

University Heights City Council Overview

Based on meeting reports from November to April.

Some relevant League policy positions are indicated in italics.

Reports from the mayor

Over time Mayor Brennan issued statements regarding the deaths of former State Rep. Barbara Boyd, Judge KJ Montgomery, City Engineer Steven Ciuni, and citizen activists Walter Stinson and Richard Brown.

Development/zoning/housing

John Carroll University (JCU) field house/wellness center complex.

In November, council took up JCU's site plan for its new field house/wellness center complex after it had been presented to the planning commission. The plan was tabled over the mayor's opposition as questions remained regarding traffic issues, emergency services access, parking and lighting. In January, after further review by the planning commission, council approved the plan, which included construction of new buildings in the area by Fairmount Circle where the BP Station and the commercial buildings are located.

University Square

At the December 5 council meeting, a transfer of funds to the University Heights CIC (Community Improvement Corporation) was approved over opposition from the mayor. At the following council meeting (12/19), the mayor withdrew his veto of the ordinance, when a memorandum of understanding was reached regarding the property at University Square with the UH CIC becoming a principal in the redevelopment.

At the January 3 meeting, the mayor reported, in a preview of his state of the city speech, that negotiations have been ongoing with Macy's, Target and the developer over the state of University Square and the condition of the property, especially the garage. An actual development agreement is now in place. *LWVGC 2021-2022 Planning, Transportation, and Land Use*

Other items

March 29, the property at 3777 Bushnell was declared a public nuisance. *LWVGC 2021-2022 Housing*

April 3, council approved a waiver of conflict of interest to allow Board of Zoning Appeals (BZA) Chair Ari Jaffe to represent CLE Yakar before the City of University Heights and its Boards and Commissions. With this approval, Mr. Jaffe will recuse himself from all BZA matters involving CLE Yakar.

At a March 22 Committee of the Whole presentation, ZoneCo, LLC, recommended establishing a community vision to tailor future development proposals to the city's needs and desires.

City services - refuse and recycling

Council approved a loose recycling program in February, but the administration has not been supportive. January 17, as a public comment, Assistant Service Director John Pucella spoke

against the ordinance claiming that the service department has neither the personnel nor equipment to implement its terms. Also, he said that without a transfer station of its own the city does not have enough time to do the waste management and all the other responsibilities of the service department such as snow removal, leaf collection and maintenance.

February 6, Council Member Sheri Sax presented the loose recycling ordinance on first reading, saying it was based on an extensive report indicating that the will of the people was to retain back- and side yard pick up but to eliminate blue bags and use bins provided by the city. This would be an opt-in program with the city maintaining lists and adjusting waste pick-up routes as needed. Ms. Sax claimed that the proposal would require no additional equipment or personnel.

February 21, council approved the loose recycling ordinance, with Council Members Cooney and King voting no. Members of the service department disagreed with Ms. Sax's analysis regarding equipment and personnel and said that two new positions and additional equipment would be needed. The administration and council disagreed on interpretation of survey results on whether to modernize or maintain the status quo.

At the next meeting, March 8, Mayor Brennan did not sign the loose recycling ordinance maintaining it was an unfunded mandate for work that cannot be achieved with the current structure of the service department. He noted, however, that without his signature the ordinance would still go into effect 14 days after it was passed. The mayor also announced the resignation of Service Director Pokorny, effective April 1; Mr. Pokorny had said he would resign if the recycling ordinance was passed.

On April 3, council referred to the services and utilities committee a proposed agreement with SCS Engineers LLC, for developing a plan and associated costs for implementing loose recycling services.

Personnel

City engineer and contracting procedures

December 5, council referred back to committee an ordinance to change the position of city engineer from Joe Ciuni to GPD Group. At the following meeting (December 19) council authorized a bidding process to put a new city engineer in place at the end of Mr. Ciuni's term.

At the March 8 meeting, Mayor Brennan said he would not sign or follow (citing powers assigned to the mayor in the city charter) an ordinance recently passed changing contracting procedures for professional services in the city even though it excluded the city engineer from its requirements.

On April 3, council amended the city code for contracting procedures and professional contracts by adding RFQ requirements for applicable contracts over \$50,000 with carve-outs exempted from the legislation for law director, the city prosecutor, and a few other entities or circumstances. Changes will allow the mayor to accept bids when only one is submitted. For three or fewer bids, the mayor will select the qualifications in the RFQ. If more than three bids are submitted, an RFQ committee will implement a scoring process to reduce the selection to three bids. The mayor will make the final selection from those three. At the same April meeting, an RFQ process for renewing the position of city engineer every five years was implemented.

Police body worn cameras

April 3, council accepted a grant from the Ohio Office of Criminal Justice Services to purchase body worn cameras at the request and recommendation of Police Chief Rogers.

Other

February 6, a vacancy has opened on the Architectural Review Board.

March 8, the compensation of council and board members was brought into alignment with state law without any increase.

As noted above, Service Director Pokorny resigned in opposition to the recycling ordinance, effective April 1

Advocacy

December 19, the mayor announced that University Heights has been recognized as a Climate Action Community. He further noted that since 2018, the city has been identified as a diverse and welcoming city as illustrated in Mosaic. The administration has suspended the Twitter account but will maintain a presence on Facebook and Instagram.

Lobbying hire

February 6, council hired Lee Weingart, president of LNE Group a lobbying firm, for aid in obtaining federal funding for city infrastructure projects, especially involving sewer upgrades and flood management. In March, the mayor traveled to Washington, D.C. and met with Representative Shontel Brown and Senator Sherrod Brown regarding sewer funding. Mayor Brennan reported also meeting with representatives from HUD about considering University Heights for lead abatement funding and ways to facilitate the availability of Section 8 housing. He maintained that University Heights should be regarded as a first-ring suburb even though it does not have a border with Cleveland.

State legislation on taxes, education

For the March 8 council meeting, the mayor had prepared a resolution opposing the proposed state legislation (Senate Bill 1) allowing the governor to take over the state board of education. Ms. Weiss moved to remove the item from the agenda, claiming that it was irrelevant to council business, and Ms. Blankfeld called the question to curtail any discussion. The question was called and the motion carried with a single no vote from Mr. King. In public comment, Judy Sourini, Vice President of the CHUH Board of Education, requested the city to oppose both SB1 and HB1 as they would increase taxes, decrease the amount of tax revenue allotted to local governments, have detrimental effects on school funding, increase bureaucracy, and erode local control of education.

Home rule and gun regulation

At the April 3 meeting, council considered a resolution supporting restoration of home rule on regulation of firearms. During public comment, four residents spoke in favor of the resolution. Another resident sent a statement recommending that the resolution be reviewed to consider all implications and potential for litigation. The mayor said the resolution came out of various concerns in the community regarding allowing guns at public places, such as the pools and

public events. Concerns have been expressed from both pro and con groups through the years. He said that gun violence continues to increase in the country and gun safety is a matter of local concern. The resolution was referred to the Safety Committee to analyze legal and enforcement ramifications. *LWVUS positions include gun safety.*

City Governance

Council Chambers and ADA accessibility

Council is currently meeting at the former Wiley School building and would like to move back to City Hall, but that venue fails to meet ADA accessibility requirements. On December 5, Council authorized the law department to proceed with eminent domain procedures to purchase property next to city hall. The property offers a solution for accessibility. The owner of the property has refused all offers from the city to purchase the property,

At the January 3 meeting, law director further specified how the City Hall chambers was not accessible as required by the ADA. The stair lift is not reliable enough to make it so. An offsite viewing room would not address the problem unless the technology existed for real time response and presentation from those in the room. The clerk of council was tasked to research that technology. *LWVUS positions on open meetings may apply.*

Other

A charter review committee with members of council and the public has been created and its work is ongoing and nearly complete. *LWVGC 2021-Charter Review*

December 19, a proposal for restrictions to campaign financing was referred to committee.

Litigation – Aleksander Shul

At the December 19 meeting, the mayor announced that after several months of negotiation, The city reached a tentative agreement to settle litigation with the Aleksander Shul. Although questions remained regarding compliance with charter provisions, the court was pressing for a resolution and the law director believed the proposal was the best available for the city. Council approved the resolution on emergency.

April 3, the mayor said that the city has filed a memorandum opposing the Aleksander Shul's motion for legal fees. The briefing, declaration, and exhibits are part of the public record.

LWV observers Marilyn Singer and Tanis Swan