



CLEVELAND HEIGHTS

Council Committee of the Whole

Monday, May 16, 2022

6:30 p.m.

City Hall – Executive Conference Room

Agenda

1. Legislation Review/Caucus
2. Discussion on possible resolution on Supreme Court draft decision
3. Potential legislation or charter amendment regarding Council (1) ability to mandate staff or board member responses to Council requests for information and (2) ability to mandate staff attendance at Council meetings
4. Discussion of Council recess
5. Discussion of Council budget
6. Discussion of timing of Council Rules development
7. Other

PROPOSED CHARTER AMENDMENTS / LEGISLATION / MAY 16, 2022

ITEM #1

Any employee of the City or appointee of any board or commission shall furnish members of council, information requested within the employee's knowledge or responsibility as long as that information is related to an activity done, contemplated by, or on behalf of the City, or in furtherance of its powers and duties, or pending or potential legislation. No such request will be unreasonably delayed or denied.

ITEM #2

The requirement that the Directors and City employees attend all Council meetings or committee meetings, when requested to attend by Council, and to provide information as may be requested as well as participate in all discussions relating to their respective Departments.

Doan Brook Restoration near Horseshoe Lake Park

Professional Services Firm:

AECOM-Stimson

Doan Brook Joint Venture

Project Manager:

Matt Langan, ASLA, LEED AP - Stimson

Agreement Amount:

\$1,480,569.12

Contract Award Date:

April 7, 2022

Contract Duration:

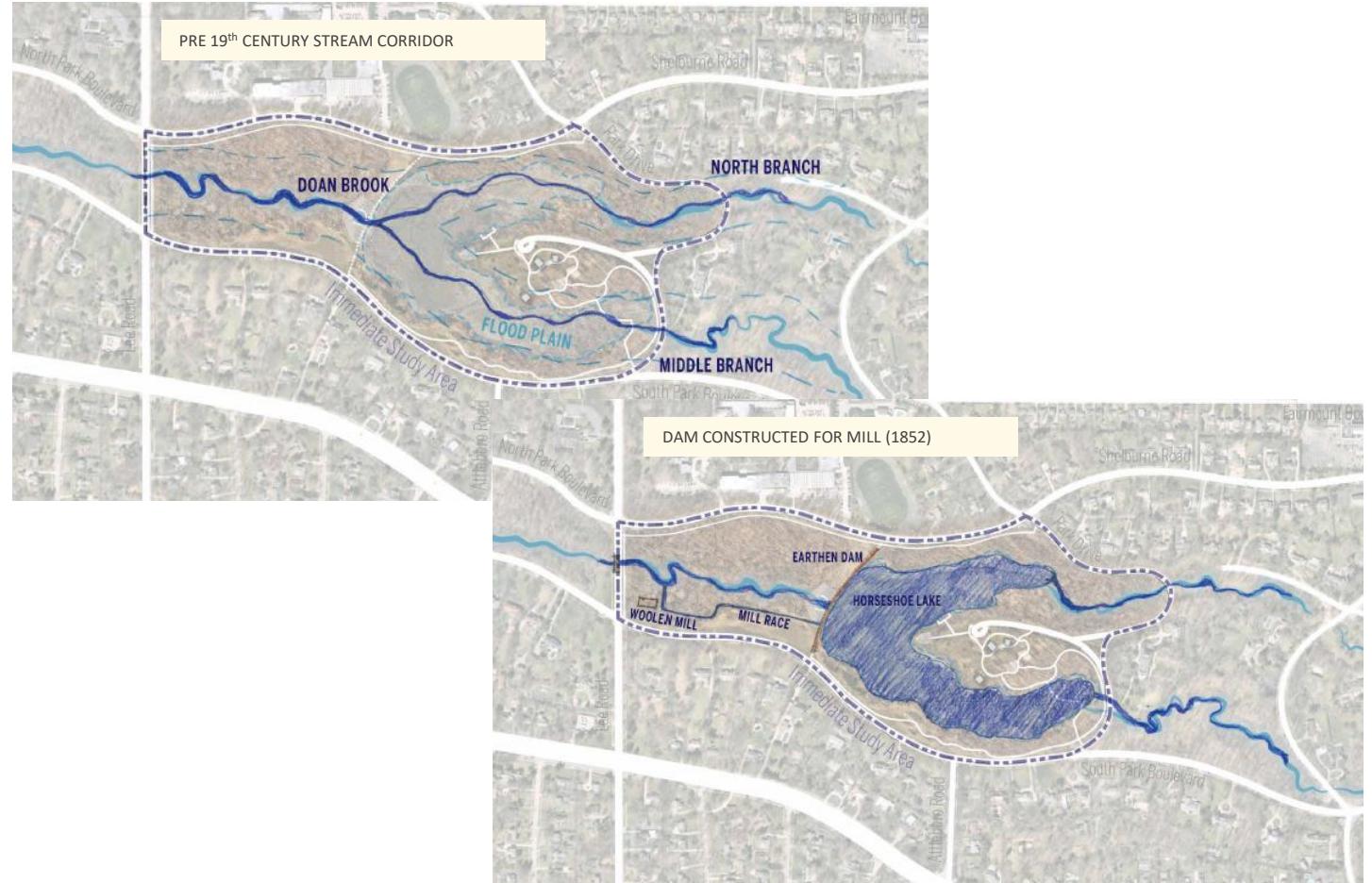
12 Months (Pre-Design only)



Doan Brook Restoration near Horseshoe Lake Park

Project Components:

- Removal of a Class I dam
- Design of new streams and floodplains
- Sediment management
- Public engagement
- Landscape integration plan



Doan Brook Restoration near Horseshoe Lake Park

Consultant team members

Stimson – Project management and landscape architecture

AECOM – Dam removal and sediment management

GPD and EnviroScience – Stream restoration and site infrastructure

KS Associates – Surveying

RiverReach - Constructability

Roy Larick – Local archeology and urban ecology

LAND Studio – parallel contract to support public engagement



Doan Brook Restoration near Horseshoe Lake Park

Proposed Schedule

Pre-design:

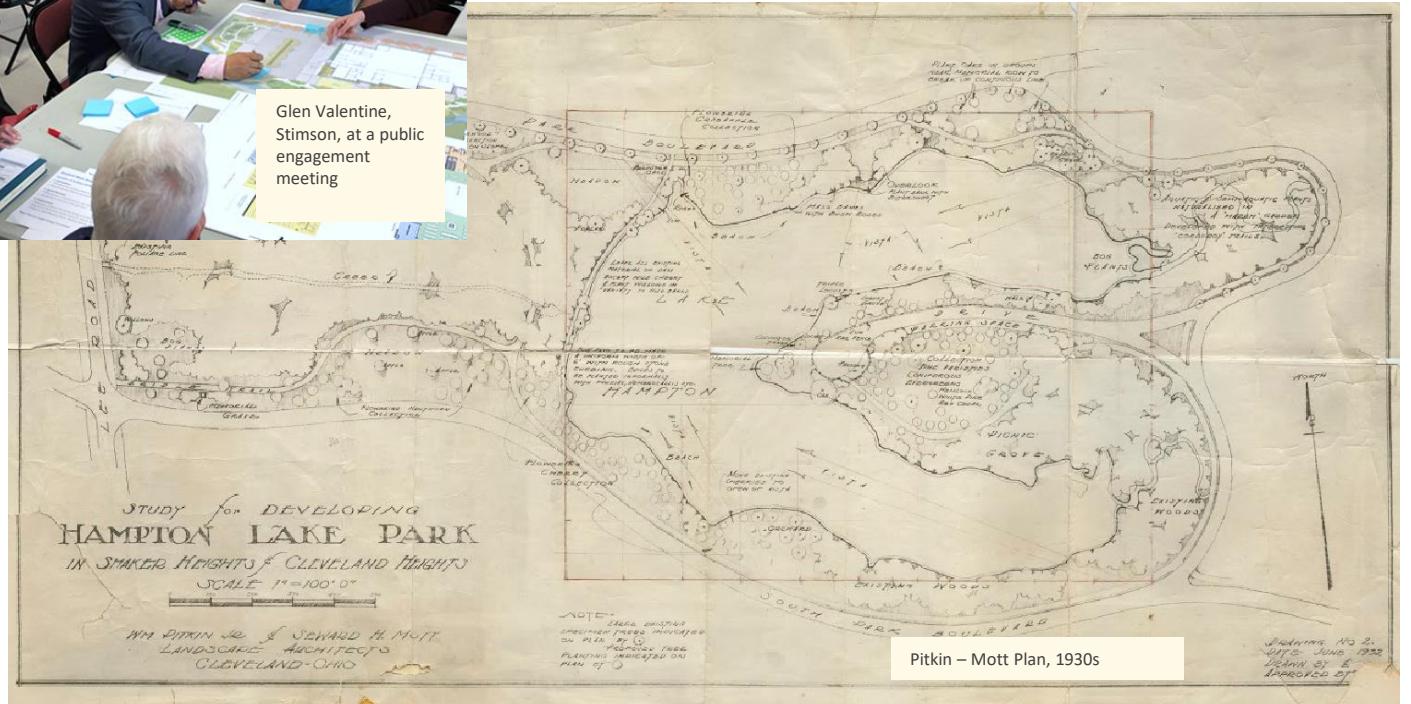
May 2022-May 2023

Detailed design:

May 2023-May 2024

Construction:

Start by end of 2024





CLEVELAND HEIGHTS

AGENDA (tentative) - CLEVELAND HEIGHTS CITY COUNCIL MEETING

Monday, May 16, 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 28, 2022 and April 18, 2022
- 5) **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.)
- 6) Communications from the Mayor
- 7) NEORSD Presentation regarding the Horseshoe Lake Dam project
- 8) Report of the Clerk of Council
- 9) **LEGISLATION**

Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MS)-Municipal Services; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 1-2022 for a list of Council Committee subject matter areas.

a. ***First Readings – Consideration of Adoption Requested***

ORDINANCE NO. 62-2022 (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 _____

b. ***First Reading Only***

ORDINANCE NO. 63-2022 (COTW), *First Reading*. An Ordinance amending Section 123.04, “Powers and Duties of Director,” of the Codified Ordinances of Cleveland Heights by removing the Director of Finance from the role of ex-officio Clerk of Council and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 64-2022 (PSH), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Life Force Management, Inc., to provide billing, collection, and related services for all ambulance services rendered by the City; and declaring an emergency.

Introduced by Mayor Seren

10) Committee Reports

- a.) Finance Committee
- b.) Housing and Building Committee
- c.) Municipal Services Committee

- d.) Planning and Development Committee
- e.) Public Safety and Health Committee
- f.) Administrative Services Committee
- g.) Community Relations and Recreation Committee
- h.) Committee of the Whole

11) Public Comment - General

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

12) Old Business

13) New Business

14) Council Member Comments

15) Council President's Report

16) Adjournment

NEXT MEETING OF COUNCIL: MONDAY, JUNE 6, 2022

Proposed: 5/16/2022

ORDINANCE NO. 62-2022 (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. 62-2022 (F), *First Reading*

AMY HIMMELEIN
Clerk of Council

Passed:

Presented to Mayor:

Approved:

KAHLIL SEREN
Mayor

ORDINANCE NO. 62-2022 (F), *First Reading*

Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget	Net Effect to Budget
202 - Foundation Grants/Donatns	8409 - Sports Programs	O.T.P.S.	Increase to purchase pickleball nets which is offset by donations.	0.00	1,200.00	1,200.00	Zero - donations will cover the cost.
402 - Financed Capital Projects	3101 - Finance	Capital	Transfer for credit card fees for citizens purchasing refuse and recycling carts.	190,000.00	(50.00)	189,950.00	Zero - budget is being transferred.
	6203 - Refuse Coll/Transfer Sta	O.T.P.S.	Transfer for credit card fees for citizens purchasing refuse and recycling carts.	0.00	50.00	50.00	Zero - budget is being transferred.
606 - ALS Ambulance Services	7304 - ALS Ambulance Services	Personal Services	Increase for Fire department overtime.	504,173.00	15,000.00	519,173.00	Increase - unbudgetd cash will be used.
Total				694,173.00	16,200.00	710,373.00	

Current General Fund Unbudgeted Revenue	41,220.24
Changes to the General Fund	0.00
Total	41,220.24

Proposed: 5/16/2022

ORDINANCE NO. 63-2022 (COTW), *First Reading*

By Mayor Seren

An Ordinance amending Section 123.04, “Powers and Duties of Director,” of the Codified Ordinances of Cleveland Heights by removing the Director of Finance from the role of ex-officio Clerk of Council and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Council of the City of Cleveland Heights passed Ordinance No. 15-2022 on February 22, 2022, submitting to the electors of the City of Cleveland Heights proposed amendments to the Charter of the City of Cleveland Heights for placement on the May 3, 2022 ballot as “Issue 10;” and

WHEREAS, in Ordinance No 15-2022, the Council recognized “the significant and important duties undertaken by the Director of Finance” and expressed the intent “to eliminate the requirement that the position simultaneously serve as Clerk of Council, to allow the Director of Finance to focus solely and exclusively on the duties and responsibilities of the position of Director of Finance;” and

WHEREAS, the electors of the City of Cleveland Heights voted overwhelmingly to approve Issue 10 on May 3, 2022, amending the Charter to provide that “Council shall appoint a Clerk of Council, who shall have the duty of keeping Council’s records and performing all other duties required by this Charter and by the Council;” and

WHEREAS, the current Section 123.04 of the Codified Ordinances of the City of Cleveland Heights provides in relevant part that “the Director of Finance shall be...ex-officio Clerk of Council [and] shall attend all Council meetings, keep a journal of all councilmatic proceedings and be the custodian of all ordinances and resolutions, communications and documents pertaining to matters coming before Council”; and

WHEREAS, Section 123.04 of the Codified Ordinances of Cleveland Heights now directly conflicts with Article III, Section 6, as amended, and Article IV, Section 3 of the Charter.

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

SECTION 1. Current Section 123.04 of the Codified Ordinance of the City of Cleveland Heights shall be and is hereby amended to read as follows:

ORDINANCE NO. 63-2022 (COTW), *First Reading*

123.04 POWERS AND DUTIES OF DIRECTOR.

Subject to the provisions of Section 123.041 hereinbelow, the Director of Finance shall sign all checks for the payment of money which must be previously approved and signed by the Mayor. The Director of Finance shall be the fiscal officer of the City and shall be responsible for the proper conduct of all duties and work of the department.

SECTION 2. Current Section 123.04 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 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 necessity that the Codified Ordinances conform to the Charter of the City of Cleveland Heights, and to preserve public's understanding and faith in the consistency of the laws of Cleveland Heights. 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

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor:

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/16/22

RESOLUTION NO. 64-2022 (PSH), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Life Force Management, Inc., to provide billing, collection, and related services for all ambulance services rendered by the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, since 1998 this Council has authorized multiple agreements with Life Force Management, Inc. for billing, collection, and related services for all ambulance services rendered by the City; and

WHEREAS, the services performed by Life Force Management, Inc., are professional services for which bidding is not required, and the fees and terms of the proposed renewal contract by Life Force are reasonable and competitive.

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 Life Force Management, Inc., for billing, collection, and related services for all ambulance services rendered by the City of Cleveland Heights for a term of three (3) years (with automatic one-year renewals thereafter unless either party opts out). The agreement shall be substantively similar to the proposed agreement on file with the Clerk of Council and 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 public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to continue efficient operation of the City's ambulance services. 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.

RESOLUTION NO. 64-2022 (PSH), *First Reading*

MELODY JOY HART
President of Council

AMY HIMMELEIN
Acting Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor



CLEVELAND HEIGHTS

Monday, February 28, 2022 Minutes

SPECIAL CITY COUNCIL MEETING

7:38 – 8:19 p.m.

President Hart presiding

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

Also Present: Mayor Seren, Niermann O'Neil

Black History Month Presentation

Opening Welcome

Council President Hart welcomed everyone to the Black History Month Presentation. She said when she was a kid, she didn't realize the American history she was taught in school was white history; she assumed it was just American history. When she got into high school, they started an elective course called Black history. They were required to take American history, but Black history was elective. She remembered thinking the history should all be in the same book and she was surprised it was segregated. She said all of us are a part of American history and that's why this month is important. Council President Hart thanked Councilwoman Russell, Councilman Mattox and Councilman Cuda for their work in organizing the program. She also acknowledged and introduced Mayor Seren, as a historic figure in the City, as not only the first Mayor but as the first Black Mayor in Cleveland Heights history.

History of Black History Month

Vice President Cobb stated he had a similar experience to Council President Hart's regarding the history he learned when he was younger. He remembered when he attended school, there was no celebration of Black history and very little taught about Black history except as a footnote to other events in American history. He noted the reason Black history is now celebrated as more than a footnote is attributed to the efforts of Dr. Carter Woodson, whose parents were slaves. Although he didn't start high school until he was 20, Dr. Woodson went on to become just the second Black person to get his PhD from Harvard. Vice President Cobb stated in pursuing his degrees, Dr. Woodson recognized there was no interest shown by the academic community in studying or teaching Black history. In 1915, he established the Association for the Study of Negro Life and History; its mission being the scientific study of the neglected aspects of Negro life and

history. In 1926, the Association sponsored Negro History Week, selecting the second week of February to coincide with the birthdays of Abraham Lincoln and Frederick Douglass. From there, it took decades to grow into Black History Month; fueled by the Civil Rights Movement of the 1960s, a growing awareness of the Black identity and by the contributions of Black Americans to history. In 1976, as part of the Bicentennial celebration, President Ford officially recognized February as Black History Month. Since then, it has grown to become a well-established part of the calendar year, school curriculum and American culture. Vice President Cobb then introduced Cuyahoga County Council Vice Mayor and Candidate for Lieutenant Governor Cheryl Stephens to present the rest of the program.

Program Presentation

Cheryl Stephens stated in 1969, Kent State developed the first month of Black History and from there, the nation began to honor African Americans all month long. She felt incredibly proud it has its roots in Ohio. She said as she travels Ohio while campaigning, she still remembers the base. She stated the base here is diversity. She said she welcomed the month and the sharing of the month with the people who are a part of this. She recognized the friends and colleagues who came, including the superintendent. She stated this is a joint effort and communities are not healthy unless their children are healthy. They work hard to make sure the educational system as well as municipal government is strong and represents us well. For years, Cleveland Heights has had the honor of honoring students who would read, write and create some sense of rhythm in the community. She said we wanted to recognize the diversity of the people of color and the joy they bring to life. She then introduced Nadia Walker as the first presenter.

Reading & Writing

Nadia Walker recited her poem “Our Story” and Maya Angelou’s “And Still I Rise.”

Presentation of Certificate

Councilman Cuda thanked Taylor Evans for her work in getting the ball rolling on the event, as well as Dr. McKinney, Jen Holland and Superintendent Kirby. Councilman Cuda asked Ms. Walker who her other favorite poet is, to which she replied Jacqueline Woodson. He then asked what inspired her to write the poem. Ms. Walker stated the way she perceives her own people is in a very positive way so she took the way she sees people of color and put it down on paper. Councilman Cuda then presented Ms. Walker with her certificate.

Reading & Writing

Najee Coore recited a poem written by fellow student Artrese Roberts entitled “My.”

Presentation of Certificate

Councilman Mattox presented Najee Coore with a certificate for his participation in the event.

Councilwoman Russell noted throughout history, African Americans authors have represented a rich and diverse body of literature. She stated their narratives have added to American

storytelling, have shifted perspectives and created a new dialogue around race, culture, policy, religion and society. These stories entertain, educate, inform and shape how the Black experience is viewed and understood in America. Councilwoman Russell stated Artrese Roberts' poem had entertained, educated and informed her. She then presented Ms. Roberts with a certificate for her participation in the event.

Music – Cat Burglars

Cheryl Stevens introduced a string quartet called the Cat Burglars, made up of Heights High students Sophie Muller, Patricia Chen, Ella Herr and Cassie Sisson. They performed two musical pieces.

Presentation of Certificate

Councilman Mattox thanked everyone for coming. He stated it was great to see so many gifts and talents displayed as we celebrate the month. Councilman Mattox shared the Bantu word 'ubuntu' which means "I am because of who we all are" to describe how he feels about Black History Month. He said Black History Month reminds him of the weight and the strength that comes along with who we are as people. The weight comes from the responsibility because we are standing on the shoulders of everyone who came before us, many who are in the room today. Because of the doors they've opened up, he said it's allowed us to go a little bit further, so there is a weight and a responsibility. He said he is passing the baton onto the students to lead and take us into the next generation so our voices are in rooms they otherwise wouldn't be in. The second thing is strength. The weight is from everything the people before have carried and every door they've opened for us but we also get their strength and the tenacity they've left behind. He said as we celebrate Black History Month, know you carry the weight of everyone else behind you but you also carry their strength into every room you go into. Black History Month should remind you that you are not by yourself. He said there is great responsibility in remembering and celebrating those who have gone before us but you also carry their strength in you and you are the future. He then presented Sophie Muller with her certificate.

Councilor Moore stated she felt the entire night had been so moving and she felt full from everything the students had given. She said what she loves about the diversity of Cleveland Heights and what she loves about Black History Month is it's claiming space here, in history and in the world. She wanted the young people to know they belong in the world and on every path they go on. She said they deserve to be there and they should take up space and to not let anyone make them think you need to be smaller. She then presented Patricia Chen with her certificate.

Councilor Larson stated it's been an honor to be there with all the future leaders and she cherished each and every one of them. She then presented Ella Herr with her certificate.

Councilwoman Russell discussed the Negro String Quartet, founded by Felix Weir playing music composed by Felix Weir and Arthur Boyd in 1920. The group remained active until 1933. On November 28, 1925, they performed at Carnegie Hall. She told the Cat Burglars if they continue to play how they've been playing, she bets one day they will be featured at Carnegie Hall. Councilwoman Russell thanked everyone for participating in the program and said, as African Americans, be proud, stay focused and be true to yourself. Know you are the future. When you

open the door, be bold and understand you have a voice in society and a place at the table. Remember African American Month and African American history is American history. She said to make sure, as you move forward in your journey, to grab someone else to take them with you, but stay focused and be blessed. She then presented Cassie Sisson with her certificate.

Closing Remarks

Mayor Seren stated the creation of Black History Month was only necessitated by the negation of Black history. Blackness itself was created out of the socioeconomic and psychological need for whiteness in America, and we have still not let go of that need. He recognized Vice President Cobb, Councilman Mattox and Councilwoman Russell for making Black history as the first three elected Black Council Members to serve together in the City's 100-year existence. He stated because we've just reached this milestone in 2022, these nights are still required. He thanked the students who contributed and recognized them as a symbol of the work to come; Black history yet to be made. He wanted everyone to leave with that charge in mind; to celebrate Black history every month by making Black history and by actively pushing back against efforts to diminish Black accomplishments. He thanked everyone for showing up to recognize Black history and encouraged everyone to keep showing up for all of our Black futures.

NEXT MEETING OF COUNCIL: MONDAY, MARCH 7, 2022

Respectfully submitted,

Melody Joy Hart
President of Council

Amy Himmlein
Clerk of Council



Monday, April 18, 2022 Minutes

CITY COUNCIL

7:35 – 8:48 p.m.

President Hart presiding

Roll Call: Present: Cuda, Hart, Larson, Mattox, Moore, Russell
 Absent: Cobb (watching via Zoom)

Also Present: Mayor Seren, Chief Britton, Hanna, Himmelein, Niermann-O'Neil, Thomas

Approval of the minutes of the Council meeting held on February 22, 2022 and March 7, 2022

Minutes were approved without any objections.

Matter of Record

Swearing in of police officers

Chief Britton made remarks regarding the promotions of Brett Billi to Police Sergeant and Sean Corrigan to Police Lieutenant, highlighting their backgrounds. Mayor Seren administered the oaths of office. Chief Britton then presented numerous commendations to Sergeant Billi and Lieutenant Corrigan.

Personal communications from citizens on Agenda Items only

None at this time.

Communications from the Mayor

Mayor Seren notified Council a Request for Proposal will be issued for the creation of a splash pad at Denison Park. He then stated he looked forward to the poetry presentation.

National Poetry Month Presentation

Council President Hart made remarks opening the presentation and welcomed Rachel Bernstein to introduce the Poet Laureate, Ray McNiece.

Rachel Bernstein stated this has been a long time coming because Ray McNiece was installed as Cleveland Heights' Poet Laureate in April of 2020, but they extended his tenure for one year

because of the pandemic. She then shared a brief history of Heights Arts. Ms. Bernstein stated Mr. McNiece is the 10th Poet Laureate for Cleveland Heights. Heights Arts came into existence in 2000 and she has since had the pleasure of presenting four Poet Laureates to City Council. She said Heights Arts was formed out of a city visioning process and the recognition that Cleveland Heights has more musicians, poets, writers, visual artists, and arts professionals than any other community in the area. At the same time, CPAC (formally Arts Cleveland, now Assembly for the Arts) did a study and validated all of those thoughts. She stated she is a product of living in this community; she is a musician and her and her husband at the time chose to live in Cleveland Heights because of the proximity to University Heights and all of the cultural amenities both cities provide. It was decided through the visioning process an independent non-profit would be set up, separate from the City, in order to remain mission focused and to insulate it from the effects of City leadership changes and budget priorities. Once they were formed as the Heights Arts Collaborative Organization, they approached the City for recognition that Cleveland Heights is a home to the arts. She stated they were very amenable to the idea and the City now has the tagline "Home to the Arts." More than 20 years later, they have a very respected track record of leadership of the arts in the community and they have produced many public art projects around the City, they present eight exhibitions a year, numerous concerts and host the Cleveland Heights Poet Laureates. They employ a community team, the Heights Rights Community team, comprised of members of the community who have expertise and connections in the areas where they focus: art, music and poetry. Their Poet Laureate program was the first one in the state. Candidates apply, they then review and conduct interviews and through that, Ray was chosen. He is the author of 11 books, two solo theater works, two music-poetry collaborations, one collaborative theater work. He started an educational company - Page to Stage Productions and has worked as a consultant for Word Forward in Singapore and the nationally touring Poetry Alive!, in addition to serving as an adjunct professor at John Carroll University. Recently, he was certified into Young Audiences national training artist's roster and was recently awarded the prestigious Cleveland Arts prize Lifetime Achievement Award.

Ray McNiece thanked Ms. Bernstein for her introduction. He said he learned poetry at his grandmother's knee. He congratulated Mayor Seren for his election. He remarked about Council President Hart's poetic name and told her he toured with Lawrence Ferlinghetti twice, as Council President Hart stated he was her favorite poet. He read three short haikus, noting he was the former haiku death slam champion. He then recited a poem called "During the Last Blizzard of Winter." He said Cleveland Heights is a beacon for the arts and thanked Council for the support of their work. Councilor Larson then read his proclamation.

Amy Rosenbluth congratulated Ray McNiece. She is the executive director of Lake Erie Ink, a writing space for youth. She said they were honored to be present tonight and to have some students share their original poetry. They were honored to have Council recognize poetry and the arts in general and also the power and importance of youth voice and to make space for youth voice. She introduced two students who presented poems.

Zaria Smith, a 6th grader at Monticello, read her original rhythm poem and two other poems by noted poets. Councilwoman Russell presented her with a certificate of participation.

Myieshia Hodges, a 10th grader at Heights High, read her poem called "The End of Me." Councilor Moore presented her with a certificate of participation.

Report of the Clerk of Council

Nothing to report at this time.

LEGISLATION

First Readings

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.

Motion to Adopt by Council President Hart, Seconded by Councilor Moore

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

Legislation Passed

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.

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

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

Legislation Passed

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.

Motion to Adopt by Councilor Moore, Seconded by Councilwoman Russell

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

Legislation Passed

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.

Motion to Adopt by Councilor Moore, Seconded by Councilor Larson

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

Legislation Passed

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.

Motion to Adopt by Councilor Moore, Seconded by Councilwoman Russell

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

Legislation Passed

b. First Reading Only

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.

Legislation Introduced

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.

Legislation Introduced

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.

Legislation Introduced

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.

Legislation Introduced

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.

Legislation Introduced

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.

Legislation Introduced

Council President Hart referred Legislation #48-53 to the Municipal Services Committee for review and consideration.

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.

Legislation Introduced

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.

Legislation Introduced

Council President Hart referred Legislation #54 and 55 to the Planning and Development Committee.

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.

Legislation Introduced

Councilwoman Russell dedicated the resolution to former Council Member Mary Dunbar, who was an avid bike rider and did a lot for Cleveland Heights regarding bikes. Council President Hart referred it to the Parks and Recreation Committee and challenged the Council Members to ride their bikes to Council with her to celebrate Bike Month.

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.

Motion to Adopt by Council President Hart, Seconded by Councilman Cuda

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

Legislation Passed

Council President Hart stated this is a continuation of the rate charged.

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.

Motion to Adopt by Council President Hart, Seconded by Councilor Moore

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

Legislation Passed

Council President Hart stated this is also a continuation of the rate charged.

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.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Larson

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

Legislation Passed

Committee Reports

ADMINISTRATIVE SERVICES COMMITTEE

***MOTION** to rescind the appointment of Thomas Hotchkiss to the Board of Zoning Appeals.

Moved by Councilman Mattox, Seconded by Councilman Cuda

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

Motion Passed

Law Director Hanna noted the reason Mr. Hotchkiss's appointment is being rescinded is because there was no vacancy for him to fill on the Board when he was appointed.

***MOTION** to reappoint Benjamin Hoen to the Board of Zoning Appeals.

Moved by Councilman Mattox, Seconded by Councilor Larson

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

Motion Passed

***MOTION** to reappoint David Benson to the Citizens Advisory Committee.

Moved by Councilman Mattox, Seconded by Councilor Moore

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

Motion Passed

***MOTION** to appoint Councilor Moore as Council Liaison and Councilor Larson as the alternate to the Transportation and Environmental Sustainability Committee.

Moved by Council President Hart, Seconded by Councilman Mattox

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

Motion Passed

COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Russell stated Monday, May 2nd at 10:00 a.m. is the Parks and Recreation Committee meeting. She noted she still has to send the agenda items out, as well as a request to the Mayor.

FINANCE COMMITTEE

Council President Hart said during the Committee of the Whole meeting, they had a presentation on the 2021 finances and she stated it was very good news. She stated there is a PowerPoint of the presentation for anyone who wants to watch it posted online.

HOUSING AND BUILDING COMMITTEE

Council Member Cuda stated the Committee is meeting for a work session Wednesday, April 20th at 9:00 a.m.; people can attend in person or watch online. They will discuss strategy for the Committee for the rest of the year; continuing their work on vacant and abandoned properties, blighted properties, nuisance abatement and other housing issues.

MUNICIPAL SERVICES COMMITTEE

Council Member Moore announced the Committee will be meeting Monday, April 25th from 4:30-5:30 p.m. They will be discussing the resolutions referred to the Committee, most notably, the NOPEC Green Choice Program resolution. It will be available on the YouTube Channel live.

PLANNING AND DEVELOPMENT COMMITTEE

Council Member Mattox stated the Planning and Development Committee meeting is scheduled for Monday, April 25th at 5:30 p.m. The agenda is online.

PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Larson thanked Public Works Director Clinkscale and her staff for showing Council the new refuse bins and trucks and for answering their questions last Saturday. In the last Committee meeting, Katie Davis, the MetroHealth school health program director for the CHUH school district, made a presentation and Councilor Larson said it's inspiring to know MetroHealth considers our children and families important to the health of the community. The program has been in the school district since 2019 and the mobile lab program is open to all students in the district. Secondly, Sam Bell from Cleveland's Vision Zero program, spoke about possible wording to strengthen Resolution 96-2021, which adopted the concept of Vision Zero and affirmed acceptable numbers of annual traffic fatalities as zero, and emphasized working with City staff to develop an implementation plan. She stated Councilwoman Russell shared details of a meeting she

was invited to attend to discuss basketball court safety and said Euclid may be a pilot for a mentoring program involving safety on basketball courts and she will report back later. Councilor Larson stated they are cancelling the April 25th public hearing on Lead Safe Certification due to recent concerns expressed by the Cuyahoga County Board of Health on the wording of the legislation. She stated they are asking the Board to attend a committee meeting to talk about adding the wording they want to see.

COMMITTEE OF THE WHOLE

Council President Hart stated the next Committee of the Whole meeting is May 2nd at 6:00 p.m.

Personal communications from citizens

Robin VanLear spoke about the Coventry PEACE campus. She stated its mission includes providing a sustainable, supportive and collaborative facility for the arts and community service non-profit businesses located in the former Coventry School building. She is representing Coventry PEACE and partner tenant organizations. She said in the effort to establish a permanent non-profit hub, Coventry PEACE has notified the Heights Library Board Members of its desire to purchase the building. The Library's refusal to continue its partnership with Coventry PEACE is putting the entire project in jeopardy. CPC's independence from the Library is the most viable path forward to ensure its success. She said the Library has moved forward with a repetitive facilities study at a cost of over \$14,000 and is in the final stages of approving a contract with an outside facilities management company at a base cost of over \$2,700 a month. Any additional work would be billed hourly. She noted the contract being negotiated was with a company who had the highest of all bids. For the past four years, CPC has provided most of the same services at no cost to the Library. In 2018 and 2020, CPC and the Library staff discussed outside management but the Library agreed both times it was unnecessary. No clear reason was given and the Library has rebuffed their efforts to discuss it. Since the Library Board has voted against the long-term lease, they have imposed a 25% rent hike for CPC. They plan to pass on the cost of private management to the tenants via significant rent increases. The consequences of these decisions have made it much more difficult, if not impossible, to convert prospective organizations into permanent tenants. It could result in several current tenants leaving the building or shuttering all together, putting the entire project in jeopardy. She said there is still time to mitigate the damage. CPC purchasing the building would solve all parties problems. CPC's independence was always part of the plan. She requested Council urge the Library to meet with CPC to discuss the proposal and requested they write letters of support. She had handouts and gave them to Council.

Fran Mentch hoped everyone would vote yes on Issue 9. She said in some ways, the issue is a sham, because of the City Council's actions. She stated voters do not know what they are actually voting on. She stated the City has never provided a financial analysis of the project. She believes the financial analysis was not provided intentionally. She stated the development agreement is very difficult to understand. She said we can get a better plan and we need a better plan. She said the City is also placing citizens at financial risk because of the multiple financial 'fires' going on, i.e. Tudor/Taylor development, Top of the Hill, etc. She said all of those huge projects are heavily subsidized. On Thursday, April 28th there will be a public forum at the Library. Only the 'Yes on Issue 9' side will be presented, but she hoped people would come to get their questions answered.

Steve Presser asked Council to consider changing the noise ordinance for house concerts. They were under the impression the ordinance was until 11 p.m. and were quite surprised to learn it's only 9 p.m. He stated they would like to see the noise ordinance be changed to 10 p.m. on Friday and Saturday nights, as well as on any holidays and the night before holidays. He stated many musicians suffered greatly due to COVID. He thought 10 p.m. for the neighborhood would be appropriate and thanked Council for their time.

Old business

Nothing to report at this time.

New business

Nothing to report at this time.

Council Member Comments

Councilor Moore stated on April 23rd, a Sustainability Fair will be held at the Coventry PEACE park from 1-4 p.m. Also, on April 27th, Future Heights is hosting a Sustainability Forum from 7-8:30 p.m. at the Coventry PEACE Campus. She said this is the first in their series of crowd sourced conversations, where community members talk about issues they care about and they crowd source what regular people can do to act on those issues.

Councilwoman Russell thanked the Recycle Refuse Task Force who came together in 2020 and worked from January to October on the concept of the new trash bins and trucks. She stated on Friday, she actually chased down a new truck to see how it worked in person. She wanted to thank the Mayor and the Municipal Services Director because the driver was a woman and it was the first time she had seen a female driver. She thanked the people involved for everything they did to make the new trash bins and trucks a reality.

Councilor Larson wanted to let Councilor Moore know she will represent her at the Sustainability Fair on Saturday.

Report of the Council President

Council President Hart stated the new garbage trucks are here; they started delivering the bins last Thursday. She asked when the citizens receive them, to please open up the blue recycle bins and you'll find a lot of instructions. She thanked the Refuse and Recycle Task Force members for an excellent job done and she stated it must be a proud moment. She also said one of the benefits to the City is it will lower worker's compensation costs as well as energy costs.

NEXT MEETING OF COUNCIL: MONDAY, MAY 2, 2022

Respectfully submitted,

Melody Joy Hart
President of Council

Amy Himmlein
Clerk of Council