactment.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Motion Carried

Moved by Mrs. Moore, and seconded by Ms. Williams, that Ordinance No. 19-38 be enacted as read.

when we budgeted in the fall. This is consistent with the way we have been funding our road repair work over the last four or five years.

Council member Mr. Williams clarified that the collection of ad valorem property taxes levied within the 10 mill limitation is inside millage.

Director Baker stated that at this point in time given the experiences we had last fall with our collections and uncertainty of how well we are going to collect this year he does not think this is the time to pay an extra \$1.6 million out of the General Fund.

It was moved by Mr. Malone, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 19-40 be placed upon its final enactment.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Motion Carried

Moved by Mr. Malone, and seconded by Mrs. Moore, that Ordinance No. 19-40 be enacted as read.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Ordinance Enacted

* * * *

Ordinance No. 19-41, by Mr. Malone, amending Ordinance No. 18-118 making appropriations for the current expenses and other expenditures of the City of Shaker Heights, Ohio for the year ending December 31, 2019, as amended by Ordinance No. 19-12 and No. 19-20, to amend appropriations in Fund No. 101, the General Fund, Fund No. 223, the Nuisance Abatement Fund, and Fund No. 301, the Debt Service Fund, transferring moneys from Fund No. 103, the Economic Development and Housing Fund, to Fund No. 223, the Nuisance Abatement Fund, and declaring an emergency.

Robert H. Baker, Finance Director, stated that there are four items that require an amendment of the 2019 budget. As part of our contract with Medical Mutual for healthcare we get certain reimbursements that are used to fund our Lunch and Learn or Wellness program. We have received two checks that need to be appropriated in order to use the money this year. The total additional amount is \$2,547 to be appropriated to the Human

Resources Department. A long time employee of the Finance Department retired last year and a new person was hired but did not stay. The former employee returned as a temporary employee so money needs to be moved that was appropriated in the budget for that position because temporary employment is paid through “other” and not “personal services.” We have money in the budget that was transferred to pay debt service on our bonds, but we under appropriated debt service by \$220,941. This does not impact the budget. We are appropriating money that the new debtholders are paying us to pay off the old debtholders. For a number of years the county has made grants to cities including Shaker Heights providing us money to do demolitions for houses that have been abandoned that we have taken possession. There are currently five houses for which we do not have an appropriation to do the demolition work although Fund 223 – Nuisance Abatement has sufficient unencumbered monies, \$108,000. Staff is requesting \$75,000 to allow for those five pending demolitions. We also discovered that one reimbursement for a demolition last year of \$26,657 was put into the Economic Development Fund and not the Nuisance Abatement Fund. The money from the county can only be used for demolitions so we need to transfer it to a fund that is for demolitions.

Council member Mr. Williams asked where the money from the county gets deposited.

Director Baker explained that it gets deposited into the Nuisance Abatement Fund but sometimes we get reimbursements after we do the work. The \$26,657 was placed into the wrong fund.

Council member Mr. Malone stated that this item was reviewed and approved by the Finance and Administration Committee. There was an extensive discussion about each of these items. There was a discussion about the county not awarding monies for 2019 demolitions but there is an understanding that the spigot from the county with respect to demolitions is being turned off. We are in pretty good shape compared to other municipalities in terms of the number of demolitions that we need to do. The emphasis now is on repairs.

It was moved by Mr. Malone, and seconded by Mr. Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 19-41 be placed upon its final enactment.

Roll Call:	Ayes:	Mrs. Senturia, Ms. Williams Mr. Williams, Mr. Zimmerman Mr. Malone, Mrs. Moore, Mr. Roeder
	Nays:	None

Motion Carried

Moved by Mr. Malone, and seconded by Mr. Williams, that Ordinance No. 19-41 be enacted as read.

The Mayor invited members of the audience to comment on any issues.

No comments were offered.

* * * *

There being no further business before Council, the Mayor adjourned the meeting at 8:31 p.m.

DAVID E. WEISS, Mayor

JERI E. CHAIKIN, Clerk of Council