



CLEVELAND HEIGHTS

Council Committee of the Whole

Monday, April 18, 2022

6:00 p.m.

City Hall – Executive Conference Room

Agenda

1. Legislation Review/Caucus
2. 2021 Financial Review
3. Council Liaison – Transportation and Environmental Sustainability Committee
4. Executive Session:
 - a. *To consider the terms of a sale or lease of City-owned real property.*
5. Potential/Future Legislation



April 14, 2022

ECONOMIC DEVELOPMENT DEPARTMENT

Request for Legislation to Extend the Suspension of the City's Admissions Tax

Overview:

In response to the negative impacts of the COVID-19 pandemic on City businesses, the City in July of 2020 suspended collection of the admissions tax for that year. In December 2020, the suspension of the admissions tax was extended through June 2021; subsequently, it was further extended through year-end 2021.

Even as the economy continues to recover, however the local businesses that are subject to the admissions tax continue to face significant financial challenges, with revenues down more than 50% from pre-pandemic levels. Nationally, too, indoor entertainment venues are one of the last segments to recover from the pandemic.

As a result, legislation has been prepared to extend the suspension of the admissions tax through December 31, 2022, retroactive to January 1, 2022. The administration recommends passage of this measure to assist these businesses in their recovery.



CLEVELAND HEIGHTS

AGENDA (tentative) - CLEVELAND HEIGHTS CITY COUNCIL MEETING

Monday, April 18, 2022

Regular Meeting

7:30 p.m.

**Cleveland Heights City Hall
Council Chambers
40 Severance Circle
Cleveland Heights, Ohio**

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Approval of the minutes of the Council meetings held on February 22, 2022 and March 7, 2022**
- 5) Swearing in of police officers**
 - Sean E. Corrigan – Lieutenant
 - Brett J. Billi – Sergeant
- 6) Public Comment - Agenda Items only**

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Comments unrelated to the agenda may be made after Committee Reports.)
- 7) Communications from the Mayor**

Notify Council that a Request for Proposal will be issued for the creation of a splash pad at Denison park.
- 8) National Poetry Month Presentation**
- 9) Report of the Clerk of Council**
- 10) LEGISLATION**
 - a. First Readings – Consideration of Adoption Requested**

ORDINANCE NO. 43-2022 (F), *First Reading*. An ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022 and declaring an emergency.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

ORDINANCE NO. 44-2022 (F), *First Reading*. An Ordinance amending Ordinances 81-2020, 133-2020 and 94-2021 and extending the suspension of the levy of an admissions tax under Chapter 155, "Admissions Tax," of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights; extending the moratorium on the collection and remittance of the same; and declaring an emergency.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

RESOLUTION NO. 45-2022 (MS), *First Reading*. A Resolution authorizing participation in the ODOT Cooperative Purchasing Program for road salt for the 2022-23 winter season; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

RESOLUTION NO. 46-2022 (MS), *First Reading.* A Resolution authorizing the Mayor to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc., (“GPD Group”) for engineering services for design of traffic signal system upgrades on Monticello Boulevard; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

RESOLUTION NO. 47-2022 (MS), *First Reading.* A Resolution authorizing ODOT to proceed with the project of improving sidewalks and pedestrian crossing facilities within Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

RESOLUTION NO. 48-2022 (MS), *First Reading.* A Resolution authorizing the City to participate in the NOPEC Green Community Choice Program for the City’s Electricity Aggregation Program Starting January 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

b. *First Readings*

RESOLUTION NO. 49-2022 (MS), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to the 2022 Member Community Infrastructure Program grant for the Sanitary Sewer Overflow Control of CH-2, CH-30, CH-33, and CH-39 and Rehabilitation Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 50-2022 (MS), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to the 2022 Member Community Infrastructure Program grant for the Sanitary Sewer Overflow Control of CH-9, CH-32, CH-57, and CH-58 and Rehabilitation Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 51-2022 (MS), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Valley Ford Truck, Inc. for the acquisition of a full-size pickup truck for the Utilities Division of the Public Works Department; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 52-2022 (MS), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Valley Ford Truck, Inc. for the acquisition of a dump truck for the Forestry Division of the Public Works Department;

providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 53-2022 (MS), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Valley Freightliner, Inc., for the acquisition of a Freightliner 114SD Tandem Axle Cab and Chassis for the Street Maintenance Division of the Department of Public Works; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 54-2022 (PD), *First Reading*. A Resolution authorizing the Mayor to negotiate a Memorandum of Understanding (“MOU”) with WXZ Development, Inc., concerning the redevelopment of the Taylor-Tudor Plaza; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 55-2022 (PD), *First Reading*. A Resolution declaring May 2022 *National Preservation Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 56-2022 (CRR), *First Reading*. A Resolution proclaiming May 2022 to be *Bike Month* in the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

c. **Second Readings**

RESOLUTION NO. 40-2022 (F), *Second Reading*. A Resolution declaring the necessity of assessing a portion of the expense of street lighting; and declaring an emergency.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

RESOLUTION NO. 41-2022 (F), *Second Reading*. A Resolution declaring the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon; and declaring an emergency.

Introduced by Mayor Seren

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

ORDINANCE NO. 42-2022 (AS), *Second Reading*. An Ordinance amending Chapter 107, “Public Meetings,” of the Codified Ordinances of Cleveland Heights by providing that the City may enter into executive session for the purposes identified in Section 107.01 or for any purpose allowed under the Ohio Revised Code.

Introduced by Mayor Seren and Council Member Cobb

Motion to Adopt/Second: _____ / _____

Vote: _____
For _____ Against _____ No. Reading _____

d. Consent Agenda

Note: Individual Consent Agenda items are not discussed separately during the Council meeting, unless removed from the Consent Agenda on the request of a member of Council. Once an item is removed from the Consent Agenda it will be placed on the Regular Agenda.

11) Committee Reports

- a.) ADMINISTRATIVE SERVICES COMMITTEE**
- b.) COMMUNITY RELATIONS AND RECREATION COMMITTEE**
- c.) FINANCE COMMITTEE**
- d.) HOUSING AND BUILDING COMMITTEE**
- e.) MUNICIPAL SERVICES COMMITTEE**
- f.) PLANNING AND DEVELOPMENT COMMITTEE**
- g.) PUBLIC SAFETY AND HEALTH COMMITTEE**
- h.) COMMITTEE OF THE WHOLE**

12) Public Comment - General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies.)

13) Old Business

14) New Business

15) Council Member Comments

16) Council President's Report

17) Adjournment

NEXT MEETING OF COUNCIL: MONDAY, MAY 2, 2022

RESOLUTION NO. 40-2022 (F), *Second Reading*

By Mayor Seren

A Resolution declaring the necessity of assessing a portion of the expense of street lighting; and declaring an emergency.

WHEREAS, the Mayor has recommended to this Council that a portion of the cost and expense of lighting the streets and public places in the City for a period of two (2) years be paid by special assessment; and

WHEREAS, it is necessary that the yearly rate of assessment established by Resolution No. 48-2020 be renewed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. It is the determination of this Council that it is necessary for the public health, convenience and welfare of the City to assess a portion of the cost and expense of lighting the streets and public places in the City upon the lands hereinafter described for a period of two (2) consecutive years, beginning with the 2022 Tax Duplicate for collection in the years 2023 through 2024, inclusive, at the annual rate of Ninety-Two Cents (\$0.92) per front foot, subject to a Corner Lot Reduction as set forth in Section (2) herein below, if applicable.

SECTION 2. Total footage is determined by the records of the Cuyahoga County Fiscal Officer, and for corner lots shall consist of the front footage (the front of the lot being determined by the property address), the radius or curve, and the side footage. If the actual side footage is less than one hundred (100) feet, the assessment shall be based solely upon the main front footage. If the actual side footage equals or exceeds one hundred (100) feet, then the footage for the purposes of this assessment shall be determined by adding the front footage, the radius/curve and the side footage, and subtracting one hundred (100) feet from this number ("Corner Lot Reduction").

SECTION 3. Two percent (2%) of the entire cost of said street lighting, plus the cost of lighting street intersections, shall be paid by the City; the remainder of said cost and expense shall be assessed upon all the lots and lands bounding upon the following dedicated streets, or parts of such streets, or public places in the City, to-wit:

All the lots and lands on the following dedicated streets:

Allston Road	Ardoon Street	Bayreuth Road
Alpine Road	Arlington Road	Beechwood Avenue
Altamont Avenue	Ashton Road	Bellfield Avenue
Andrews Road	Atherstone Road	Belvoir Boulevard
Antisdale Avenue	Avondale Road	Bendemeer Road
Ardleigh Drive	Bainbridge Road	Berkeley Avenue

RESOLUTION NO. 40-2022 (F), *Second Reading*

Berkeley Road	Crest Road	Fenley Road
Berkshire Lane	Cumberland Road	Forest View Drive
Berkshire Road	Cummings Road	Glen Allen Drive
Beverly Road	Dartmoor Road	Glenwood Road
Birch Tree Path	Delamere Drive	Goodnor Road
Blackmore Road	Delaware Drive	Grandview Avenue
Bolton Road	Dellwood Road	Greyton Road
Boynton Road	Delmore Road	Guilford Road
Bradford Road	Demington Drive	Hampshire Lane
Brandon Road	Denton Drive	Hampshire Road
Brentwood Road	Derbyshire Road	Hampstead Road
Briarwood Road	DeSota Avenue	Harcourt Drive
Brinkmore Road	Devonshire Drive	Hartwood Road
Burbridge Road	Dresden Road	Harvey Road
Burlington Road	East Derbyshire Road	Haselton Road
Cadwell Avenue	East Fairfax Road	Helmsdale Road
Carver Road	East Monmouth Road	Henderson Road
Castleton Road	East Overlook Road	Hereford Road
Cecil Place	Eastwick Road	Hillstone Road
Cedar Glen	Edendale Street	Hollister Road
Chatfield Drive	Edgerly Road	Hyde Park Avenue
Chelsea Drive	Edgewood Road	Idlewood Road
Clarence Road	Edison Drive	Inglewood Road
Clarendon Road	Edwards Road	Ivydale Road
Clarkson Road	Elandon Drive	Janette Avenue
Cleveland Heights	Elbon Road	Kenilworth Lane
Boulevard	Englewood Road	Kenilworth Road
Clifford Drive	Erieview Road	Kensington Road
Colchester Road	Essex Road	Kent Road
Coleridge Road	Euclid Heights	Kerrwood Road
Colonial Drive	Boulevard	Kew Road
Compton Road	Exeter Road	Keystone Drive
Corydon Road	Fairfax Road	Kildare Road
Cottage Grove Drive	Fairhill Road	Kingston Road
Kirkwood Road	Marlboro Road	Murray Hill Road
Lamberton Road	Marlindale Road	Navahoe Road
Lancashire Road	Medford Road	Nobleshire Road
Langton Road	Middlefield Road	Norfolk Road
Lecona Drive	Middlehurst Road	Northampton Road
Lennox Road	Middleton Road	Nottinghill Lane
Lincoln Boulevard	Minor Park Lane	Oak Road
Lowell Road	Monmouth Road	Oakdale Road
Lownesdale Road	Montevista Road	Oakridge Drive
Lynn Park Drive	Montford Road	Orchard Road
Maple Road	Mornington Lane	Ormond Road
Maplewood Road	Mount Laurel Road	Overlook Lane

RESOLUTION NO. 40-2022 (F), *Second Reading*

Oxford Road	South Overlook Road
Parkdale Road	Spangler Road
Parkhill Road	Staunton Road
Parkway Drive	Stillman Road
Pembrook Road	Stoneleigh Road
Pennifield Road	Stratford Road
Pomona Road	Stuart Road
Powell Avenue	Summit Park Road
Preyer Avenue	Superior Park Drive
Princeton Road	Surrey Road
Quarry Drive	Sycamore Road
Queenston Road	Sylvanhurst Road
Radcliffe Road	Sylvania Road
Radnor Road	Taylor Road (South)
Randolph Road	Thayne Road
Redwood Road	Thorne Road
Renfield Road	Tower Road
Renrock Road	Tremont Road
Revere Road	Tudor Drive
Rexwood Road	Vandermar Street
Ridgefield Road	Vineshire Road
Rinard Road	Walden Road
Rock Court	Wellington Road
Rockwood Road	Westminster Road
Rosedale Road	Westover Road
Rosemond Road	Whitby Road
Rossmoor Road	Whitethorn Road
Roxboro Road	Wilmar Court
Rumson Road	Wilmar Road
Runnymede Boulevard	Wilton Road
Rushleigh Road	Windsor Road
Rutherford Road	Winsford Road
Rydalmount Road	Wood Road
St. Albans Road	Woodmere Drive
St. James Parkway (North)	Woodridge Road
St. James Parkway (West)	Woodview Road
Scarborough Road	Woodward Avenue
Seaton Road	Wynn Road
Selwyn Road	Yellowstone Road
Severance Circle Drive	Yorkshire Road
Severn Road	
Shaker Road	
Shannon Road	
Somerton Road	
South Compton Road	
South Noble Road	

RESOLUTION NO. 40-2022 (F), *Second Reading*

Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

Ardmore Road	Elmwood Road	Nordway Road
Belmar Road	Eloise Drive	Northcliffe Road
Blanche Avenue	Fairmount Boulevard	North Park Boulevard
Bluestone Road	Forest Hills Boulevard	Northvale Boulevard
Brewster Road	Glenmont Road	North Woodland Road
Brunswick Road	Glynn Road	Oakhill Road
Caledonia Avenue	Grosvenor Road	Overlook Road
Cambridge Road	Hanover Drive	Quilliams Road
Canterbury Road	Hillcrest Road	Ravine Drive
Cedar Road	Lee Boulevard	Reyburn Road
Cedarbrook Road	Lee Road	Roanoke Road
Chestnut Hills Drive	Mayfield Road	Shelburne Road
Cleviden Road	Meadowbrook Boulevard	Silsby Road
Coventry Road	Monticello Boulevard	Superior Road
East Antisdale Avenue	Mount Vernon Boulevard	Taylor Road (North)
East Scarborough Road	Nela View Road	Tullamore Road
Eddington Road	Newbury Drive	Warrensville Center Road
Edgehill Road	Noble Road	Washington Boulevard

No such assessment shall be placed upon any lot or land which does not bound upon a dedicated street, or part of such street, or public place in the City.

SECTION 4. The plans and estimates of costs of the proposed improvements on file with the Director of Finance and Clerk of Council are hereby approved.

SECTION 5. Said assessment shall be paid in two (2) equal annual installments, shall be certified to the County Fiscal Officer and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within one hundred fifty (150) days from the passage of the levy ordinance.

SECTION 6. No notes shall be issued in anticipation of the collection of said special assessment.

SECTION 7. Notice of the passage of this Resolution shall be given by publishing the entire Resolution once each week for two consecutive weeks in one newspaper of general circulation in the City of Cleveland Heights. The Clerk of Council shall also serve notice of passage of this Resolution in the manner provided in Ohio Revised Code Section 727.13 on all persons required by the provisions of Ohio Revised Code Section 727.14 to receive such notice. Before the date of the

RESOLUTION NO. 40-2022 (F), *Second Reading*

first publication, the Director of Finance and/or Clerk of Council shall prepare and have on file in her office her “assessment list” showing in detail the amount of said assessments which are proposed to be levied upon lots and parcels of land affected by this proceeding. Any complaints or objections against said assessments must be filed with the Assessment Equalization Board or the Clerk of Council within two (2) weeks after the completion of the notice of assessment pursuant to Ohio Revised Code Section 727.13 or 727.14. An owner who fails to so file an objection will be deemed to have waived any objection to the assessment.

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and 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 City’s Charter, its Codified Ordinances, and Section 121.22 of the Ohio Revised Code.

SECTION 9. This Resolution is a preliminary step in the program of assessing a portion of the cost and expense of lighting the streets and public places in the City, which program is essential for the preservation of the public health, safety, and general welfare. Because there are other required procedures and time limitations which are part of the assessment process, and because the final assessment must be filed with the Cuyahoga County Fiscal Officer in September 2022 if it is to be added to the 2022 Tax Duplicate, it is therefore necessary for the public peace, health and safety of the inhabitants of Cleveland Heights that this Resolution be passed as an emergency measure. Wherefore, this Resolution, having received the affirmative vote of not less than five (5) members of this Council is hereby adopted and shall take effect and be in force immediately upon its passage.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

RESOLUTION NO. 40-2022 (F), *Second Reading*

Presented to Mayor:

Approved:

KAHLIL SEREN
Mayor

RESOLUTION NO. 41-2022 (F), *Second Reading*

By Mayor Seren

A Resolution declaring the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon; and declaring an emergency.

WHEREAS, the Mayor has recommended to this Council that a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon be paid by special assessment; and

WHEREAS, it is necessary that the yearly rate of assessment established by Resolution No. 49-2020 be renewed.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. It is the determination of this Council that it is necessary for the public health, convenience, and welfare of the City to assess a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees in the City upon the lands hereinafter described for a period of two (2) consecutive years, beginning with the 2022 Tax Duplicate for collection in the years 2023 through 2024, inclusive, at the annual rate of One Dollar and Eight Cents (\$1.08) per front foot, subject to a Corner Lot Reduction as set forth in Section (2) herein below, if applicable.

SECTION 2. Total footage is determined by the records of the Cuyahoga County Fiscal Officer, and for corner lots shall consist of the front footage (the front of the lot being determined by the property address), the radius or curve, and the side footage. If the actual side footage is less than one hundred (100) feet, the assessment shall be based solely upon the main front footage. If the actual side footage equals or exceeds one hundred (100) feet, then the footage for purposes of this assessment shall be determined by adding the front footage, the radius/curve, and the side footage, and subtracting one hundred (100) feet from this number ("Corner Lot Reduction").

SECTION 3. Two Percent (2%) of the cost of said improvements whose costs are to be assessed shall be paid by the City; the remainder of said cost and expense shall be assessed upon all the lots and lands bounding upon the following dedicated streets, or parts of such streets, or public places in the City, to-wit:

RESOLUTION NO. 41-2022 (F), *Second Reading*

All the lots and lands on the following dedicated streets:

Allston Road	Clifford Drive	Goodnor Road
Alpine Road	Colchester Road	Grandview Avenue
Altamont Avenue	Coleridge Road	Greyton Road
Andrews Road	Colonial Drive	Guilford Road
Antisdale Avenue	Compton Road	Hampshire Lane
Ardleigh Drive	Corydon Road	Hampshire Road
Ardoon Street	Cottage Grove Drive	Hampstead Road
Arlington Road	Crest Road	Harcourt Drive
Ashton Road	Cumberland Road	Hartwood Road
Atherstone Road	Cummings Road	Harvey Road
Avondale Road	Dartmoor Road	Haselton Road
Bainbridge Road	Delamere Drive	Helmsdale Road
Bayreuth Road	Delaware Drive	Henderson Road
Beechwood Avenue	Dellwood Road	Hereford Road
Bellfield Avenue	Delmore Road	Hillstone Road
Belvoir Boulevard	Demington Drive	Hollister Road
Bendemeer Road	Denton Drive	Hyde Park Avenue
Berkeley Avenue	Derbyshire Road	Idlewood Road
Berkeley Road	DeSota Avenue	Inglewood Road
Berkshire Lane	Devonshire Drive	Ivydale Road
Berkshire Road	Dresden Road	Janette Avenue
Beverly Road	East Derbyshire Road	Kenilworth Lane
Birch Tree Path	East Fairfax Road	Kenilworth Road
Blackmore Road	East Monmouth Road	Kensington Road
Bolton Road	East Overlook Road	Kent Road
Boynton Road	Eastwick Road	Kerrwood Road
Bradford Road	Edendale Street	Kew Road
Brandon Road	Edgerly Road	Keystone Drive
Brentwood Road	Edgewood Road	Kildare Road
Briarwood Road	Edison Drive	Kingston Road
Brinkmore Road	Edwards Road	Kirkwood Road
Burbridge Road	Elandon Drive	Lamberton Road
Burlington Road	Elbon Road	Lancashire Road
Cadwell Avenue	Englewood Road	Langton Road
Carver Road	Erieview Road	Lecona Drive
Castleton Road	Essex Road	Lennox Road
Cecil Place	Euclid Heights	Lincoln Boulevard
Cedar Glen	Boulevard	Lowell Road
Chatfield Drive	Exeter Road	Lownesdale Road
Chelsea Drive	Fairfax Road	Lynn Park Drive
Clarence Road	Fairhill Road	Maple Road
Clarendon Road	Fenley Road	Maplewood Road
Clarkson Road	Forest View Drive	Marlboro Road
Cleveland Heights	Glen Allen Drive	Marlindale Road
Boulevard	Glenwood Road	Medford Road

RESOLUTION NO. 41-2022 (F), *Second Reading*

Middlefield Road	Rossmoor Road	Wilmar Court
Middlehurst Road	Roxboro Road	Wilmar Road
Middleton Road	Rumson Road	Wilton Road
Minor Park Lane	Runnymede Boulevard	Windsor Road
Monmouth Road	Rushleigh Road	Winsford Road
Montevista Road	Rutherford Road	Wood Road
Montford Road	Rydalmount Road	Woodmere Drive
Mornington Lane	St. Albans Road	Woodridge Road
Mount Laurel Road	St. James Parkway (North)	Woodview Road
Murray Hill Road	St. James Parkway (West)	Woodward Avenue
Navahoe Road	Scarborough Road	Wynn Road
Nobleshire Road	Seaton Road	Yellowstone Road
Norfolk Road	Selwyn Road	Yorkshire Road
Northampton Road	Severance Circle Drive	
Nottinghill Lane	Severn Road	
Oak Road	Shaker Road	
Oakdale Road	Shannon Road	
Oakridge Drive	Somerton Road	
Orchard Road	South Compton Road	
Ormond Road	South Noble Road	
Overlook Lane	South Overlook Road	
Oxford Road	Spangler Road	
Parkdale Road	Staunton Road	
Parkhill Road	Stillman Road	
Parkway Drive	Stoneleigh Road	
Pembrook Road	Stratford Road	
Pennfield Road	Stuart Road	
Pomona Road	Summit Park Road	
Powell Avenue	Superior Park Drive	
Preyer Avenue	Surrey Road	
Princeton Road	Sycamore Road	
Quarry Drive	Sylvanhurst Road	
Queenston Road	Sylvania Road	
Radcliffe Road	Taylor Road (South)	
Radnor Road	Thayne Road	
Randolph Road	Thorne Road	
Redwood Road	Tower Road	
Renfield Road	Tremont Road	
Renrock Road	Tudor Drive	
Revere Road	Vandermar Street	
Rexwood Road	Vineshire Road	
Ridgefield Road	Walden Road	
Rinard Road	Wellington Road	
Rock Court	Westminster Road	
Rockwood Road	Westover Road	
Rosedale Road	Whitby Road	
Rosemond Road	Whitethorn Road	

RESOLUTION NO. 41-2022 (F), *Second Reading*

Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

Ardmore Road	Elmwood Road	Nordway Road
Belmar Road	Eloise Drive	Northcliffe Road
Blanche Avenue	Fairmount Boulevard	North Park Boulevard
Bluestone Road	Forest Hills Boulevard	Northvale Boulevard
Brewster Road	Glenmont Road	North Woodland Road
Brunswick Road	Glynn Road	Oakhill Road
Caledonia Avenue	Grosvenor Road	Overlook Road
Cambridge Road	Hanover Drive	Quilliams Road
Canterbury Road	Hillcrest Road	Ravine Drive
Cedar Road	Lee Boulevard	Reyburn Road
Cedarbrook Road	Lee Road	Roanoke Road
Chestnut Hills Drive	Mayfield Road	Shelburne Road
Cleviden Road	Meadowbrook Boulevard	Silsby Road
Coventry Road	Monticello Boulevard	Superior Road
East Antisdale Avenue	Mount Vernon Boulevard	Taylor Road (North)
East Scarborough Road	Nela View Road	Tullamore Road
Eddington Road	Newbury Drive	Warrensville Center Road
Edgehill Road	Noble Road	Washington Boulevard

No such assessment shall be placed upon any lot or land which does not bound upon a dedicated street, or part of such street, or public place in the City.

SECTION 4. The plans and estimates of costs of the proposed improvements on file with the Director of Finance and Clerk of Council are hereby approved.

SECTION 5. Said assessment shall be paid in two (2) equal annual installments, shall be certified to the County Fiscal Officer and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within one hundred fifty (150) days from the passage of the levy ordinance.

SECTION 6. No notes shall be issued in anticipation of the collection of said special assessment.

SECTION 7. Notice of the passage of this Resolution shall be given by publishing the entire Resolution once each week for two consecutive weeks in one newspaper of general circulation in the City of Cleveland Heights. The Clerk of Council shall also serve notice of passage of this Resolution in the manner provided in Ohio Revised Code Section 727.13 on all persons required by the provisions of Ohio Revised Code Section 727.14 to receive such notice. Before the date of the first publication, the Director of Finance and/or Clerk of Council shall prepare and have on file in her office her "assessment list" showing in detail the amount of said assessments which are proposed

RESOLUTION NO. 41-2022 (F), *Second Reading*

to be levied upon lots and parcels of land affected by this proceeding. Any complaints or objections against said assessments must be filed with the Assessment Equalization Board or the Clerk of Council within two (2) weeks after the completion of the notice of assessment pursuant to Ohio Revised Code Section 727.13 and 727.14. An owner who fails to so file an objection will be deemed to have waived any objection to the assessment.

SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and 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 City's Charter, its Codified Ordinances, and Section 121.22 of the Ohio Revised Code.

SECTION 9. This Resolution is a preliminary step in the program of assessing a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon, which program is essential for the preservation of the public health, safety, and general welfare. Because there are other required procedures and time limitations which are part of the assessment process, and because the final assessment must be filed with the Cuyahoga County Fiscal Officer in September 2022 if it is to be added to the 2022 Tax Duplicate, it is therefore necessary for the public peace, health, and safety of the inhabitants of Cleveland Heights that this Resolution be passed as an emergency measure. Wherefore, this Resolution, having received the affirmative vote of not less than five (5) members of this Council is hereby adopted and shall take effect and be in force immediately upon its passage.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

RESOLUTION NO. 41-2022 (F), *Second Reading*

Presented to Mayor:

Approved:

KAHLIL SEREN
Mayor

ORDINANCE NO. 42-2022 (AS), *Second Reading*

By Mayor Seren and Council Member Cobb

An Ordinance amending Chapter 107, "Public Meetings," of the Codified Ordinances of Cleveland Heights by providing that the City may enter into executive session for the purposes identified in Section 107.01 or for any purpose allowed under the Ohio Revised Code.

WHEREAS, the proposed changes to Chapter 107 would align Cleveland Heights' public meetings policies more closely with state law; and

WHEREAS, the Council has determined that proposed amendments to Chapter 107 are in the best interest of the City and its residents.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Current Section 107.01 of the Codified Ordinance of the City of Cleveland Heights shall be and is hereby amended to read as set forth in Exhibit A hereto.

SECTION 2. Current Section 107.01 of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance shall be, and is hereby, repealed in its entirety.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Ordinance shall take effect and be in force at the earliest time possible permitted by law.

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor:

Approved: _____

KAHLIL SEREN
Mayor

Exhibit A

107.01 PUBLIC MEETINGS; EXECUTIVE SESSIONS.

(a) All meetings of Council, Council committees, commissions, boards, citizen advisory committees of Council, and other public bodies of the City shall be open to the public unless an executive session is authorized under the applicable provisions of this chapter. Nothing herein contained shall mandate that any public body of this City permit public participation in such open meetings unless specifically required by the provisions of the City Charter or these Codified Ordinances.

(b) Unless otherwise provided in the Codified Ordinances, all meetings of Council, boards and commissions, and other public bodies of the City shall be held at the Cleveland Heights City Hall, or at other public buildings or properties within the City. Meetings held in executive session may be held at locations other than the City or school properties so long as proper notice of such meeting is given in the manner provided by Section 107.02.

(c) The Council, Council committees, commissions, boards, citizen advisory committees of Council, and other public bodies of the City may meet in executive session for all or a portion of any meeting for the consideration of any of the matters outlined immediately below:

(1) To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of any public employee or public official, the investigation of charges or complaints against a public employee, official, licensee or contractee of the City or one who seeks to be an employee, licensee or contractee of the City.

(2) To consider the terms of purchase or lease of real or personal property for public purposes, or the terms of sale or lease of City owned real or personal property.

(3) To discuss with an attorney for the public body, claims or disputes involving the public body that are the subject of pending court action, or in the judgment of such attorney, appear likely to be the subject of a future court action or claim.

(4) Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees or their representatives concerning such employees compensation or other terms and conditions of their employment.

- (5) Meetings required to be kept confidential by applicable Federal, State or local law or regulations.
- (6) Discussions of security arrangements in existence, or plans for future security arrangements, dealing with the public safety, where such discussions might reveal information that could be used for the purpose of committing crimes or avoiding detection or prosecution for violations of the law.
- (7) To consider the proposed terms of a contract between the City and a contractee or proposed contractee of the City, where the discussions of the terms or proposed terms of such contract in the judgment of an attorney for the City, might give an unfair competition advantage to such contractee, or be a detriment to the position of the City in securing contract terms.
- (8) Where Council or a board or commission of the public body, is sitting to decide an issue or matter in a quasi-judicial proceeding, but only after all of the evidence to come before such body has been heard.
- (9) Any matter for which an executive session may be held pursuant to the Ohio Revised Code.
- (d) No vote of any kind may be taken of the members of a public body during an executive session of such body.

Proposed: 4/18/2022

ORDINANCE NO. 43-2022 (F), *First Reading*

By Mayor Seren

An ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022 and declaring an emergency.

BE IT ORDAINED by the Council of the City of Cleveland Heights that:

SECTION 1. Certain subparagraphs of Ordinance No. 139-2021 (F) relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022 be, and the same hereby are increased, decreased and/or transferred in the amounts set forth in Exhibit 1.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2022, shall be made within the appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the Mayor is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

SECTION 3. Notice of the passage of this ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the City of Cleveland Heights.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ORDINANCE NO. 43-2022 (F), *First Reading*

AMY HIMMELEIN
Clerk of Council

Passed:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

ORDINANCE NO. 43-2022 (F), *First Reading*

Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget	Net Effect to Budget
101 - General	3103 - County Auditors Deduction	O.T.P.S.	Increase for the 9/14/21 Primary and the 11/2/21 General Election.	266,989.00	58,341.59	325,330.59	Increase - Unbudgeted cash will be used.
	8409 - Sports Programs	Personal Services	Transfer to hire an independent contractor to manage the spring and fall soccer program.	126,995.00	(8,000.00)	118,995.00	Zero - budget is being transferred.
		O.T.P.S.	Transfer to hire an independent contractor to manage the spring and fall soccer program.	65,370.00	8,000.00	73,370.00	Zero - budget is being transferred.
208 - CDBG Resource	5203 - CDBG Admin Contracts	O.T.P.S.	2021 Budget Carryover.	258,467.00	43,754.74	302,221.74	Zero - Grant funds will cover the cost.
858 - Miscellaneous Agency	7301 - Fire Admin	O.T.P.S.	Transfer for fire bonds.	0.00	75,000.00	75,000.00	Zero - budget is being transferred.
	7402 - Housing Inspections	O.T.P.S.	Transfer for fire bonds.	500,000.00	(75,000.00)	425,000.00	Zero - budget is being transferred.
Total				1,217,821.00	102,096.33	1,319,917.33	Zero - budget is being transferred.

Proposed: 4/18/2022

ORDINANCE NO. 44-2022 (F), *First Reading*

By Mayor Seren

An Ordinance amending Ordinances 81-2020, 133-2020 and 94-2021 and extending the suspension of the levy of an admissions tax under Chapter 155, "Admissions Tax," of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights; extending the moratorium on the collection and remittance of the same; and declaring an emergency.

WHEREAS, the Home Rule amendment of the Ohio Constitution, Article XVIII, Section 3, provides that "[m]unicipalities shall have authority to exercise all powers of local self-government," and the municipal taxing power is one of such powers of local self-government delegated by the people of the State to the people of municipalities.

WHEREAS, pursuant to Ohio Revised Code 715.013, municipalities may impose admissions tax upon certain establishments, and such taxes are entirely controlled by the municipality; and

WHEREAS, Chapter 155, "Admissions Tax," of the Codified Ordinances of the City of Cleveland Heights levies such an admissions tax upon certain categories of businesses that charge for the right of privilege to enter into an establishment, as defined within the Code; and

WHEREAS, on July 6, 2020, in response to the COVID-19 pandemic, this Council adopted Ordinance No. 81-2020, temporarily suspending the levy of the admissions tax and placing a moratorium on the collection and remittance of the same, through December 31, 2020, to help businesses affected by such taxes to mitigate financial losses caused by the pandemic; and

WHEREAS, this Council later adopted Ordinance No. 133-2020, to extend the suspension and moratorium to June 30, 2021; and

WHEREAS, the suspension and moratorium upon the admissions tax was subsequently extended through December 31, 2021, by Council's adoption of Ordinance No. 94-2021 on June 28, 2021; and

WHEREAS, based on the continuing negative financial impacts of COVID-19 upon businesses affected by such taxes, this Council wishes to extend the suspension and moratorium period to assist such businesses in mitigating and recouping their financial losses through 2022.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Section 1 of Ordinance No. 81-2020, as amended by Ordinance No. 133-2020 and Ordinance No. 94-2021, shall be, and is hereby, amended to read as follows:

SECTION 1. This Council hereby suspends the levying of admissions tax under Chapter 155, "Admissions Tax," of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights and places a moratorium on

ORDINANCE NO. 44-2022 (F), *First Reading*

the collection and remittance of the same, from July 1, 2020 to December 31, 2022, which may be extended upon additional action by Council.

SECTION 2. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the extension of the moratorium upon the collection and remittance of an admissions tax to be effective at the earliest time possible for Cleveland Heights businesses to continue to recover from the financial impact of COVID-19 upon such businesses as they head into the summer season. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 45-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing participation in the ODOT Cooperative Purchasing Program for road salt for the 2022-23 winter season; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- d. The Political Subdivision’s order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 24 by 12:00 p.m. The written, emailed request to rescind this participation agreement

RESOLUTION NO. 45-2022 (MS), *First Reading*

must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

WHEREAS, Section 171.10 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the ODOT Cooperative Purchasing Program without obtaining competitive bids; and

WHEREAS, this Council has determined that it would be in the City and its residents' best interests to authorize the purchase of rock salt through ODOT's Cooperative Purchasing Program at a price lower than likely could be obtained through bidding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

KAHLIL SEREN
Mayor

_____ Approval Date

Approval as to legal form:

WILLIAM R. HANNA
Director of Law

_____ Approval Date

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 45-2022 (MS), *First Reading*

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet ODOT's deadline of April 29, 2022, to submit an electronic form and resolution. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 46-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc., ("GPD Group") for engineering services for design of traffic signal system upgrades on Monticello Boulevard; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights, Ohio, has determined the need for the following described project:

Design for traffic signal upgrades for the following intersections:

1. Monticello Boulevard/Lee Road
2. Monticello Boulevard/Forest Hills Boulevard
3. Monticello Boulevard/N. Taylor Road
4. Monticello Boulevard/Yellowstone Road
5. Monticello Boulevard/Noble Road
6. Monticello Boulevard/Belvoir Boulevard

Design for the removal of two unwarranted traffic signals for the following intersections:

1. Monticello Boulevard/Quarry Drive
2. Forest Hills Boulevard/Mt. Vernon Boulevard

The proposed project will implement the following improvements at the six project intersections:

1. Replace non-compliant curb ramps where possible without obtaining right-of-way (as per ODOT).
2. Install new signal cabinets, including controllers, fiber optic equipment, and all associated hardware at each intersection.
3. Upgrade pedestrian accommodation equipment (signal heads and pushbuttons) at all existing pedestrian crossings.
4. Install radar detection for all side street and mainline left turn lane approaches.
5. Install new fiber optic cable along Monticello Boulevard to connect the project intersections to the City's existing Centracs system. The proposed interconnect will be spliced to the existing fiber at the Mayfield Road / Monticello Boulevard intersection. It is anticipated that the interconnect will be underground from Mayfield Road to Taylor Road and attached to utility poles from Taylor Road to Belvoir Boulevard.

WHEREAS, the City requires professional engineering services for this project; and

RESOLUTION NO. 46-2022 (MS), *First Reading*

WHEREAS, the Mayor has recommended that the services offered by GPD Group best meet the City's needs; and

WHEREAS, such engineering services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to enter into an agreement with GPD Group for engineering services for the design of traffic signal system upgrades on Monticello Boulevard at the intersections of Lee Road, Forest Hills Boulevard, North Taylor Road, Yellowstone Road, Noble Road, and Belvoir Boulevard and for the removal unwanted traffic signals on Monticello Boulevard at the intersections of Quarry Drive and Mt. Vernon Boulevard. The agreement shall be substantially in accordance with the terms and conditions set forth in the proposed agreement for professional services submitted by GPD Group, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall not exceed \$139,487. All agreements hereunder shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to commence the above-described improvements at the earliest possible time to protect the safety and welfare of those persons using said public road within City. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

RESOLUTION NO. 46-2022 (MS), *First Reading*

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 47-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing ODOT to proceed with the project of improving sidewalks and pedestrian crossing facilities within Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on the 1st day of November, 2021, the City of Cleveland Heights enacted legislation proposing cooperation with the Director of Transportation for the described project: The project consists of pedestrian safety improvements at the Bradford Road/Canterbury Road, Randolph Road/Quilliams Road, and Windsor Road/Roanoke Road intersections and a Princeton Road midblock crossing, including pavement repair, sidewalk, ADA compliant curb ramps, signage, pavement markings, and bike racks/concrete pad at Monticello Middle School, lying within the City of Cleveland Heights; and

WHEREAS, the City shall cooperate with the Director of Transportation in the above-described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation (“ODOT”).

The City’s share of the cost is now estimated in the amount of Four Thousand Three Hundred Twenty-Nine and 97/100 Dollars, (\$4,329.97), but said estimated amount is to be adjusted in order that the City’s ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described Project and has transmitted copies of the same to this legislative authority; and

WHEREAS, the City desires the Director of Transportation to proceed with the aforesaid improvement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The estimated sum of \$4,329.97 is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The City hereby agrees to assume, in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

RESOLUTION NO. 47-2022 (MS), *First Reading*

SECTION 2. The City hereby requests the Director of Transportation to proceed with the aforesaid improvement.

SECTION 3. The Mayor is hereby authorized and directed to execute a contract with the State substantially in accordance with the contract attached hereto as Exhibit A providing for the payment by the City the sum of money set forth herein above for improving the described project. Such contract is subject to the approval of the Director of Law as to form.

SECTION 4. The City shall transmit to the Director of Transportation a fully executed copy of this Resolution.

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 6. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to permit ODOT to proceed with the above-described project at the earliest time possible due to construction season. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force and after the earliest time allowed by law

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 48-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the City to participate in the NOPEC Green Community Choice Program for the City's Electricity Aggregation Program Starting January 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council previously enacted legislation authorizing the City of Cleveland Heights, Ohio, ("City") to establish an electricity aggregation program pursuant to R.C. 4928.20 (the "Electricity Aggregation Program") for the residents, businesses, and other electric consumers in the City, and for that purpose, to act jointly with any other municipal corporation, township, county, or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, in November 2001, the electors of the City approved the City's authority to automatically aggregate electricity in accordance with R.C. 4928.20; and

WHEREAS, the City is a member of the Northeast Ohio Public Energy Council ("NOPEC") and participates in NOPEC's "Electricity Aggregation Program;" and

WHEREAS, on December 7, 2020, the Council of the City of Cleveland Heights unanimously passed Resolution No. 138-2020, to encourage effective plans to address climate change, a pressing problem already affecting Cleveland Heights; and

WHEREAS, on June 7, 2021, the Council of the City of Cleveland Heights unanimously passed Resolution No. 62-2021, to enter into a partnership with Power a Clean Future Ohio and to commit to the goal of reducing greenhouse gas emissions in the City of Cleveland Heights by 30% by 2030, relative to 2021 levels; and

WHEREAS, the City has adopted or may be considering adopting a sustainability plan, a part of which includes or may include increasing the renewable content of the electricity consumed in the City; and

WHEREAS, NOPEC has developed a new green program offering for its member communities with a 100% renewable energy content standard default electricity aggregation product, that includes Renewable Energy Credits ("RECs") for 100% of the customer's energy usage, to any current or new NOPEC member community that selects this program for the upcoming three-year NOPEC electric aggregation term (from the January 2023 until January 2026 utility meter reads) ("Green Community Choice Program"); and

WHEREAS, the City believes that participation in the Green Community Choice Program will substantially assist Cleveland Heights in meeting its goal of greenhouse gas emission reduction and contribute to increasing the financial viability of renewable energy generation; and

RESOLUTION NO. 48-2022 (MS), *First Reading*

WHEREAS, the Green Community Choice Program will include the additional cost of 100% RECs for 100% of the City's eligible customers' energy usage; and

WHEREAS, the additional cost for the REC content included in the Green Community Choice Program price will be no higher than .425 cents/kWh or about \$3.55/month for the average residential household over the term of program; and

WHEREAS, the City's eligible customers will have the option to opt-in to the standard NOPEC default product not containing additional RECs at the lower Standard Program price or choose another NOPEC product offering; and

WHEREAS, the NOPEC Green Community Choice Program offering requires that a member community notify NOPEC in writing of its election to choose the Green Community Choice Program (100% REC standard default electricity aggregation product) for the upcoming three-year NOPEC Aggregation Program term with legislation adopted by the legislative authority of the community making the election.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

Section 1. This Council hereby approves the City's election to participate in NOPEC's Green Community Choice Program for the upcoming three-year NOPEC Aggregation Program term (from the January 2023 through January 2026 utility meter reads). This Council hereby authorizes and ratifies all actions of the Mayor in connection with execution of the City's election to notify NOPEC to participate in NOPEC's Green Community Choice Program.

Section 2. This Council hereby acknowledges that the City's election to participate in NOPEC's Green Community Choice Program for the upcoming three (3) year NOPEC Aggregation Program term (from the January 2023 until the January 2026 utility meter read(s) is binding and irrevocable for such three (3) year Aggregation Program term.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in open meetings 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 City's Charter and Codified Ordinances and R.C. 121.22.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely notify NOPEC of the City's election to choose the Green Community Program. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 48-2022 (MS), *First Reading*

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 49-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to the 2022 Member Community Infrastructure Program grant for the Sanitary Sewer Overflow Control of CH-2, CH-30, CH-33, and CH-39; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by adopting Resolution No. 13-2022, authorized the Mayor to enter into a grant agreement with the Northeast Ohio Regional Sewer District to accept funds under the Member Community Infrastructure Program (MCIP) for the Control of Sanitary Sewer Overflow (SSO) CH-2, CH-30, CH-33, and CH-39; and

WHEREAS, the City requires professional services of an engineering consultant for the design for control of SSOs CH-2, CH-30, CH-33, and CH-39; and

WHEREAS, the Mayor has recommended that the services offered by Wade Trim, Inc., best meets the City's needs; and

WHEREAS, such services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute a contract with Wade Trim, Inc., to provide professional engineering services relating to the City's 2022 MCIP grant for the Control of SSOs CH-2, CH-30, CH-33, and CH-39. The contract shall be in accordance with the terms and conditions set forth in the proposed agreement for professional services submitted by Wade Trim, Inc., a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall not exceed \$294,118. All agreements hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet the requirements of the MCIP grant to complete the project within two years. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council,

RESOLUTION NO. 49-2022 (MS), *First Reading*

this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 50-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to the 2022 Member Community Infrastructure Program grant for the Control of Sanitary Sewer Overflow CH-9, CH-32, CH-57, and CH-58; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by adopting Resolution No. 14-2022, authorized the Mayor to enter into a grant agreement with the Northeast Ohio Regional Sewer District to accept funds under the Member Community Infrastructure Program (MCIP) for the Control of Sanitary Sewer Overflow (SSO) CH-9, CH-32, CH-57, and CH-58; and

WHEREAS, the City requires professional services of an engineering consultant concerning for design for control of SSOs CH-9, CH-32, CH-57, and CH-58; and

WHEREAS, the Mayor has recommended that the services offered by Wade Trim, Inc., best meets the City's needs; and

WHEREAS, such services are professional services for which no bidding is necessary;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute a contract with Wade Trim, Inc., to provide professional engineering services relating to the City's 2022 MCIP grant for the Control of SSOs CH-9, CH-32, CH-57, and CH-58. The contract shall be in accordance with the terms and conditions set forth in the proposed agreement for professional services submitted by Wade Trim, Inc., a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall not exceed \$738,000. All agreements hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet the requirements of the MCIP grant to complete the project within two years. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council,

RESOLUTION NO. 50-2022 (MS), *First Reading*

this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 51-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Valley Ford Truck, Inc. for the acquisition of a full-size pickup truck for the Utilities Division of the Public Works Department; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a Ford F-450 Super Duty Crew Cab 4x4 Truck with Utility Body for the Utilities Division of the Public Works Department; and

WHEREAS, Section 171.11 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected vehicle may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said equipment by this means; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of a Ford F-450 Super Duty Crew Cab 4x4 Truck with Utility Body with Valley Ford Truck, Inc., through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Section 171.11 of the Cleveland Heights Codified Ordinances. The agreement shall provide for the purchase of a new full-size, four-wheel drive, crew cab pick-up truck at a cost not to exceed \$72,980.00. All contracts hereunder shall be in a form approved by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 51-2022 (MS)

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being severe delays in the auto industry resulting in very narrow ordering windows for heavy duty trucks and the need to equip the Department of Public Works with the referenced truck as soon as possible. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 52-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Valley Ford Truck, Inc. for the acquisition of a dump truck for the Forestry Division of the Public Works Department; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a Ford F-450 Super Duty 4x4 Dump Truck for the Forestry Division of the Public Works Department; and

WHEREAS, Section 171.11 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected vehicle may be purchased through the State Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said equipment by this means; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of a Ford F-450 Super Duty 4x4 Dump Truck with Valley Ford Truck, Inc., through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Section 171.11 of the Cleveland Heights Codified Ordinances. The agreement shall provide for the purchase of a new full-size, regular cab dump truck at a cost not to exceed \$70,770.00. All contracts hereunder shall be in a form approved by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 52-2022 (MS)

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being severe delays in the auto industry resulting in very narrow ordering windows for heavy duty trucks and the need to equip the Department of Public Works with the referenced truck as soon as possible. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 53-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Valley Freightliner, Inc., for the acquisition of a Freightliner 114SD Tandem Axle Cab and Chassis for the Street Maintenance Division of the Department of Public Works; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a Freightliner 114SD Tandem Axle Cab and Chassis for the Department of Public Works; and

WHEREAS, Section 171.10 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the Ohio Department of Transportation Cooperative Purchasing Program, without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected equipment may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through competitive bidding, and that it would be in the City's best interests to purchase said equipment by this means.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of a Freightliner 114SD Tandem Axle Cab and Chassis, through the Ohio Department of Transportation Cooperative Purchasing Program, pursuant to Section 171.10 of the Cleveland Heights Codified Ordinances and to sign any necessary related documents. The purchase price for said equipment shall not exceed the sum of One Hundred Six Thousand, Seven Hundred and Ninety-One Dollars (\$106,791.00). All contracts hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 53-2022 (MS), *First Reading*

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being severe delays in the auto industry resulting in very narrow ordering windows for heavy duty trucks and the need to equip the Department of Public Works with the referenced truck as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 54-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to negotiate a Memorandum of Understanding (“MOU”) with WXZ Development, Inc., concerning the redevelopment of the Taylor-Tudor Plaza; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City has long identified the importance of redeveloping the approximately 0.78-acre site known as “Taylor-Tudor Plaza,” PPNs 684-27-001, 684-26-011, and 684-26-012, bounded by South Taylor Road to the east, and Superior Park Drive to the north, with private residential development on the west, and the Taylor Road Synagogue property to the south (the “Site”); and

WHEREAS, the Site is strategically located along the South Taylor Road corridor and is adjacent to Cain Park; and

WHEREAS, on August 27, 2021, the City issued a Request for Proposals and Request for Qualifications (the “RFP/RFQ”) for redevelopment of the Site; and

WHEREAS, in order to allow for a comprehensive revitalization of the Taylor Road corridor, the RFP/RFQ included, among other elements, the opportunity for a respondent to propose a vision for the inclusive development of added property in the vicinity of the Site (“Added Property”); and

WHEREAS, the City received four responses to the RFP/RFQ by the December 10, 2021, deadline, all of which were deemed responsive and on time; and

WHEREAS, the four (4) respondents were:

- Brighter Horizons Foundation, Inc.
- Eli Mann
- Moreland Property Management
- WXZ Development, Inc.

WHEREAS, each of the four respondents was interviewed by an internal staff committee comprised of the Mayor, the Director of Planning & Development, and the Business Development Manager; and

WHEREAS, after evaluating all of the responses/proposals and interviewing all of the respondents, the staff committee recommends WXZ Development, Inc. as the most qualified respondent and the respondent with the most comprehensive vision for area through its clear inclusion of Added Property, and

RESOLUTION NO. 54-2022 (PD), *First Reading*

WHEREAS, City Council hereby determines that it is in the City's best interest to move forward with negotiation of a Memorandum of Understanding ("MOU") with WXZ Development, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby authorized to undertake discussions and negotiate a MOU with WXZ Development, Inc., concerning the redevelopment of the Taylor-Tudor Plaza Site. Documents relating to this negotiation shall be subject to the approval as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to advance redevelopment of the Site at the earliest possible time. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 55-2022 (PD), *First Reading*

By Mayor Seren

A Resolution declaring May 2022 *National Preservation Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life, and all backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, in past years City staff has been involved in a wide variety of projects that help the City preserve and promote its historic resources including helping residents research their homes' histories; entering original building permit data into a database; providing on-site rehabilitation advice on topics such as paint color selection, paint removal, and window repair; sponsoring lectures to educate people about architecture, preservation, and Cleveland Heights history; assisting residents in researching and listing neighborhoods to the National Register of Historic Places and installing signs recognizing this designation; and funding improvements through the City's Storefront Renovation Program; and

WHEREAS, Cleveland Heights has shown a continued dedication to promoting the City's history, architecture, and historic preservation through partnerships with the Cleveland Restoration Society to administer the Heritage Home Loan Program, a program that allows owners of older homes access to low-interest loans and the technical assistance necessary to sensitively rehabilitate their older homes; and

WHEREAS, on March 4, 2019, City Council adopted comprehensive amendments to the City's Landmark Commission ordinance to protect and enhance the historic and aesthetic qualities of the City for the enjoyment of the City's residents and visitors alike, and to further preservation goals by enabling the Landmark Commission to safeguard locally designated properties, protect properties as they go through the Landmark designation process, designate local historic districts where more than 50% of property owners consent, and protect designated properties from inappropriate alterations or demolition; and

WHEREAS, in March, 2019, the City of Cleveland Heights was designated a Certified Local Government by the United States Department of the Interior; and

RESOLUTION NO. 55-2022 (PD)

WHEREAS Cleveland Heights operates the Cleveland Heights Historical Center at Superior Schoolhouse, which draws visitors and students for tours and research; and

WHEREAS, *National Preservation Month 2022* is cosponsored by the City of Cleveland Heights and the National Trust for Historic Preservation; and

WHEREAS, the City of Cleveland Heights has been hosting events to celebrate *National Preservation Month* since 2002; and

WHEREAS, the City of Cleveland Heights has 15 historic districts listed on the National Register of Historic Places.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council does hereby proclaim May 2022 *National Preservation Month* and calls upon the residents of the City of Cleveland Heights to join their fellow citizens across the United States in recognizing and participating in this special observance.

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to join with the other communities in this celebration and the need to proclaim *National Preservation Month* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

RESOLUTION NO. 55-2022 (PD)

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 4/18/2022

RESOLUTION NO. 56-2022 (CRR), *First Reading*

By Mayor Seren

A Resolution proclaiming May 2022 to be *Bike Month* in the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, bicycling is a sociable, healthy, green, and economical mode of transportation and recreation; and

WHEREAS, the United States Department of Transportation released a policy statement in 2010 with the purpose of reflecting the Department's support for planning, funding, and implementing improvements to walking and bicycling transportation networks that "foster safer, more livable, family-friendly communities; promote physical activity and health; and reduce vehicle emissions and fuel use;" and

WHEREAS, Ohio law allows for the use of bicycles on all Cleveland Heights roads; and

WHEREAS, Cleveland Heights streets and buildings are ideally arranged in a compact, well-connected pattern making it easier to walk and bike to businesses, schools, and recreational and cultural destinations; and

WHEREAS, the City of Cleveland Heights shares the goals of the Heights Bicycle Coalition "to educate and encourage Heights community members to use bicycles as a sustainable and healthy form of transportation and recreation;" and

WHEREAS, in 2018, the City of Cleveland Heights passed Resolution No. 37-2018 adopting a Complete and Green Street Policy aimed at developing "a safe, comfortable, reliable, efficient, integrated, and completely connected multimodal transportation network providing access, mobility, safety, and connection to all users," which the National Complete Streets Coalition evaluated as the best new policy of 2018; and

WHEREAS, the League of American Bicyclists have recognized Cleveland Heights as a bronze award-level Bicycle Friendly Community since 2013; and

WHEREAS, Cleveland Heights continues to assess its transportation network and connections to other cities and seek grants for projects that improve the safety and comfort of bicyclists, such as the Cedar Glen Trail that connects Cedar Fairmount to University Circle and the Lake-to-Lakes Trail; and

RESOLUTION NO. 56-2022 (CRR), *First Reading*

WHEREAS, educating cyclists on the proper and safe operation of bicycles and educating motorists on properly and safely sharing roads with bicyclists is important to ensure the safety and well-being of the public; and

WHEREAS, the City of Cleveland Heights wants to promote greater public awareness in the community of cycling as a sustainable and healthy form of transportation and recreation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council does hereby proclaim May 2022 to be *Bike Month* in the City of Cleveland Heights. The Council encourages all residents to review the laws and regulations governing bicycle safety and to use a bicycle for transportation to work and school, especially for trips within the City of Cleveland Heights.

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to join with the other communities in this celebration and the need to proclaim *Bike Month* and related events on a timely basis. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor



Monday, February 22, 2022 Minutes

CITY COUNCIL

7:30 – 8:20 p.m.

President Hart presiding

Roll Call:	Present:	Cobb, Cuda, Hart, Mattox, Moore, Russell
	Absent:	None

Also Present: Mayor Seren, Hanna, Himmeltein, Niermann-O'Neil

Swearing in of Council Member Larson

Council Member Larson was sworn in and made remarks thanking friends, family and the Council for her appointment. She said she is humbled, full of gratitude and ready to go to work.

Approval of the minutes of the Council meeting held on January 18, 2022

Minutes were approved without any objections.

Matter of Record

Personal communications from citizens

Fran Mentch stated the public square initiative is going to the May 3rd ballot and asked that people visit their website (clevelandheightspublicsquare.com) if they want to support the initiative. She discussed the various plans and ideas for the land the initiative has. She watched the Planning Commission's meeting in the beginning of February and noticed that there will be no amenities in the development's public space, no restrooms, etc. She also addressed the concern about the cost of putting the initiative on the ballot by stating that there will be no extra charge for the initiative to be included because a charter review issue is going on the ballot as well. She stated there was no public hearing about the developer agreement, arguing that no one knows the finances of the developer deal. Finally, she referenced the leaky parking garage at the top of the hill constructed by the same developers, saying it'd be quite unfortunate if the development has the same quality of construction.

Catalina Wagers is here on behalf of the Cleveland Heights Green Team (as a co-founder) in support of the resolution declaring climate change an emergency. After watching last week's meeting, she thought it was clear that the questions asked should be focusing not on the how but the why. Why should addressing climate change in our city be a top priority? She stated that climate

change represents an existential threat because its impact deepens issues to do with inequities, living standards, resource use, exposure to environmental stresses and existing health inequities. Why do we need a Climate Action Plan (CAP)? She stated because it will provide policies and guidelines to decisions and actions with a lens of sustainability. She discussed actions such as incentivizing high quality and energy efficient buildings, planning for transit centers in walkable communities, protecting and enhancing green spaces and adopting waste reduction strategies as they would become catalysts to tackle the economic and social challenges we face. Can we afford to work with developers that build affordable housing that is not sustainable? Why do we need a sustainability committee? Sustainability issues are interconnected and require a coordinated and systematic action. The committee would work with other city verticals and committees to optimize sustainability; they would be charged with the development of a CAP that aligns with city goals and objectives. She believes the idea raised that the city subcommittees should choose their own sustainability experts and incorporate them into their groups would be a waste of resources and render integration of action near impossible. Thirty-six states and more than 600 cities already have a CAP. Concerns about execution are completely understandable and need to be addressed within the finite resources we already have.

Lee Barbee expressed his displeasure at not even being considered for the open Council seat. He was assured by several members of the Council that the process would be fair, but no one could explain the criteria for the process. He stated that he earned 2100 votes in the November 2021 election but that must not have been a criterion, among his other accomplishments that weren't considered. He asked Mike Riley on December 30, 2021 for his recommendation for the open seat and Mr. Riley said he had spoken with Council Member Cuda and they discussed that there would be no other black person to be allowed on Council and there needed to be a white person to offset the seat of power of African Americans on Council. Mr. Barbee didn't believe it was true but said it seemed to be true. He referenced Mayor Seren and Council Member Mattox's MLK speeches and asked what they were willing to do to right this situation. He has filed with the Federal Equal Opportunity Commission to investigate the matter because he believes it is a true conspiracy to keep African Americans from holding positions on City Council. He stated the voters of this city have say in what goes on in the Council, not the Council. He remarked how Council Member Davida Russell had more votes than anyone on the Council, even the Mayor, but she is not Council President. Mr. Barbee stated even he had more votes than Council President Hart but he had no consideration for the appointment. He states while Council President Hart started the Racial Justice Taskforce, she could care less about the fairness. He claims \$1 million in ARPA funds should be going to the business district but no one has put together a plan to allocate where the funds are going. Why? He states because they are all aware of the plan to make sure the residents in the Taylor and Noble area are not going to be part of the plan. He intends to assemble residents of Cleveland Heights to make sure the Council is fair and equitable and responsible to the community.

Council Member Cuda stated on January 23rd he received a call from Mr. Barbee where Mr. Barbee referenced a conversation he alleged he had with a person Council Member Cuda knows. Mr. Barbee told him a conversation between Council Member Cuda and the individual took place on December 30th. Council Member Cuda states he had no such conversation with the individual on December 30th, nor any other time and told Mr. Barbee as such. He states he has never discussed the racial makeup of the Council as alleged. During the January 23rd phone call, Council Member Cuda told Mr. Barbee that his allegation was completely false and he was going to contact the person that Mr. Barbee alleged that Council Member Cuda spoke to. Council Member Cuda called

the individual and the individual denied talking to Council Member Cuda on that day or ever having that conversation and denied ever discussing that topic with Council Member Cuda. After that discussion, he immediately texted Mr. Barbee to try and clear up the matter and sent additional follow up texts. Mr. Barbee said he would call Council Member Cuda but never did. Council Member Cuda then said in January he had many discussions with Mr. Barbee; however, they were about horses, horse ownership and Mr. Barbee's stables. Council Member Cuda said it's a shame these things are said without any substantiation but he tried following up as best as he could.

Gretchen Mettler said two very young teenagers attempted to steal her car on February 1, 2022 when she was shopping at Zagara's. They were unsuccessful because they couldn't figure out how to make her electric car operate. She said the Cleveland Heights Police were extraordinary but stated the thing that got in the way of the investigation is that there are no security cameras in that section of Lee Road. The detectives asked her to come to the meeting to request that Council approve some money to bring security cameras up from Cedar to cover that area. The teenagers were caught that night after being involved in three other crimes and the car was recovered but, in her terror, she couldn't identify their car. She states that a camera would have been very helpful.

Council President Hart is referring the matter to the Mayor as she believes he's the Director of Public Safety.

Sandra Moran stated she is here today as a private citizen and is encouraging the Council to not back down from their previous commitment with regard to climate change, she wanted to discuss previous resolutions passed by Council and she's requesting Council voice their support for Council Member Moore's resolution declaring climate change an emergency and creating an environmental sustainability committee. She quoted UN Secretary Antonio Guterres as saying the climate crisis is at code red for humanity. She discussed resolutions passed by the Council in 2017, 2020 and 2021 concerning climate change, thanking Mayor Seren for his commitment to sustainability and effort to resolve the climate crisis. She said if people wanted to learn more, to meet with her after the meeting and she'd be happy to discuss. She then requested that Mayor Seren and the Council take action now as this is truly an emergency.

Communications from the Mayor

Mayor Seren had no communications at this time.

Committee Reports

Council President Hart stated that starting in March, they will be having Committee of the Whole meetings only on the first and third Mondays, along with the regular Council meetings. Other times, Committees will meet at various times that will all be posted online. She stated that this is to allow the Committees to do their work, as opposed to doing everything in the Committee of the Whole. She reminded Committee Chairs to keep reports limited to their specific Committee meetings and legislation related to Committees.

HOUSING AND BUILDING COMMITTEE

Nothing formal to report at this time. Council Member Cuda stated that the first meeting is scheduled for March 7th at 4:00 p.m.

MUNICIPAL SERVICES COMMITTEE

Nothing formal to report at this time. Council Member Moore announced that the Committee meeting is scheduled for March 21st from 5-6:00 p.m.

PLANNING AND DEVELOPMENT COMMITTEE

Nothing formal to report at this time.

PUBLIC SAFETY AND HEALTH COMMITTEE

Nothing formal to report at this time. Council Member Larson stated the Committee meeting is scheduled for April 18th; the website will be updated with the start time.

ADMINISTRATIVE SERVICES COMMITTEE

ORDINANCE NO. 15-2022 (AS), *Second Reading*. An Ordinance providing for the submission to the electors of the City of Cleveland Heights of proposed amendments to the Charter of the City of Cleveland Heights for placement on the May 3, 2022 ballot; and declaring an emergency.

Council Member Cuda states this legislation is about being able to hire a Clerk and any other employees the Council needs. It isn't adding a position, rather, it's moving one. It will help Council be more productive and organized and bring about the change many of the members campaigned on.

Motion to approve by Council Member Cuda, Seconded by Council Member Moore

***MOTION** to amend Ordinance No. 15-2022.

Moved by Council Member Cuda, Seconded by Vice President Cobb

Council Member Cuda is moving to amend the language of Ordinance 15-2022 to place a period after the 3rd Council in paragraph two, second sentence of the Ordinance and remove the language "and shall report to the President of Council, or the designee of the President of Council, as their supervisor." Council Member Cuda explained his reasoning for the proposed amendment saying that, while he understands the importance of supervision, he's not convinced that it needs to be in the Charter. Secondly, he says it's empowering Council with this amendment. It's not to empower the President. He doesn't want to argue about what the word supervision means and wants to leave

it up to the Council. He says the most important thing is he wants the seven of them to have access to the Clerk. They are starting to realize just how much work they need done. He inquired with other city councils and they thought the language was a bad idea. He said doing it with legislation and not putting it in the Charter will get the job done.

Council Member Mattox strongly disagreed with the removal of the language. He believes the language brings direction and leadership to this Council and future councils. He thinks it opens the door for future political decisions. He wanted to make it clear he feels these processes should be ironed out in the Charter. He believes the Council has a responsibility to choose a President and Vice President that they trust to oversee the Clerk. He thinks it will cause process issues and communication issues and HR issues if all seven members can pick up the phone and call the Clerk all at the same time. He referenced seeing this happen during his time in East Cleveland watching legislation be used as a weapon. He wanted to make it very clear that their responsibilities are to lead, and that it doesn't matter if other cities are doing it a certain way. He thinks they need to give the most direction they can and it needs to be ironed out in the Charter.

Council Member Larson stated it is necessary to take the Clerk of Council responsibilities off of the Finance Director. She believes that the Clerk of Council position should be supervised by the Council President, but she thinks its best addressed in the details of the job description and Council rules or ordinances. She agrees to the amendment and cites Council Member Cuda's promise to set forth legislation to set the President of Council as the supervisor.

Council President Hart stated that as someone who has been supervised and also as someone who has been a supervisor, she thinks one person reporting to 7 people will be problematic. She understands it can be done in legislation but thinks doing it here would take it out of the political arena because it won't be as easily amendable.

Council Member Russell thinks that the person should be reporting to one individual but she does not think it should be in the Charter, citing her experience in contract negotiations. She thinks it can be done through ordinance and job description.

Roll Call: Ayes: Cuda, Larson, Moore, Russell, Cobb
Nays: Hart, Mattox

Motion Passed

Roll Call on approval as amended: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
Nays: None

Legislation Passed

COMMUNITY RELATIONS AND RECREATION COMMITTEE

RESOLUTION NO. 16-2022 (CRR), *Second Reading*. A Resolution recognizing March 2022 as National Women's History Month; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to adopt by Council Member Russell, Seconded by Council Member Moore

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Legislation Passed

Council Member Cuda asked if Council President Hart could put something on the agenda next week for Committee of the Whole to discuss what they want to do to in March to recognize/celebrate National Women's History Month. Council President Hart confirmed they can add that to the agenda.

RESOLUTION NO. 19-2022 (CRR), *First Reading*. A Resolution in support of the Medicare for All Act of 2021 (HR 1976); and declaring that universal access to quality healthcare is a human right.

Legislation Introduced

FINANCE COMMITTEE

ORDINANCE NO. 20-2022 (F), *First Reading*. An Ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022; and declaring an emergency.

Motion to adopt by Council President Hart, Seconded by Council Member Russell

Roll Call: Ayes: Cobb, Cuda, Hart, Larson, Mattox, Moore, Russell
 Nays: None

Legislation Passed

Council President Hart explained that it is a budget change that results in a net effect of no change on the bottom line.

RESOLUTION NO. 21-2022 (F), *First Reading*. A Resolution establishing the Flexible Spending Account Fund and affirming that funds received by the City as a payroll deduction from employees shall be used only to cover costs incurred by the City of Cleveland Heights consistent with Internal Revenue Code §125 and applicable law and regulations; and declaring an emergency.

Legislation Introduced

COMMITTEE OF THE WHOLE

ORDINANCE NO. 22-2022 (COTW), *First Reading*. An Ordinance calling an election on a proposed Ordinance to require that a public activity park be created on 1.07 acres of city-owned land at the corner of Lee Road, Tullamore Road and Meadowbrook Boulevard in Cleveland Heights, Ohio; and declaring an emergency.

Motion to adopt by Council President Hart, Seconded by Council Member Moore

Roll Call: Ayes: Larson, Mattox, Moore, Russell, Cobb, Cuda, Hart
 Nays: None

Legislation Passed

Council President Hart stated that the park initiative ordinance citizens had ten days to submit that they wanted it sent to the ballot. Council President Hart indicated the Council is obligated to send it to the ballot, so this legislation represents the Council doing so.

Report of the Clerk of Council

Nothing formal to report at this time.

Old Business

No old business to discuss at this time.

New Business

No new business to discuss at this time.

Council Member Comments

Council Member Russell wanted to remind the residents of the Taylor and Noble community that a meeting is scheduled to discuss the ARPA funds, set for March 13th at 4:00pm at the Front Stage Multiplex at Severance Town Center. It is for the residents of Noble and Taylor only, per the request of the residents. The goal is to bring a shortlist back to the Finance Committee and the Mayor.

Council Member Larson wanted to clarify that she intends to campaign and run for City Council in the November 2022 election.

Council Member Russell again wanted to make it very clear that the meeting of the Noble and Taylor residents is *only* for Noble and Taylor residents per their request.

Report of the Council President

Council President Hart is inviting everyone to a Special City Council Meeting set for February 28, 2022 to highlight students for Black History Month. The only agenda item is the celebration of the students. Each student will receive a proclamation from the City for attending.

NEXT MEETING OF COUNCIL: MONDAY, MARCH 7, 2022

Respectfully submitted,

Melody Joy Hart
President of Council

Amy Himmlein
Clerk of Council



Monday, March 7, 2022 Minutes

CITY COUNCIL

7:38 – 8:25 p.m.

President Hart presiding

Roll Call:	Present:	Cobb, Cuda, Hart, Larson, Mattox, Moore, Russell
	Absent:	None

Also Present: Mayor Seren, Hanna, Himmeltein, Niermann-O'Neil, Thomas

Personal communications from citizens on Agenda Items only

Marlene Goldheimer wanted to witness, support, thank and celebrate Council for unanimously endorsing the resolution to support the Medicare for All Act of 2021. She recognized that while passage of the resolution isn't considered law, the copy sent to State and Federal representatives will let them know the City believes access to quality healthcare is a human right. She also thanked Thomas Jewell for the detailed account of the resolution in the Feb 4th edition of the Sun Press. She stated Mayor Seren listened to the needs of the community and responded by standing up for all residents. She believed he was influenced by the effects of the COVID pandemic on the residents; not only the tragic loss of life, but also the loss of jobs, which included loss of healthcare benefits. This left many without access to medical care in the midst of a pandemic, making it evident that tying healthcare coverage to employment doesn't work. Quality healthcare should be provided to everyone in the country, from birth to death, regardless of whether they are employed or not. In the current system, corporations are making medical decisions that should be made by doctors and their patients. This is why she supports Move to Amend, which seeks to end corporations taking the rights of individuals. The corporations she referred to are the for-profit health insurance moguls and prescription drug entities. She thanked Amber Akhter, a student at Case, who gave testimony and introduced to Council the Medicare for All. She stated Amber represents the next generation of advocates that believe healthcare is a human right. Amber's current mission is to have all districts throughout Cleveland adopt a Medicare for All resolution. Ms. Goldheimer thought Cleveland Heights provided an apt model for other cities to adopt. For over 40 years, she has been a member of the staunch advocates of a single payer system and she will continue to advocate until this country has a health care system that proclaims 'everybody in, nobody out.'

Communications from the Mayor

Mayor Seren congratulated the developers for getting final conditional approval on the design of the CLM project. He stated he is looking forward to the next steps and actually getting the project

done. Next, Mayor Seren welcomed the new communications director, Mike Thomas, to the community.

Report of the Clerk of Council

Nothing to report at this time.

Committee Reports

MUNICIPAL SERVICES COMMITTEE

Nothing formal to report at this time.

PLANNING AND DEVELOPMENT COMMITTEE

ORDINANCE NO. 23-2022 (PD), First Reading. An Ordinance authorizing the Mayor to enter into an agreement with Made Cleveland, LLC, for the lease of City-owned property located at 1807 Coventry Road for the operation of a retail store; and declaring an emergency.

Motion to Adopt by Council Member Mattox, Seconded by Vice President Cobb

Roll Call: Ayes: Cuda, Hart, Larson, Mattox, Moore, Russell, Cobb
Nays: None

Legislation Passed

Mayor Seren noted the emergency was requested by the economic development staff to get the lease actuated.

PUBLIC SAFETY AND HEALTH COMMITTEE

***MOTION** to appoint Sheila Keller and Melody Yates to the Racial Justice Taskforce.

Moved by Council Member Larson, Seconded by Council Member Russell

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
Nays: None

Motion Passed

ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION 24-2022 (AS), First Reading. A Resolution confirming the Mayor's appointment of Joseph E. Sinnott as City Administrator for the City of Cleveland Heights; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Legislation Introduced

ORDINANCE NO. 25-2022 (AS), *First Reading*. An Ordinance establishing salary schedules, position classifications and other compensation, and benefits for officers and employees of the City; and declaring an emergency.

Legislation Introduced

***MOTION** to reappoint Adam Howe to the Planning Commission.

Moved by Vice President Cobb, Seconded by Council Member Mattox

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

Vice President Cobb pointed out that there are two vacancies on the Planning Commission they are working to fill within the next few weeks.

***MOTION** to reappoint Mazie Adams, Margaret Lann and J. Mark Souther to the Landmark Commission.

Moved by Vice President Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

***MOTION** to reappoint Thomas Zych and Dennis Porcelli to the Board of Zoning Appeals.

Moved by Vice President Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

***MOTION** to appoint Gayle Lewin to the Board of Zoning Appeals.

Moved by Vice President Cobb, Seconded by Council Member Russell

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

***MOTION** to reappoint Jody Taslitz and Shirley Le Compte to the Commission on Aging.

Moved by Vice President Cobb, Seconded by Council Member Larson

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

***MOTION** to appoint Ida Etta Black and Peter De Golia to the Commission on Aging.

Moved by Vice President Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

***MOTION** to reappoint Sam Bell, Charles Mosbrook, Howard Maier, Kathy Petrey, Mark Letkowitz, Chris Cummings and Jeff Bendix to the Transportation and Environmental Sustainability Committee.

Moved by Vice President Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

***MOTION** to appoint Catalina Wagers to the Transportation and Environmental Sustainability Committee.

Moved by Vice President Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

Vice President Cobb noted there are two vacancies on the Architectural Board of Review and the position requires the person be a licensed architect. If anyone is a licensed architect in the city, he encouraged them to apply. He stated there are only three members so if one member is unable to attend a meeting, they won't be able to handle business properly, so they need to fill the position.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

RESOLUTION NO. 19-2022 (CRR), Second Reading. A Resolution in support of the Medicare for All Act of 2021 (HR 1976); and declaring that universal access to quality healthcare is a human right.

Motion to Adopt by Council President Russell, Seconded by Council Member Moore

Roll Call: Ayes: Larson, Mattox, Moore, Russell, Cobb, Cuda, Hart
 Nays: None

Legislation Passed

ORDINANCE NO. 26-2022 (CRR), First Reading. An Ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2022.

Legislation Introduced

FINANCE COMMITTEE

RESOLUTION NO. 21-2022 (F), Second Reading. A Resolution establishing the Flexible Spending Account Fund and affirming that funds received by the City as a payroll deduction from employees shall be used only to cover costs incurred by the City of Cleveland Heights consistent with Internal Revenue Code §125 and applicable law and regulations; and declaring an emergency.

Motion to Adopt by Council President Hart, Seconded by Council Member Larson

Roll Call: Ayes: Cobb, Cuda, Hart, Larson, Mattox, Moore, Russell
 Nays: None

Legislation Passed

Council President Hart stated the resolution is regarding a company benefit and the legislation is intended to provide a better way to account for the benefit.

ORDINANCE NO. 27-2022 (F), First Reading. An Ordinance providing for the issuance and sale of not to exceed \$1,500,000 of economic development nontax revenue bonds for the purpose of paying a portion of the costs of the acquisition of a portion of, and redevelopment of the site generally known as “Top of the Hill” located on approximately four acres of land situated between Euclid Heights Boulevard and Cedar Road at the top of Cedar Hill in the City, and declaring an emergency.

Council President Hart stated the ordinance is regarding the refinancing of existing debt for a cheaper rate and lengthening the term.

***MOTION** to reconsider Ordinance 27-2022.

Law Director Hanna raised a point of order that bond legislation is typically voted on with a roll call vote. Council can have a Motion to Reconsider Ordinance 78-2022, adopt the Motion to Reconsider and then conduct a roll call vote.

Moved by Vice President Cobb, Seconded by Council Member Cuda

Roll Call: Ayes: Mattox, Moore, Russell, Cobb, Cuda, Hart, Larson
 Nays: None

Motion Passed

Motion to Adopt by Council President Hart, Seconded by Council Member Mattox

Roll Call on Motion to Adopt: Ayes: Moore, Russell, Cobb, Cuda, Hart, Larson, Mattox,
 Nays: None

Legislation Passed

Second Motion to Adopt by Council Member Mattox, Seconded by Council Member Moore

Roll Call on Second Motion to Adopt:

 Ayes: Moore, Russell, Cobb, Cuda, Hart, Larson, Mattox,
 Nays: None

Legislation Passed

ORDINANCE NO. 28-2022 (F), *First Reading*. An ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022 and declaring an emergency.

Motion to Adopt by Council President Hart, Seconded by Vice President Cobb

Roll Call: Ayes: Cobb, Cuda, Hart, Mattox, Moore, Russell
 Nays: None

Legislation Passed

Council President Hart stated that these are normal administrative budget adjustments that will not affect the bottom line.

HOUSING AND BUILDING COMMITTEE

Council Member Cuda stated they had their first meeting earlier that evening. He said it really showed that the community and Council are making housing a priority. There was a wide-ranging discussion, including discussing the Novak Report, vacant and abandoned properties, civil options, the Racial Justice Taskforce's rental agreement (which will be brought up at a meeting on Wednesday), and the fact that they need to overhaul the housing ordinances. The Committee is meeting again on April 4th.

Personal communications from citizens

Fran Mentch announced that her group has launched their fundraising campaign for Issue 9, the public square initiative. She asked people visit their website, get yard signs and make a donation since the public square initiative is a grassroots group. She stated the opposition will get a very large donation from the developer and they will use it to try and crush her group. She read about the announcement from the City regarding the continuing approval of the development. In the announcement, they used the phrase 'following extensive community input,' which she called inaccurate, and stated there was no extensive community input. She and her friends have submitted multiple proposals over the past decade suggesting a park be put in the space. She stated citizens were never asked what kind of development they wanted and Council refused for over a decade to discuss the issue. In 2021, her group asked eight times to have the public square be put on the agenda, but she stated the request was refused. The input also did not include a general forum or a forum on the finances. She said the project will be heavily subsidized by the public with tax dollars, is quite offensive, and has generated a lot of conflict in the community. Shouldn't the citizens get a guarantee of the potential annual income from the developer? Or a promise if Cedar Lee theater leaves, that the developer will bring in another cinema? She referenced the closure of Nighttown in comparison. Finally, retaining the small space of the 1.07 acres of green space is not trivial.

Old business

***MOTION** to reappoint Terry Saylor to the Architectural Board of Review.

Moved by Vice President Cobb, Seconded by Council Member Larson

Roll Call: Ayes: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Motion Passed

New business

Nothing to report at this time.

Council Member Comments

Council Member Moore expressed her condemnation of Russia's aggressive military invasion of Ukraine and proclaimed her full-throated support for Ukraine's government and people. She's felt horrified and distraught and powerless to help. She stated she talks a lot about community and for her, community must mean all of humanity, not just those that live close. All of us bear a responsibility to stand against what is wrong and stand with those that are vulnerable and threatened. She's also been heartened by the world's response. She encouraged people that would like to help to google organizations such as Razom for Ukraine, etc. to send aid today. She asked her fellow Council Members to join her in creating and passing a resolution to denounce Russia's unprovoked invasion, to voice their unequivocal support for the Ukrainian people and their government and to urge our national leaders to do more. She is honored that her fellow Council Members unanimously agreed to move forward with the resolution, so she is hoping to have a first reading soon.

Council Member Russell joined with Council Member Moore for a resolution supporting the lawsuit regarding school vouchers. She stated it's very important we support our school district

where it has been hurt the most by vouchers. Second, she stated she has been very straightforward and honest with the residents of Cleveland Heights and said she needed to say something tonight. Since 2019, when she was elected, she has been engaging with the community. She referenced her “You Talk, I Listen” series, that she intended to move around Cleveland Heights. It has never moved past the Noble/Taylor area because of the overwhelming disparities found in that area. Since she’s been on Council, she’s done 5-6 sessions, noting everyone has been invited but stated that only two Council people have ever participated, and they were not even Council Members at the time. She stated it’s always been open. She referenced the many other roundtables she’s put on, all at her own cost. Two sessions have been private, based on the request of the residents themselves. She stated some residents have decided to donate to keep the series going because the costs are starting to add up. She said it costs \$500 to rent the stage to host and \$300 to print fliers. Now that they are having a third meeting and the Mayor has been invited, she’s getting pushback from her fellow Council Members saying that they would be crashing if it’s a public meeting and they are not invited. Diane Hallum attempted to have fliers printed at City Hall but the request was rejected because it’s not a city event. Council Member Russell has paid out of pocket and she has no problem opening up the event to fellow Council Members and the public. But if she makes it public, she needs the City to advertise for it and create fliers and she’d like to be reimbursed the \$800. She stated that if anyone wanted to engage that community, anyone could have had a public meeting. If anyone wants the meeting to be made public, instead of private, as the residents have requested, she is then requesting the City advertise it and reimburse her the \$800.

Council Member Cuda referenced the Medicare for All resolution and said how most people are really happy with it, while some have wondered why the Council is talking about national issues. His response is that the City is a part of the national community as well as so that it is good to speak up. He also said how he loves working for the City and he is grateful for the money and for the engagement with the community.

Council Member Larson stated she is in total support of Council Member Moore’s resolution in support of Ukraine. Referencing higher gas prices, she said maybe now is the time to stand up and say we will make a sacrifice. She also stands in support of Council Member Russell’s position on school vouchers, saying the lawsuit really deserves citizen support. She stated Cleveland Heights is one of the primary plaintiffs and the voucher system has really hurt the students in Cleveland Heights – University Heights. She also stated as chair of Public Safety and Health Committee, there are two vacancies on the Racial Justice Taskforce. She’s working with the Chair to get two more people on the committee in order to be fully staffed.

Council Member Moore discussed the Medicare for All resolution and stated her personal experiences with high medical costs, even when she had what is considered good insurance. The for-profit healthcare system is failing America. She stated the figures representing the costs of staying with our current system versus the lower costs of switching to a single payer system. Cost savings will be huge and will save dollars, lives, stress and anxiety.

Report of the Council President

Council President Hart stated her support for the Medicare for All resolution and Council Members Moore and Russell's resolution regarding supporting the school voucher lawsuit. She stated at the next Finance Meeting/Committee of the Whole Meeting on March 21st, they will be getting the 2021 financial results and the meeting will be open to the public. Please check the city calendars, because the Committees have begun meeting and things are happening. She stated the Mayor has been hiring staff and the transition is continuing. She also stated that a group of nursing students have conducted a study on the 44112 area of Cleveland Heights and they are proposing that Council work towards a community garden for the area. She asked them to present their findings in April. Council Member Mattox will be working with Council President Hart as he's been involved in establishing community gardens in the area code before. Also, she stated this is Woman's History Month and there will be a presentation on March 28th. She said there is a place on the website to nominate a woman of distinction under a number of categories and encouraged people to do so.

Council Member Russell recommended that when Council President Hart has her meeting regarding creating a community garden in the 44112 area, that she engages with the citizens of that area. Council President Hart stated she would.

NEXT MEETING OF COUNCIL: TUESDAY, MARCH 21, 2022

Respectfully submitted,

Melody Joy Hart
President of Council

Amy Himmlein
Clerk of Council