



# CLEVELAND HEIGHTS

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**Council Committee of the Whole**

**Tuesday, June 21, 2022**

**6:00 p.m.**

**City Hall – Executive Conference Room**

## **Agenda**

1. Legislation Review/Caucus
2. Horseshoe Lake
3. Coventry PEACE Campus
4. Executive Session:
  - a. *To consider the appointment of public official(s) and public employee(s)*
5. Other

# MEMO

To: Mayor Khalil Seren

From: Brian Iorio, CDBG Coordinator

C.C.: Cleveland Heights City Council; Eric Zamft; William Hanna

RE: CDBG Legislation

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As is typically done on an annual basis, ten (10) pieces of legislation are being requested to be approved as an emergency in order to allow us to contract with the City's CDBG partners without causing any undue hardship to their programs and projects. The legislative items are listed in the below table:

Subrecipient	Source of Funds	Amount	Purpose
<b>Benjamin Rose Institute</b>	Year 48	\$15,000	Accessibility Improvements
<b>Family Connections of Northeast Ohio</b>	Year 48 CDBG	\$24,000	Family School Connections Program (\$21,000) & Parent Café (\$3,000)
<b>FutureHeights</b>	Year 48 CDBG	\$80,000	Community Capacity Building Program (\$45,000), Small Business Outreach/Technical Assistance (\$25,000), Noble Road Banner Project (\$10,000)
<b>Gesher</b>	Year 48 CDBG	\$10,000	Benefits Counseling Program
<b>Heights Emergency Food Center</b>	Year 48 CDBG	\$69,000	Food Pantry (\$24,000) & ADA Improvements (\$45,000)
<b>Home Repair Resource Center</b>	Year 48 CDBG	\$194,000	Housing Counseling (\$25,000), Financial Assistance Programs (\$30,000), Program Delivery (\$139,000)
<b>Lake Erie Ink</b>	Year 48 CDBG	\$11,000	Ink Spot After School Program
<b>Naaleh Cleveland</b>	Year 48	\$8,000	Mental Health Services

<b>Open Doors Academy</b>	Year 48 CDBG	\$26,000	Year-round Academic and Enrichment Programming for Disadvantaged Middle School Youth (\$10,000) and Pathways to Independence Programming at Cleveland Heights High School (\$16,000)
<b>Start Right CDC</b>	Year 48 CDBG	\$7,000	Food Pantry

All of these subrecipients and the associated contract amounts have been previously approved by City Council through the passage of the 2022 Annual Action Plan submittal on December 20, 2021. This request for legislation needed to wait for the allocation of funds from HUD, which occurred in May.

Of course, additional details regarding any of these activities are available to anyone that may like additional information.



## CLEVELAND HEIGHTS

### AGENDA (tentative) - CLEVELAND HEIGHTS CITY COUNCIL MEETING

**Tuesday, June 21, 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 May 2, 2022, May 16, 2022 and May 23, 2022**
- 5) Communications from the Mayor**
- 6) Report of the Clerk of Council**
- 7) 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.)
- 8) 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 (but note Resolution No. 97-2022, which is intended to be introduced tonight).*

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

**ORDINANCE NO. 83-2022 (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 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 \_\_\_\_\_

**ORDINANCE NO. 84-2022 (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 in order to provide for Council's hiring of a Clerk of Council and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Hart

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 85-2022 (PD), First Reading.** A Resolution authorizing the Mayor to enter into an agreement with the Benjamin Rose Institute on Aging, a non-profit corporation, for the use of Community Development Block Grant funds in connection with its Margaret Wagner Affordable Senior Housing Project; 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. 86-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with Family Connections of Northeast Ohio, a non-profit corporation, for the use of Community Development Block Grant funds in support of its Family School Connections Program and Parent Café Program; 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. 87-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with FutureHeights, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Community Capacity Building Program; 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. 88-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with Agudath Israel of Ohio, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses for their Gesher Benefits Referral Program; 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. 89-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with the Heights Emergency Food Center, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating and capital improvement expenses; 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. 90-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with the Home Repair Resource Center (“HRRC”), a non-profit corporation, for the use of Community Development Block Grant Funds for assistance with HRRC’s housing counseling, home-repair and home-improvement programs; 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. 91-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with Lake Erie Ink, a non-profit corporation, for the use of Community Development Block Grant funds to provide support for the organization's Ink Spot After School Program; 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. 92-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with Naaleh Cleveland, a non-profit corporation, for the use of Community Development Block Grant funds to provide support for the organization's mental health services programming; 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. 93-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with the Open Doors Academy, a non-profit corporation, for the use of Community Development Block Grant funds to support the organization's Out-of-School Time Program for Cleveland Heights-University Heights School District Middle School Scholars and the Out-of-School Time Program for Cleveland Heights High School Scholars; 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. 94-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with the Start Right Community Development Corporation, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses for its Food Bank Program; 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 \_\_\_\_\_

**ORDINANCE NO. 95-2022 (AS), *First Reading*.** An Ordinance approving and authorizing members of certain public bodies of the City of Cleveland Heights to hold and attend meetings, conduct and attend hearings, to be counted for purposes of the quorum for such body, and to vote on matters before such body, by means of teleconference, video conference or other similar electronic technology; amending Section 107.01(b) of the Codified Ordinances of the City of Cleveland Heights; and

declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren and Council President Hart

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**b. *First Reading Only***

**ORDINANCE NO. 96-2022 (PD), *First Reading*.** An Ordinance creating an Appraisal Gap Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**RESOLUTION NO. 97-2022 (AS), *First Reading*.** A Resolution amending the standing committees of Council to update the general responsibilities of each standing committee by subject matter; repealing Resolution No. 1-2022; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Hart

**ORDINANCE NO. 98-2022 (PSH), *First Reading*.** An Ordinance authorizing the Mayor to enter into a Lease Agreement with T-Mobile Central LLC for the use of a portion of City-owned property located at 3445 Mayfield Road for the construction, installation, operation, maintenance, repair, replacement, and improvement of a wireless communications facility and the grant of associated easements; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

c. **Second Readings**

**RESOLUTION NO. 70-2022 (F), Second Reading.** A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for 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 within the City of 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. 71-2022 (F), Second Reading.** A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of 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. 72-2022 (F), Second Reading.** A Resolution approving the adoption of the 2023 Tax Budget; 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. 73-2022 (F), Second Reading.** A Resolution authorizing the Mayor to enter into an agreement with Meritech and C.C.T. Financial for the acquisition and maintenance of copy machines for City employees; 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 \_\_\_\_\_

**ORDINANCE NO. 74-2022 (PSH), Second Reading.** An Ordinance amending Section 1509.04(b) of the Codified Ordinances of the City of Cleveland Heights to prohibit the discharge, ignition, or explosion of fireworks at all times and dates, including certain days each year pursuant to State law; 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 \_\_\_\_\_

**ORDINANCE NO. 75-2022 (PSH), Second Reading.** An Ordinance amending Chapter 749, “Fair Practices”, of the Codified Ordinances of the City of Cleveland Heights to prohibit any psychiatric treatment, including conversion therapy, the purpose of which is an attempt to change an individual's sexual orientation; and declaring the necessity that this Ordinance become immediately effective as an emergency measure.

Introduced by Mayor Seren and Councilman Mattox

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**ORDINANCE NO. 76-2022 (AS), Second Reading.** An Ordinance amending Codified Ordinance Section 111.10, *Clerk*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**ORDINANCE NO. 77-2022 (AS), Second Reading.** An Ordinance enacting a new Section 171.011, *Non-Discrimination in City Contracts*, to prohibit persons contracting with the City from discriminating against any person based upon the person's age, race, color, religion, sex, familial status, national origin, disability, sexual orientation, gender identity or expression, or the nonconsensual dissemination of a person's private sexual images, and providing remedies for violations; 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 \_\_\_\_\_

**ORDINANCE NO. 78-2022 (AS), Second Reading.** An Ordinance amending Ordinance No. 25-2022, "Wage and Salary Ordinance," providing for salary schedules, position classifications, and other compensation and benefits for officers and employees of the City, to add a salary schedule, position classification, and other compensation and benefits for a Clerk of Council and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**ORDINANCE NO. 79-2022 (AS), Second Reading.** An Ordinance repealing Sections 131.08 “Maternity Leave” and 139.13 “Maternity Leave” of the Codified Ordinances of the City of Cleveland Heights, enacting a new Section 139.13 “Paid Parental and Childbirth Leave,” and amending Sections 131.15 “Other Leaves of Absence” and 139.16 “Other Leaves of Absence” to provide paid parental leave benefits for full-time, permanent employees.

Introduced by Mayor Seren and Councilor Moore

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**ORDINANCE NO. 81-2022 (AS), Second Reading.** An Ordinance amending Section 150.02(a), “Members,” of Chapter 150, “Transportation and Environmental Sustainability Committee” of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, to remove City administrative staff from membership on the Committee.

Introduced by Mayor Seren

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 82-2022 (CRR), Second Reading.** A Resolution proclaiming July 2022 to be National Parks and Recreation Month in the City of Cleveland Heights; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: \_\_\_\_\_ / \_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_  
No. Reading \_\_\_\_\_

**9) Committee Reports**

- a.) Municipal Services Committee**
- b.) Planning and Development Committee**
- c.) Public Safety and Health Committee**
- d.) Administrative Services Committee**
- e.) Community Relations and Recreation Committee**
- f.) Finance Committee**
- g.) Housing and Building Committee**
- h.) Committee of the Whole**

**10) Public Comment - General**

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

**11) Old Business**

**12) New Business**

**13) Council Member Comments**

**14) Council President's Report**

**15) Adjournment**

**NEXT REGULAR COUNCIL MEETING: MONDAY, AUGUST 1, 2022**

Proposed: 6/6/2022

RESOLUTION NO.70-2022 (F), *Second Reading*

By Mayor Seren

A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for 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 within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by the adoption of Resolution No. 41-2022, declared 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 within the City of Cleveland Heights; and

WHEREAS, the City may receive written objections to the estimated assessments on file with the Director of Finance; and

WHEREAS, it is necessary for this Council, pursuant to Ohio Revised Code Section 727.16, to appoint an Assessment Equalization Board to hear said objections and to fix the time and place for the hearing upon said objections.

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

SECTION 1. Dennis Kennedy, Cory Swaisgood, and Angie Rich, who are disinterested freeholders in Cuyahoga County but outside the City of Cleveland Heights, are hereby appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated assessments on file with the Director of Finance and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in Resolution No. 41-2022 and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 2. The Board shall meet to hear said objections. The Mayor is hereby designated to fix the date and time of said hearing. Notice shall be given pursuant to Section 727.16 of the Ohio Revised Code. Upon the completion of such equalization, the Board shall report its recommendations to City Council.

SECTION 3. 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.

RESOLUTION NO. 70-2022 (F), *Second Reading*

SECTION 4. 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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 12, 2022, if it is to be added to the 2022 Tax Duplicate. 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor:

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/6/2022

RESOLUTION NO. 71-2022 (F), *Second Reading*

By Mayor Seren

A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by the adoption of Resolution 40-2022, declared the necessity of assessing a portion of the expense of street lighting within the City of Cleveland Heights; and

WHEREAS, the City may receive written objections to the estimated assessments on file with the Director of Finance; and

WHEREAS, it is necessary for this Council, pursuant to Ohio Revised Code Section 727.16, to appoint an Assessment Equalization Board to hear said objections and to fix the time and place for the hearing upon said objections.

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

SECTION 1. Dennis Kennedy, Cory Swaisgood, and Angie Rich, who are disinterested freeholders in Cuyahoga County but outside the City of Cleveland Heights, are hereby appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated assessments on file with the Director of Finance and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in Resolution No. 40-2022 and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 2. The Board shall meet to hear said objections. The Mayor is hereby designated to fix the date and time of said hearing. Notice shall be given pursuant to Section 727.16 of the Ohio Revised Code. Upon the completion of such equalization, the Board shall report its recommendations to City Council.

SECTION 3. 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 4. 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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 12, 2022, if it is to be added to the

RESOLUTION NO. 71-2022 (F), *Second Reading*

2022 Tax Duplicate. 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor:

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/6/2022

RESOLUTION NO. 72-2022 (F), *Second Reading*

By Mayor Seren

A Resolution approving the adoption of the 2023 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Mayor has prepared and submitted to the Council a proposed 2023 Tax Budget for Council's review and evaluation; and

WHEREAS, the members of the Council have met with the Mayor and his staff for the purpose of review, evaluation, and to discuss their recommendations on the proposed Budget; and

WHEREAS, a copy of the proposed 2023 Tax Budget is available for inspection by the general public at the office of the Director of Finance at the City Hall; and

WHEREAS, a notice of public hearing will be given prior to the public hearing on said 2023 Tax Budget.

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

SECTION 1. This Council hereby approves the adoption of the 2023 Tax Budget as is on file in the office of the Director of Finance.

SECTION 2. The Clerk of Council is hereby directed to make a copy of the approved 2023 Tax Budget a matter of record.

SECTION 3. The Director of Finance is hereby directed to file a copy of the approved 2023 Tax Budget with the Cuyahoga County Budget Commission.

SECTION 4. 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 5. This Resolution 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 to permit its timely filing with the Budget Commission within the period permitted by law. 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. 72-2022 (F), *Second Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

Passed:

Presented to Mayor:

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/6/2022

RESOLUTION NO. 73-2022 (F), *Second Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Meritech and C.C.T. Financial for the acquisition and maintenance of copy machines for City employees; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City recently issued a Request for Proposals for the provision of copier equipment and maintenance services; and

WHEREAS, upon review, it was determined that the proposal from Meritech and C.C.T. Financial was the most advantageous to the City.

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 to lease copiers for City employees for a period of five years, with an option to purchase the equipment at the end of the term for One Dollar (\$1.00). The agreement shall provide for payments of One Thousand Nine Hundred Twenty-Seven Dollars (\$1,927.00) per month, plus copy costs of \$0.0029 per page for black and white copies and \$0.029 per page for color copies, as well as a one-time set up fee of Three Hundred Dollars (\$300.00). The agreement shall contain such further terms as recommended by the Mayor and Director of Information Technology Department, 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 the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to provide essential City services without interruption. 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. 73-2022 (F), *Second Reading*

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/6/2022

ORDINANCE NO. 74-2022 (PSH), *Second Reading*

By Mayor Seren

An Ordinance amending Section 1509.04(b) of the Codified Ordinances of the City of Cleveland Heights to prohibit the discharge, ignition, or explosion of fireworks at all times and dates, including certain days each year pursuant to State law; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Ohio General Assembly recently adopted Sub. House Bill 172;

WHEREAS, Sub. House Bill 172 amended Ohio R.C. 3743.45 to allow any person authorized to possess 1.4 G fireworks in Ohio to discharge, ignite, or explode those fireworks on private property on ten (10) specific days of the year;

WHEREAS, Sub. House Bill 172 expressly permits municipal corporations to restrict and/or ban the discharge, ignition, or explosion of fireworks within the municipality, including the specific days authorized by Ohio R.C. 3743.45; and

WHEREAS, this Council desires to continue to prohibit the discharge, ignition, or explosion of fireworks in the City in order to preserve the public health, safety, and welfare of the residents of the City of Cleveland Heights.

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

**SECTION 1:** Section 1509.04(b) of the Codified Ordinances of the City of Cleveland Heights is hereby amended to read as follows:

**1509.04 POSSESSION, SALE OR DISCHARGE PROHIBITED; EXCEPTIONS.**

\* \* \*

(b) Except as provided in **Ohio R.C. 3743.80 or** Section 1509.05 and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55 and Section 1509.02, no person shall discharge, ignite or explode any fireworks in this Municipality. **Pursuant to Ohio R. C. 3743.45(D), this prohibition applies to ban the discharge, ignition, or explosion within this Municipality of all fireworks purchased pursuant to Ohio R.C. 3743.45 on all dates and at all times, including any and all of the dates set forth in Ohio R.C. 3743.45(B).**

ORDINANCE NO. 74-2022 (PSH), *Second Reading*

**SECTION 2.** Subsection 1509.04(b) of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance is hereby repealed.

**SECTION 3.** 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 4.** It is necessary that this Ordinance 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 prohibit the discharge, ignition and explosion of fireworks on a timely basis as we move into the summer holiday season. Wherefore, provided it receives the affirmative vote of five 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/06/2022

ORDINANCE NO. 75-2022 (PSH), *Second Reading*

By Mayor Seren and Councilman Mattox

An Ordinance amending Chapter 749, "Fair Practices", of the Codified Ordinances of the City of Cleveland Heights to prohibit any psychiatric treatment, including conversion therapy, the purpose of which is an attempt to change an individual's sexual orientation; and declaring the necessity that this Ordinance become immediately effective as an emergency measure.

WHEREAS, the American Psychiatric Association in December 1998 published a position statement opposing any psychiatric treatment, including reparative or conversion therapy, which therapy regime is based upon the assumption that homosexuality per se is a mental disorder or upon an assumption that a patient should change his or her homosexual orientation; and

WHEREAS, the American Psychological Associations Task Force on Appropriate Therapeutic Responses to Sexual Orientation ("APA Task Force") concluded that sexual orientation change efforts can pose critical health risks to lesbian, gay and bisexual people, including, among other things, confusion, depression, social withdrawal, suicidality, substance abuse, self-hatred, high-risk sexual behaviors, and a feeling of being dehumanized; and

WHEREAS, following the report issued by the APA Task Force, the American Psychological Association issued a resolution in 2009 on Appropriate Affirmative Responses to Sexual Orientation Distress and Change Efforts, advising parents, guardians, young people and their families to avoid sexual orientation change efforts that portray homosexuality as a mental illness or developmental disorder, and encouraging psychotherapy, social support, and education services that provide accurate information on sexual orientation and sexuality, increase family and school support and reduce rejection of sexual minority youth; and

WHEREAS, the American Academy of Child Adolescent Psychiatry in 2012 published a statement in its journal that "[g]iven that there is no evidence that efforts to alter sexual orientation are effective, beneficial or necessary and the possibility that they carry the risk of significant harm, such interventions are contraindicated"; and

WHEREAS, the American Academy of Pediatrics, the American Medical Association Council on Scientific Affairs, the National Association of Social Workers, the American Counseling Association Governing Council, and the Psychoanalytic Association each have asserted in reports or position statements that sexual orientation change efforts, including reparative therapy or conversion therapy are not recommended and may be harmful; and

WHEREAS, the Pan American Health Organization issued a statement in 2012 that "[t]hese supposed conversion therapies constitute a violation of the principles of health care and violate human rights that are protected by international and regional agreements "; and

ORDINANCE NO. 75-2022 (PSH), *Second Reading*

WHEREAS, the City of Cleveland Heights has a compelling interest in protecting the physical and psychological well-being of minors, including lesbian, gay, bisexual and transgender youth and in protecting its minors against exposure to serious harms caused by conversion therapy; and

WHEREAS, it is the desire of the Council of the City of Cleveland Heights to prohibit the use of conversion therapy with minors, which has been demonstrated to be harmful to the physical and psychological well-being of lesbian, gay, bisexual and transgender persons.

BE IT ORDAINED BY THE CITY OF CLEVELAND HEIGHTS, OHIO:

SECTION 1. Section 749.03, *Definitions*, of Chapter 749, *Fair Practices*, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to enact new Subsections 749.03(jj) and 749.03(kk) to read as follows:

**749.03 DEFINITIONS**

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(jj) "Conversion therapy" means any practices or treatments that seek to change an individual's sexual orientation or gender identity, including efforts to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender. Conversion therapy shall not include counseling that provides assistance to a person undergoing gender transition, or counseling that provides acceptance, support and understanding of a person or facilitates a person's coping, social support, and identity exploration and development, including sexual-orientation-neutral intervention to prevent or address conduct or unsafe practices, as long as such counseling does not seek to change an individual's sexual orientation or gender identity.

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(kk) "Mental health professional" means an individual who is licensed, certified or registered under the laws of the State of Ohio to provide, to an individual or group, mental health services, including but not limited to, the assessment or improvement of mental, emotional, psychiatric, psychological, or psychosocial adjustment or functioning, regardless of whether there is a diagnosable, pre-existing disorder or disease. Mental health professions include but are not limited to physicians specializing in the practice of psychiatry, psychologists, marriage and family therapists, licensed clinical social workers, professions clinical counselors, behavioral clinicians or therapists, nurses or any other persons offering such mental health services.

ORDINANCE NO. 75-2022 (PSH), *Second Reading*

SECTION 2. Chapter 749, *Fair Practices*, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is to enact a new Section 749.161, *Conversion Therapy Prohibited*, which shall read as follows:

**749.161 CONVERSION THERAPY PROHIBITED**

No mental health professional shall engage or cause another to engage in conversion therapy with a minor, without regard to whether the mental health professional is compensated or receives any form of remuneration for his or her services. A violation of this section shall be an Unlawful Discriminatory Practice.

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. It is necessary that this Ordinance 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 protect the health and welfare of minors. Wherefore, provided it receives the affirmative vote of five 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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved by Mayor: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/06/2022

ORDINANCE NO. 76-2022 (AS), *Second Reading*

By Vice President Cobb

An Ordinance amending Codified Ordinance Section 111.10, *Clerk*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on May 3, 2022, the electors of the City of Cleveland Heights voted overwhelmingly to approve Issue 10 which amended 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, this Council desires to amend Section 111.10, *Clerk* to reflect the wider duties of the new position.

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

SECTION 1. Section 110.10, *Clerk* shall be, and is hereby, amended to read as follows:

**111.10 CLERK**

(a) The Clerk of Council shall be appointed by the affirmative voter of a majority of the members elected or appointed to Council. The Clerk of Council shall be subject to the supervision of the President of Council or the President’s designee, shall serve during good behavior, and may be removed only by the vote of a majority of Council as described above. The Clerk of Council shall attend all Council meetings, both regular and special; prepare or cause the preparation of minutes; maintain an accurate and complete record of all Council proceedings; prepare or cause to be prepared or assist the Council President in the preparation of an agenda for every meeting of Council; and have custody of all ordinances and resolutions of Council and all official documents, reports, papers, communications and files of Council. The Clerk of Council shall maintain an updated record of all appointments made by the Council and the terms of office associated therewith. The Clerk shall also perform such other duties as are required by law or are required by the Charter, these Codified Ordinances, or any other ordinance, resolution or motion of Council.

(b) The compensation of the Clerk of Council shall be established by Council and shall include all benefits, including but not limited to hospitalization, medical, and dental insurance, which are available to full time City employees.

SECTION 2. Present Section 111.10 of the Codified Ordinances as it exists prior to the effective date of this Ordinance, shall be and hereby is repealed.

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.

ORDINANCE NO. 76-2022 (AS), *Second Reading*

SECTION 4. It is necessary that this Ordinance 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 obtain a Clerk to conduct Council business. Wherefore, provided it receives the affirmative vote of five 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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to the Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/06/2022

ORDINANCE NO. 77-2022 (AS), *Second Reading*

By Mayor Seren

An Ordinance enacting a new Section 171.011, *Non-Discrimination in City Contracts*, to prohibit persons contracting with the City from discriminating against any person based upon the person's age, race, color, religion, sex, familial status, national origin, disability, sexual orientation, gender identity or expression, or the nonconsensual dissemination of a person's private sexual images, and providing remedies for violations; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights is a community that prides itself in its diversity and in being a place that is welcoming to all persons and families; and

WHEREAS, this Council desires to ensure that persons contracting with the City exemplify the same values of inclusion and non-discrimination.

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

SECTION 1. Chapter 171, *Contracts*, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to enact a new Section 171.011, which shall read as follows:

#### **171.011 NON-DISCRIMINATION IN CITY CONTRACTS**

No Person contracting with the City shall discriminate against any individual in violation of the provisions of Chapter 749 of the Codified Ordinances. For the purposes of this Section, "discriminate" shall have the same meaning as set forth in Subsection 749.03(n) of these Codified Ordinances. Any individual subjected to unlawful Discrimination under this Section shall be entitled to all remedies set forth in Chapter 749, *Fair Practices*, of the Codified Ordinances, pursuant to the complaint, investigation, hearing and penalty provisions of that Chapter.

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. It is necessary that this Ordinance 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 ensure equal treatment of employees by parties contracting with the City. Wherefore, provided it receives the affirmative vote of five 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.

ORDINANCE NO. 77-2022 (AS), *Second Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to the Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/06/2022

ORDINANCE NO. 78-2022 (AS), *Second Reading*

By Vice President Cobb

An Ordinance amending Ordinance No. 25-2022, "Wage and Salary Ordinance," providing for salary schedules, position classifications, and other compensation and benefits for officers and employees of the City, to add a salary schedule, position classification, and other compensation and benefits for a Clerk of Council and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on May 3, 2022, the electors of the City of Cleveland Heights voted overwhelmingly to approve Issue 10 which amended 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, Cleveland Heights Codified Ordinance Section 139.21 generally requires this Council to "establish employees' wages, hours of work, sick leave benefits, paid hospitalization benefits, vacations, legal holidays, and all other forms of fringe benefits and other conditions of employment by ordinance;" and

WHEREAS, the City's Wage and Salary Ordinance, adopted on March 21, 2022 by Ordinance No. 25-2021, establishes salary schedules, position classifications, and other compensation and benefits for officers and employees of the City; and

WHEREAS, this Council believes that it should at this time establish the compensation for the position of Clerk of Council, to be effective as of the date a party is hired for the position.

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

SECTION 1. Ordinance No. 25-2022, "Wage and Salary Ordinance," shall be, and is hereby, amended to add the position of Clerk of Council, and to designate such position as Salary Grade 19.

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. It is necessary that this Ordinance 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 meet hiring deadlines. Wherefore, provided it receives the affirmative vote of five 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.

ORDINANCE NO. 78-2022 (AS), *Second Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to the Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/6/2022

ORDINANCE NO. 79-2022 (AS), *Second Reading*

By Mayor Seren and Councilor Moore

An Ordinance repealing Sections 131.08 “Maternity Leave” and 139.13 “Maternity Leave” of the Codified Ordinances of the City of Cleveland Heights, enacting a new Section 139.13 “Paid Parental and Childbirth Leave,” and amending Sections 131.15 “Other Leaves of Absence” and 139.16 “Other Leaves of Absence” to provide paid parental leave benefits for full-time, permanent employees.

WHEREAS, the City of Cleveland Heights currently offers maternity leave to employees who are expectant mothers, and

WHEREAS, the City of Cleveland Heights hasn’t updated its maternity leave policy since 1977, and

WHEREAS, this Council believes that it is important to offer a more modern and inclusive parental leave policy to employees in the pursuit of an equitable workplace and to help the City attract well qualified workers, and

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

SECTION 1. The existing Section 131.08 “Maternity Leave” of the Codified Ordinances of Cleveland Heights shall be, and is hereby, repealed in its entirety.

SECTION 2. The existing Section 139.13 “Maternity Leave” of the Codified Ordinances of Cleveland Heights shall be, and is hereby, repealed in its entirety.

SECTION 3. A new Section 139.13 “Paid Parental Leave and Childbirth Leave” of the Codified Ordinances of Cleveland Heights shall be, and is hereby, enacted to read as follows:

### **139.13 PAID PARENTAL LEAVE AND CHILDBIRTH LEAVE**

- (a) As used in this Section, “paid parental leave” shall mean a four-week leave of absence for the purpose of a parent bonding with a newborn or with a newly adopted child in which the employee is compensated at 100 percent of their regular base rate of pay. Paid parental leave shall be in addition to, and not reduce, an employee’s balance of any other accrued paid leave provided to the employee by the City.
- (b) As used in this Section, “paid childbirth leave” shall mean a twelve-week leave of absence in which a parent who gives birth shall be compensated at 100 percent of their regular, base rate of pay while recovering from childbirth. Paid childbirth leave shall be in addition to, and not reduce, an employee’s balance of any other accrued paid leave provided to the employee by the City.
- (c) All employees of the City who have been employed full-time for 12 or more months, or part-time at an average of at least 35 hours per week for 12 or more months, shall be eligible to take paid parental leave one time in a 12-month period.

- (d) All employees of the City who have been employed full-time for 12 or more months, or part-time at an average of at least 35 hours per week for 12 or more months, and who are parents who give birth shall be eligible to take paid childbirth leave one time in a 12-month period.
- (e) Paid parental leave and paid childbirth leave must be taken in one uninterrupted period of leave time and must be taken within 12 months following the birth or placement of a child for adoption or foster care.
- (f) Paid parental leave and paid childbirth leave shall run concurrently with each other, as applicable, and with Federal Family Medical Leave Act (FMLA) leave, and be counted against the amount of FMLA leave available to and employee taking these benefits.
- (g) Whenever the birth or placement of a child for adoption or foster care is foreseen, the employee must provide the Director of Human Resources at least 30 days' notice of their intention to take paid parental leave or paid childbirth leave.
- (h) An employee who would otherwise be eligible for paid parental leave pursuant to the above, whose child is stillborn or dies during the third trimester of pregnancy, is eligible for three (3) calendar weeks of paid parental leave following the date of death of the unborn or stillborn child. In the event the newly born or adopted child dies during the period of time that the employee is on paid parental leave, the employee shall be entitled to the full extent of the paid parental leave permitted above, and the paid parental leave shall not terminate due to the death of the child. All other provisions of the paid parental leave granted pursuant to above shall apply.
- (i) If an employee is enrolled in group health insurance or other insurance benefits sponsored by the City, these benefits will continue as if the employee had not taken leave.
- (j) Paid parental leave and paid childbirth leave taken by an employee shall not be counted as time worked for the purposes of calculating overtime.
- (k) The Director of Human Resources shall promulgate a policy related to provision of medical documentation, adoption or foster documentation, intermittent leave, returning to work, confidentiality, and any other relevant considerations not inconsistent with this Section or the Family and Medical Leave Act.

SECTION 4. Section 131.15 "Other Leaves of Absence" of the Codified Ordinances of Cleveland Heights shall be, and is hereby, amended to read as follows:

**131.15 OTHER LEAVES OF ABSENCE.**

Leave of absence other than sick, paid parental, paid childbirth, or vacation leave, may be granted upon written request, with or without pay by the Mayor, under such conditions and terms as the Mayor shall determine.

SECTION 5. Section 139.16 "Other Leaves of Absence" of the Codified Ordinances of Cleveland Heights shall be, and is hereby, amended to read as follows:

**139.16 OTHER LEAVES OF ABSENCE.**

ORDINANCE NO. 79-2022 (AS), *Second Reading*

Leave of absence other than sick, paid parental, paid childbirth, or vacation leave, may be granted upon written request, with or without pay by the Mayor, under such conditions and terms as the Mayor shall determine.

SECTION 6. 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 7. This Ordinance shall take effect and be in force at the earliest time possible permitted by law.

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MELODY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/6/2022

ORDINANCE NO. 81-2022 (AS), *Second Reading*

By Mayor Seren

An Ordinance amending Section 150.02(a), “Members,” of Chapter 150, “Transportation and Environmental Sustainability Committee” of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, to remove City administrative staff from membership on the Committee.

WHEREAS, the Council passed Ordinance No. 175-2013 on October 21, 2013, establishing a Transportation Advisory Committee to “provide a means for the community to obtain information about matters related to transportation within the City of Cleveland Heights and about the City’s connectivity to nearby regions, and to make recommendations to Council on transportation plans for the City;” and

WHEREAS, as originally passed under the Council-City Manager form of government, the Transportation Advisory Committee included the “Chief of Police or his/her designee; Director of Public Works or his/her designee; and Director of Planning and Development or his/her designee”; and

WHEREAS, the Council passed Ordinance No. 209-2013 to add two at-large members the the Transportation Advisory Committee; and

WHEREAS, the Council passed Ordinance No. 111-2021 to include three additional members on this committee, to add environmental sustainability to the mission of the committee, and to change the name of the committee to the Transportation and Environmental Sustainability Committee; and

WHEREAS, under the Mayor-Council form of government in Cleveland Heights that took effect January 1, 2022, the inclusion of administrative staff under the direction of the Mayor as members of a committee tasked with advocacy and recommendation to the Council presents potential conflicts in interest and confusion between the policy positions of the administration and the policy recommendations of the Transportation and Environmental Sustainability Committee.

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

SECTION 1. Section 150.02(a), “Members,” of Chapter 150, “Transportation and Environmental Sustainability Committee” of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, is hereby amended to read as follows:

## 150.02 MEMBERS

(a) The Committee shall consist of twelve (12) members, eleven (11) of whom shall be appointed by City Council (“appointed members”); and one (1) of whom shall be

ORDINANCE NO. 81-2022 (AS), *Second Reading*

appointed by the Regional Transit Authority, as set forth below. The appointed members shall include: one (1) Cleveland Heights resident to represent the interests of bicyclists; one (1) Cleveland Heights resident to represent the interests of pedestrians; one (1) Cleveland Heights resident to represent the interests of transit users; one (1) Cleveland Heights resident to represent the interests of disabled persons; one (1) person to represent the interests of the educational community within the Cleveland Heights-University Heights School District; one (1) person to represent the general interests of the Cleveland Heights business community; two (2) Cleveland Heights residents to serve at-large to represent proponents of alternative modes of transportation (other than private automobiles); and three (3) Cleveland Heights residents with demonstrated interest in and knowledge of environmental sustainability. The Regional Transit Authority shall appoint one (1) person to represent its interests. City Council's appointments to the Committee should be made in a manner intended to reflect the City's goal of racial and social diversity.

SECTION 2. Notice of 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 shall take effect and be in force at the earliest time permitted by law.

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MELODY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed 6/6/2022

RESOLUTION NO. 82-2022 (CRR), *Second Reading*

By Mayor Seren

A Resolution proclaiming July 2022 to be National Parks and Recreation Month in the City of Cleveland Heights; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including the City of Cleveland Heights; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS, the City of Cleveland Heights is honored to take part in the annual observance of National Parks and Recreation Month to distinguish Cleveland Heights as an attractive and desirable community to live, work, play, and visit.

RESOLUTION NO. 82-2022 (CRR), *Second Reading*

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

SECTION 1. This Council hereby proclaims July 2022 to be National Parks and Recreation Month in the City of Cleveland Heights and encourages residents to take advantage of the many opportunities to participate in parks and recreation programs and to enjoy the over 140 acres of parkland, multiuse paths, trails and playgrounds available throughout the City.

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 recognize National Parks and Recreation Month 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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor:

Approved:

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KAHLIL SEREN  
Mayor

Proposed: 6/21/2022

ORDINANCE NO. 83-2022 (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 the necessity that this Resolution become immediately effective as an emergency measure.

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. It is necessary that this Ordinance 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 ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five 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.

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MELODY JOY HART  
President of Council

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Clerk of Council

Passed:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

## ORDINANCE NO. 83-2022 (F), First Reading

## Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget	Net Effect to Budget
101 - General	3101 - Finance	O.T.P.S.	Refund of erroneous deposits by STAROhio in prior years.	128,350.00	23,940.23	152,290.23	Increase - Unbudgeted cash will be used.
	8405 - Ice Programs	Personal Services	Transfer seasonal salary to contractual services.	231,682.53	(10,000.00)	221,682.53	Zero - Budget is being transferred.
		O.T.P.S.	Transfer seasonal salary to contractual services.	12,742.00	10,000.00	22,742.00	Zero - Budget is being transferred.
	8406 - General Recreation Prog	Personal Services	Transfer seasonal salary to contractual services.	117,196.85	(25,000.00)	92,196.85	Zero - Budget is being transferred.
		O.T.P.S.	Transfer seasonal salary to contractual services.	22,250.00	25,000.00	47,250.00	Zero - Budget is being transferred.
	8411 - Community Center Admin	Personal Services	Transfer seasonal salary to contractual services.	625,793.00	(20,000.00)	605,793.00	Zero - Budget is being transferred.
		O.T.P.S.	Transfer seasonal salary to contractual services.	294,421.00	20,000.00	314,421.00	Zero - Budget is being transferred.
	7206 - Drug Law Enforcement Capital		Increase for license plate readers which is offset by seizure money.	0.00	50,000.00	50,000.00	Zero - Revenue will cover the cost.
212 - FEMA Grant	7301 - Fire Admin	Capital	Increase to spend the remainder of the 2020 Assistance to Firefighter Grant.	0.00	21,530.16	21,530.16	Zero - Grant funds will cover the cost.
216 - Res Fdng Imp Fund	8301 - Park Maintenance Admin	O.T.P.S.	Transfer for maintenance and supply costs.	167,000.00	50,000.00	217,000.00	Zero - Budget is being transferred.
		Capital	Transfer for maintenance and supply costs.	304,000.00	(50,000.00)	254,000.00	Zero - budget is being transferred.
240 - Federal Miscellaneous Grants	8901 - Cain Park Admin/Start- Up	O.T.P.S.	Increase to spend the remainder of the Shuttered Venue Operators Grant.	171,041.21	28,227.27	199,268.48	Zero - Grant funds will cover the cost.
211 - Local Fiscal Recovery	7301 - Fire Admin	Personal Services	Increase to pay pension on premium payment for firefighters.	205,874.07	70,000.00	275,874.07	Zero - Grant funds will cover the cost.
<b>Total</b>				<b>2,280,350.66</b>	<b>193,697.66</b>	<b>2,474,048.32</b>	

Current General Fund Unbudgeted Revenue	41,220.24
Changes to the General Fund	-23,940.23
<b>Total</b>	<b>17,280.01</b>

Proposed: 6/21/2022

ORDINANCE NO. 84-2022 (F), *First Reading*

By Council President Hart

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 in order to provide for Council's hiring of a Clerk of Council and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, pursuant to a voter-approved amendment to the City Charter, Council must appoint a Clerk of Council; and

WHEREAS, Council has determined that the Clerk of Council will be compensated within Salary Grade 19 of the City's Wage and Salary Ordinance but must transfer budget funds in order to pay the Clerk of Council when appointed.

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. It is necessary that this Ordinance 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 compensate a Clerk of Council when appointed and the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, Pro Tem

Passed:

Presented to Mayor:

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**Exhibit 1****Appropriation Adjustment Fiscal Year 2022**

## Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget	Net Effect to Budget
101 - General	1101 - City Council	Personal Services	Transfer for Clerk of Council salary.	77,883.60	44,629.27	122,512.87	Zero - Budget is being transferred.
	3101 - Finance	Personal Services	Transfer for Clerk of Council salary.	500,325.06	(44,629.27)	455,695.79	Zero - Budget is being transferred.
<b>Total</b>				<b>578,208.66</b>	<b>0.00</b>	<b>578,208.66</b>	

Proposed: 6/21/2022

RESOLUTION NO. 85-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Benjamin Rose Institute on Aging, a non-profit corporation, for the use of Community Development Block Grant funds in connection with its Margaret Wagner Affordable Senior Housing Project; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Benjamin Rose Institute on Aging is a non-profit corporation that was founded in 1908, to support caregivers and empower all people to age well through research, consumer-responsive services and client advocacy; and

WHEREAS, the Benjamin Rose Institute on Aging opened the Margaret Wagner House at 2373 Euclid Heights Boulevard in 1960 as a state-of-the-art skilled nursing facility; and

WHEREAS, since 2003, Benjamin Rose Institute on Aging has operated HUD 202 supportive housing, Margaret Wagner Apartments and Margaret Wagner Apartments II, providing seniors in the Greater Cleveland area secure, affordable, and supportive housing.; and

WHEREAS, the Benjamin Rose Institute on Aging has now secured funding for the rehab and addition of affordable housing units and is in need of assistance to construct exterior accessibility improvements; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such a project; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with the Benjamin Rose Institute on Aging, a non-profit corporation, for support with its Margaret Wagner Senior Affordable Housing Project. The agreement shall provide for funding in the amount of up to Fifteen Thousand Dollars (\$15,000) from Year 48 Community Development Block Grant funds. The project to be completed by the Benjamin Rose Institute on Aging is set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be subject to the approval as to form by the Director of Law.

RESOLUTION NO. 85-2022, (PD), *First Reading*

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 allow the Margaret Wagner Affordable Senior Housing Project programming of the Benjamin Rose Institute on Aging to continue without interruption. 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

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**EXHIBIT A**  
**STATEMENT OF WORK**

**THE BENJAMIN ROSE INSTITUTE ON AGING SENIOR AFFORDABLE HOUSING  
PROJECT**

In 1960, Benjamin Rose opened Margaret Wagner House in Cleveland Heights as a state-of-the-art skilled nursing facility. Today, the building is a programming hub that ensures older adults' basic needs are met through affordable rental housing with supportive services, including behavioral health services, benefits and healthcare enrollment, financial literacy, socialization, and activities that address food security by distributing meals to older adults throughout Cuyahoga County.

Since 2003, Benjamin Rose has operated HUD 202 supportive housing, Margaret Wagner Apartments and Margaret Wagner Apartments II, providing seniors in the Greater Cleveland area secure, affordable, and supportive housing. Benjamin Rose's HUD 202 supportive rental housing for very-low-income persons aged 62 years and older is comprised of 60 apartments designed to help older adults live securely and independently.

Benjamin Rose Institute on Aging has refined a vision for Margaret Wagner House that combines leading edge design, innovative support services, and efficient use of federal resources to enrich the lives of vulnerable older adults with low incomes. Benjamin Rose proposes to complete the adaptive re-use of the former nursing home facility, Margaret Wagner House. The project will turn approximately 20,450 square feet of the first floor of the five-story Margaret Wagner House building into residential space with 20 new one-bedroom HUD 202 Project Rental Assistance Contract (PRAC) Supportive Housing for the Elderly apartments and integrated common space including a laundry room, tenant storage lockers, management office space, a wellness office, public restrooms, including activity/community space with a common serving kitchen. The interior of the first floor will be completely gutted, except for portions of existing community spaces, exit stairs, elevators and vertical utility services, which will be maintained to serve the new apartments. A small portion of the lower level of the building including a multi-purpose room, adjacent kitchenette and public restrooms will also be renovated to expand community gathering space for educational and social programming.

The project's exterior improvements focus on enhancing the accessibility and appearance of the front entrance facing Euclid Heights Blvd. The asphalt entry drive, concrete curbs and adjacent sidewalks will be completely removed and replaced. New heated, concrete sidewalks with accessible ramps and handrails will be installed leading east down to the public sidewalk on Euclid Heights Blvd., and west to the main parking lot. The automatic sliding entrance system that was installed over the historic doorway will be removed, and a new pair of white aluminum

RESOLUTION NO. 85-2022, (PD), *First Reading*

and glass entry doors will be installed in the original opening. The existing wood door frame will be restored and repainted. The ornamental metalwork and carriage light fixtures will also be restored. Original wood windows will be replaced on the first floor and a portion of the lower level, with new aluminum windows that match the replacement windows installed on floors 2 through 5. Concrete and masonry area wells will be repaired, and new metal grates will be installed. Finally, new landscaped planting beds will be installed, and all disturbed lawns will be reseeded, and the existing irrigation system will be modified to serve the new beds and lawns.

Year 48 CDBG funds will be utilized to assist in the construction of the exterior accessibility improvements. Approximately 80 very low-income households will benefit from this project.

Proposed: 6/21/2022

RESOLUTION NO. 86-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Family Connections of Northeast Ohio, a non-profit corporation, for the use of Community Development Block Grant funds in support of its Family School Connections Program and Parent Café Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Family Connections of Northeast Ohio is a non-profit corporation, the mission of which is to strengthen families and promote the healthy development of children by providing parent education, parent support and activities for families with children from birth to age ten; and

WHEREAS, Family Connections of Northeast Ohio has established a Family School Connections Program to provide support to parents and youth; and

WHEREAS, Family Connections of Northeast Ohio has established a Parent Café Program to provide support to parents and youth; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such programming; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with Family Connections of Northeast Ohio, a non-profit corporation, for assistance with its Family School Connections and Parent Café Programs. The agreement shall provide for funding in the amount of up to Twenty-Four Thousand Dollars (\$24,000) from Year 48 Community Development Block Grant funds. The services to be performed by Family Connections of Northeast Ohio are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement 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

RESOLUTION NO. 86-2022 (PD), *First Reading*

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 allow the necessary services of the Family Connections of Northeast Ohio to continue uninterrupted. 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.

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Melody Joy Hart  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**EXHIBIT A**  
**STATEMENT OF WORK**

**FAMILY CONNECTIONS**

Family Connections has established the Family School Connections Program to assist parents of preschool and elementary students. The program is designed to enhance parents' involvement in their children's education by providing school and neighborhood-based activities that focus on academic skills as well as social and recreational interests. Family support, parent education, and access to community resources are incorporated into the literacy program.

The program will serve approximately 100 families. CDBG funds will contribute towards personnel expenses. The program will be offered at Oxford, Noble and Boulevard Elementary Schools or online if necessary. Programming at Gearity Elementary School will be offered through other funding sources.

Family Connections has also established the Parent Café Program to assist parents, their preschool and elementary students. A Parent Cafe is a parent education experience designed to create opportunities for parents to connect, share and learn from each other in a space that appreciates that all parents have something to offer and have all that they need. Parent Cafes are driven by the knowledge that parents can, must and do tap into their wisdom and resources in order to strengthen their own families. It is guided by trained Parent Hosts. Parents gather in small groups and explore questions that really matter to them. Through these meaningful conversations, parents are working to build five Protective Factors that will benefit their family. These Protective Factors have been shown through research to prevent child abuse and neglect in families. These Protective Factors are: Parental Resilience; Social Connections; Concrete Support in Times of Need; Knowledge of Parenting and Child Development and Social and Emotional Competence of Children.

The program will serve 13 families. CDBG funds will contribute towards personnel and supply expenses. If necessary, programming may take place online.

Proposed: 6/21/2022

RESOLUTION NO. 87-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with FutureHeights, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Community Capacity Building Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, FutureHeights is a non-profit corporation, which promotes a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement; and

WHEREAS, FutureHeights operates programs and projects that promote Cleveland Heights' CDBG Program and assist low- and moderate-income people and neighborhoods through the Community Capacity Building program, the Small Business Outreach Program and the Noble Road Banner Project; and

WHEREAS, it would be in the City's best interest to provide partial funding for said programs and projects; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant funds.

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 and any related documents with FutureHeights, a non-profit corporation, for assistance with its Community Capacity Building Program, Cedar Lee Mini-Park Project, and Small Business Outreach Program. The agreement shall provide for funding in the amount of up to Eighty Thousand Dollars (\$80,000) from Year 48 Community Development Block Grant funds. The services to be performed by FutureHeights are set forth in the Work Program attached hereto as Exhibit A and incorporated herein. The agreement 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

RESOLUTION NO. 87-2022, *First Reading*

inhabitants of the City of Cleveland Heights, such emergency being the need to allow the necessary services of FutureHeights to continue uninterrupted. 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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**EXHIBIT A**  
**STATEMENT OF WORK**

**FUTUREHEIGHTS – COMMUNITY CAPACITY BUILDING (\$45,000)**

FutureHeights is a not-for-profit organization whose mission is to promote a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement.

FutureHeights Community Capacity Building Program will consist of the following components:

1. Furthering the Community Development Block Grant Program throughout the Community
2. Resident Engagement and Recruitment for Leadership Program
3. Developing a neighborhood leadership workshop series
4. Ongoing community building work in neighborhoods

If necessary, programming may take place online. CDBG funds will assist with personnel costs for the program manager and operating costs.

**FUTUREHEIGHTS – SMALL BUSINESS OUTREACH PROGRAM (\$25,000)**

FutureHeights is a not-for-profit organization whose mission is to promote a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement. FutureHeights will employ a Small and Minority Business Outreach Support manager to serve the businesses and business districts in need, with a focus on the business districts in the Noble, Taylor, and Mayfield Lee neighborhoods. The person in this role will build relationships through consistent outreach and work with business owners to address their individual needs, which could include technical assistance for marketing, operations, storefront, signage, merchandising, financing, and more. In addition, he/she would assist them in accessing existing city, county and state programs. The specific coaching and mentoring approach will not only help with individual business performance, but will also serve the immediate neighborhood. By becoming a highly functioning business, more people in the neighborhood will choose to patronize the business, increasing activity and foot traffic in the business districts and improving overall quality of life. This will bring a renewed sense of pride and vibrancy to the districts and surrounding neighborhoods.

Additionally, as a long-term goal, the business support person will help develop merchants' associations in these districts to facilitate a cohesive voice and vision for the district, as well as small improvements that can lead to larger investment in the neighborhood.

Finally, the support person will connect businesses with local and regional resources, such as the Minority Business Assistance Center, which provides access to funds, low-interest loans, and

RESOLUTION NO. 87-2022, *First Reading*

bidding and project opportunities.

CDBG funds will assist with personnel costs for the program manager and operating costs.

**FUTUREHEIGHTS – NOBLE ROAD BANNER PROJECT (\$10,000)**

FutureHeights will be planning the development and implementation of banners on existing light poles along the Noble Road Corridor. The Noble Road Corridor spans 2.2 miles and encompasses four business districts, across Cleveland Heights and East Cleveland.

The intention of this project is to establish a unified brand identity for the neighborhood through a comprehensive design, but also enable each of the four business districts to have a unique sub-brand that will highlight the unique assets of each. Banners utilizing CDBG funding will only be installed in low- and moderate-income area benefit geographies. CDBG funds may only be used for design, fabrication and installation of the banners. All labor is subject to federal prevailing wage requirements.

Proposed: 6/21/2022

RESOLUTION NO. 88-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Agudath Israel of Ohio, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses for their Gesher Benefits Referral Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Agudath Israel of Ohio offers a benefits referral program to help local families faced with financial hardship access much needed local, state, and federal support; and

WHEREAS, Agudath Israel of Ohio is in need of funding for operating expenses; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with Agudath Israel of Ohio a non-profit corporation, for assistance with the operating expenses of the Gesher Benefits Referral Program. The agreement shall provide for total funding in the amount of up to Ten Thousand Dollars (\$10,000) from Year 48 Community Development Block Grant funds. The services to be performed by Gesher are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement 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 allow the necessary services of Gesher to continue uninterrupted. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take

RESOLUTION NO. 88-2022, *First Reading*

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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

RESOLUTION NO. 88-2022, *First Reading*

**EXHIBIT A**  
**STATEMENT OF WORK**

**GESHER**

Gesher is an initiative of Agudath Israel of Ohio which helps eliminate cultural barriers in accessing and applying for assistance programs and whose staff helps families meet the challenges of financial hardship. Their trained benefits counselors advise clients about the local, state and federal benefits for which they are eligible.

The Gesher service area includes the suburbs of Cleveland Heights, South Euclid and University Heights. CDBG funds will assist with the administrative costs of Gesher associated with assisting at least 51% low- and moderate-income Cleveland Heights households. Gesher will assist approximately 385 households in 2022-2023.

Proposed: 6/21/2022

RESOLUTION NO. 89-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Heights Emergency Food Center, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating and capital improvement expenses; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, since 1981, the Heights Emergency Food Center (“HEFC”) has provided emergency food supplies to needy families and individuals; and

WHEREAS, HEFC is in need of funding for operating and capital improvement expenses; and

WHEREAS, there are monies available for such purposes from Year 48 Community Development Block Grant funds.

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 and any related documents with the Heights Emergency Food Center (“HEFC”), a non-profit corporation, for assistance with the operating expenses of HEFC’s emergency food program and capital expenses for accessibility improvement.s The agreement shall provide for total funding in the amount of up to Sixty-Nine Thousand Dollars (\$69,000) from Year 48 Community Development Block Grant funds. The services to be performed by the Heights Emergency Food Center are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement 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 allow the necessary services of the Heights Emergency Food Center to continue uninterrupted. 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. 89-2022, *First Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

RESOLUTION NO. 89-2022, *First Reading*

**EXHIBIT A**  
**STATEMENT OF WORK**

**HEIGHTS EMERGENCY FOOD CENTER**

Heights Emergency Food Center was opened in 1981 as part of the Hunger Task Force. Located at 3663 Mayfield Road, Heights Emergency Food Center will serve approximately 4,000 individuals in 2021-2022. Heights Emergency Food Center provides each eligible family a three-day supply of food once a month.

The Heights Emergency Food Center service area includes the suburbs of Cleveland Heights, Lyndhurst, South Euclid and University Heights. CDBG funds will assist with administrative and capital costs of the Heights Emergency Food Center.

Proposed: 6/21/2022

RESOLUTION NO. 90-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Home Repair Resource Center (“HRRC”), a non-profit corporation, for the use of Community Development Block Grant Funds for assistance with HRRC’s housing counseling, home-repair and home-improvement programs; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City has previously entered into agreements with the Home Repair Resource Center (“HRRC”) under which the City has assisted with the funding for various HRRC housing counseling, home-repair and home-improvement programs; and

WHEREAS, in the past the City has also provided funding to assist with the operating expenses of such programs; and

WHEREAS, it would be in the City’s best interest to continue to provide funding to HRRC to aid in its efforts to prevent deterioration and blight in the City’s housing stock, encourage and enable residents to make necessary repairs, and support the City’s code enforcement efforts; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and related documents with the Home Repair Resource Center (“HRRC”) to provide funding from Year 48 Community Development Block Grant funds for HRRC’s programs and operating expenses up to the amounts as listed here: One Hundred Thirty-Nine Thousand Dollars (\$139,000) for HRRC Program Delivery Expenses; Eighteen Thousand Dollars (\$18,000) for Assist Incentive Grants; Eight Thousand Dollars (\$8,000) for Deferred Loan Match; Four Thousand Dollars (\$4,000) for the Senior Home Stability Grant and Twenty-Five Thousand Dollars (\$25,000) for Housing Counseling; for a total grant of up to One Hundred and Ninety-Four Thousand Dollars (\$194,000).

SECTION 2. The services to be performed by HRRC shall be as set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. All documents shall be in a form approved by the Director of Law.

SECTION 3. 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

RESOLUTION NO. 90-2022, *First Reading*

circulation in the City of Cleveland Heights.

SECTION 4. 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 allow the necessary services of HRRC to continue uninterrupted. 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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**EXHIBIT A**  
**STATEMENT OF WORK**

**HOME REPAIR RESOURCE CENTER**

Home Repair Resource Center (“HRRC”), formerly known as FHC Housing Corporation, is a non-profit organization chartered in 1971. Its mission is to strengthen and promote the housing stock of Cleveland Heights through education, financial assistance, counseling, and community involvement, in order to support the economic, social, and racial diversity of the community. HRRC’s programs recognize the special needs of low- and moderate-income homeowners and provide incentives to encourage and facilitate their participation. Programs are designed to maintain the condition and value of housing in Cleveland Heights.

HRRC has several components that receive CDBG funding. The first is HRRC’s operating expenses. This includes personnel and administrative costs associated with programs that benefit low- and moderate-income persons. Home Repair Resource Center will provide comprehensive budget and credit counseling services to residents of Cleveland Heights through the Housing Counseling Program. Services will be provided through classroom and individual counseling.

Rollover and new CDBG funds support several of HRRC’s programs. The Assist Benefit program includes the Assist 0%, Deferred Loan Match and Assist Incentive programs. The Assist 0% benefit helps recipients borrow funds for repairs. It reduces the principal financed so that the total repaid to the bank is equivalent to a no-interest loan. The Assist Incentive grant provides a grant of up to \$1000 to complete a major improvement (roof and gutters, major plumbing, major wiring, new heating systems). The grant is increased to \$1500 for seniors who are replacing a roof or furnace. The Deferred Loan Match program enables recipients to defer payment of half the cost (to a maximum of \$3000) of replacing major systems of a home (roof, heating, plumbing or electrical). The Senior Home Stability Grant program provides grants of up to \$1000 to assist homeowners with the repairs to their home which will allow them to age in place. All programs assist low- and moderate-income owner-occupied households as defined by the Department of Housing and Urban Development.

HRRC will serve approximately 200 households through their programs.

Proposed: 6/21/2022

RESOLUTION NO. 91-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Lake Erie Ink, a non-profit corporation, for the use of Community Development Block Grant funds to provide support for the organization's Ink Spot After School Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Lake Erie Ink is a non-profit corporation with the mission of providing expression opportunities and academic support to youth in the community; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with Lake Erie Ink, a non-profit corporation, to provide for funding in the amount of up to Eleven Thousand Dollars (\$11,000) from Year 48 Community Development Block Grant funds. The services to be performed by Lake Erie Ink are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement 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 allow the necessary services of Lake Erie Ink to continue uninterrupted. 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. 91-2022 (PD), *First Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

RESOLUTION NO. 91-2022 (PD), *First Reading*

**EXHIBIT A**  
**STATEMENT OF WORK**

**LAKE ERIE INK**

Lake Erie Ink provides creative expression opportunities and academic support to youth in the community. Their Ink Spot After-School Program provides literacy enrichment, creative expression opportunities and academic support to youth, ages 8-12.

CDBG funds will assist Lake Erie Ink to serve 40 youth in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programming will be offered at Noble Elementary School and at their Coventry Peace Campus location, Cleveland Heights, OH. If necessary, programming will be conducted online. Community Development Block Grant funds will assist with program delivery costs.

Proposed: 6/21/2022

RESOLUTION NO. 92-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Naaleh Cleveland, a non-profit corporation, for the use of Community Development Block Grant funds to provide support for the organization's mental health services programming; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Naaleh Cleveland is a non-profit corporation focused on strengthening the emotional and mental well-being of the Cleveland Community; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with Naaleh Cleveland, a non-profit corporation, to provide for funding in the amount of up to Eight Thousand Dollars (\$8,000) from Year 48 Community Development Block Grant funds. The services to be performed by Naaleh Cleveland are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement 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 allow the necessary services of Naaleh Cleveland to continue uninterrupted. 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. 92-2022 (PD), *First Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

RESOLUTION NO. 92-2022 (PD), *First Reading*

**EXHIBIT A**  
**STATEMENT OF WORK**

**NAALEH CLEVELAND**

Naaleh Cleveland is a non-profit organization focused on strengthening the emotional and mental well-being of the Cleveland Community. Taking the initial steps towards getting mental health help can be daunting, and Naaleh's experts guide and assist individuals in navigating the resources available in the community. They offer support, education and advocacy to anyone who seeks out their help.

Naaleh ensures access to mental health professionals that meet the cultural sensitivities and low-income financial situation of those limited to Medicaid. Additionally, Naaleh's High-Risk Teen Mentoring Program addresses substance abuse amongst adolescents, combating the opioid crisis in Ohio. Their programming has seen great success in sobriety rates as well as in educational goals. Naaleh's mental health counselors and mentors guide these teens towards completing high school and achieving gainful employment.

CDBG funds will assist Naaleh Cleveland serve 250 resident by assisting them access mental health services, with a minimum of 51% being from low-and moderate-income households. Programming is offered at their facilities at 5010 Mayfield Road and 1463 Warrensville Center Road. If necessary, programming will be conducted online.

Proposed: 6/21/2022

RESOLUTION NO. 93-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Open Doors Academy, a non-profit corporation, for the use of Community Development Block Grant funds to support the organization's Out-of-School Time Program for Cleveland Heights-University Heights School District Middle School Scholars and the Out-of-School Time Program for Cleveland Heights High School Scholars; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Open Doors Academy is a non-profit corporation, the mission of which is to protect, inspire, nurture, and challenge youth to reach their full potential; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with the Open Doors Academy, a non-profit corporation, to provide for funding in the amount of up to Thirty Thousand Dollars (\$26,000) from Year 48 Community Development Block Grant funds. The services to be performed by the Open Doors Academy are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be reviewed 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 allow the necessary services of the Open Doors Academy to continue uninterrupted. 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. 93-2022 (PD), *First Reading*

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

RESOLUTION NO. 93-2022 (PD), *First Reading*

**EXHIBIT A**  
**STATEMENT OF WORK**

Open Doors Academy exists to protect, inspire, nurture, and challenge adolescents to reach their full potential through the provision of meaningful out-of-school enrichment programming in a safe and structured environment.

**OPEN DOORS ACADEMY - OUT-OF-SCHOOL TIME PROGRAM FOR CLEVELAND  
HEIGHTS-UNIVERSITY HEIGHTS SCHOOL DISTRICT MIDDLE SCHOOL  
SCHOLARS (\$10,000)**

Open Doors Academy's (ODA) proposed out-of-school time Middle School Program will be offered to Cleveland Heights University Heights City School District middle school scholars. ODA's program includes mentoring, homework help, service learning projects, and enrichment programming delivered mostly in the afterschool setting. This program addresses developmental barriers that inhibit the learning process, provides scholars with a safe environment to explore new interests, and opens doors to opportunities that otherwise would not be available. The program provides scholars with the opportunity to address academic issues, develop soft skills, and build healthy relationships with peers. In addition to their core learning model, they provide scholars with daily opportunities to complete their homework and receive academic support (including reading and math) through small group tutoring. They also incorporate project-based learning, team-building exercises, mindfulness practice, and field trips.

Open Doors Academy will serve 70 youths in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programming will be offered at Monticello Middle School and Roxboro Middle School. If necessary, programming may take place online. Community Development Block Grant funds will assist with personnel costs.

**OPEN DOORS ACADEMY - OUT-OF-SCHOOL TIME PROGRAM FOR CLEVELAND  
HEIGHTS HIGH SCHOOL SCHOLARS (\$16,000)**

Open Doors Academy's (ODA) proposed extended out-of-school time High School Program will be offered to scholars attending Cleveland Heights High School. ODA's five-year extended High School Program prepares scholars for post-secondary education or job training. Programming consists of opportunities for volunteering in the community, job shadowing, career exploration, paid summer internships, weekly afternoon workshops focused on developing work skills, college tours, local and national service-learning trips, and individual mentoring and support. The program also identifies internship and job shadowing opportunities for scholars in high-demand industries such as healthcare, technology, and manufacturing. Their program begins freshman year and continues through at least a full year after high school graduation. They keep their alumni connected to a supportive network of mentors and peers as they pursue post-secondary education, job training, and/or employment.

RESOLUTION NO. 93-2022 (PD), *First Reading*

Open Doors Academy will serve 22 youths in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programming will be offered at Cleveland Heights High School or online, if necessary. Community Development Block Grant funds will assist with personnel costs.

Proposed: 6/21/2022

RESOLUTION NO. 94-2022 (PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Start Right Community Development Corporation, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses for its Food Bank Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Start Right Community Development Corporation's Food Bank provides emergency food supplies to needy families and individuals; and

WHEREAS, Start Right Community Development Corporation's Food Bank needs funding for operating expenses; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 48 Community Development Block Grant Funds.

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 and any related documents with the Start Right Community Development Corporation, a non-profit corporation, for assistance with the operating expenses of its emergency food program. The agreement shall provide for total funding in the amount of up to Seven Thousand Dollars (\$7,000) from Year 47 Community Development Block Grant funds. The services to be performed by the Start Right Community Development Corporation's Food Bank are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement 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 allow the necessary services of the Start Right Community Development Corporation's Food Bank to continue uninterrupted. Wherefore, provided it receives the affirmative vote of five or more of the members

RESOLUTION NO. 94-2022 (PD), *First Reading*

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.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

RESOLUTION NO. 94-2022 (PD), *First Reading*

**EXHIBIT A**  
**STATEMENT OF WORK**

**START RIGHT COMMUNITY DEVELOPMENT CORPORATION'S FOOD BANK**

Start Right Community Development Corporation's Food Bank was opened in 2011 as part of the Cleveland Food Bank. Located at 977 Caledonia Avenue, Start Right Community Development Corporation's Food Bank will serve approximately 850 households. Start Right Community Development Corporation's Food Bank provides each eligible family a three-day supply of food once a month.

The Start Right Community Development Corporation's Food Bank service area includes the suburbs of Cleveland Heights and East Cleveland. CDBG funds will assist with the program delivery costs of the Start Right Community Development Corporation's Food Bank.

Proposed 6/21/22

ORDINANCE NO. 95-2022 (AS), *First Reading*

By Mayor Seren and President Hart

An Ordinance approving and authorizing members of certain public bodies of the City of Cleveland Heights to hold and attend meetings, conduct and attend hearings, to be counted for purposes of the quorum for such body, and to vote on matters before such body, by means of teleconference, video conference or other similar electronic technology; amending Section 107.01(b) of the Codified Ordinances of the City of Cleveland Heights; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, as a result of the COVID-19 pandemic, the Ohio General Assembly in 2020 enacted H.B. 197, which declared that, under Ohio law, public bodies could hold and attend meetings and conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology from March 9, 2020 through December 1, 2020, which was later extended until July 1, 2021; and

WHEREAS, H.B. 51 was signed by the Governor on February 17, 2022 and allowed virtual meetings of public bodies to be held until July 1, 2022; and

WHEREAS, pursuant to Article XVIII, Sections 3 of the Ohio Constitution, the City has the authority to adopt, and has adopted, a Charter and Ordinances governing the organization and operations of the City, including the time, place, and manner of meetings of public bodies of the City; and

WHEREAS, the City of Cleveland Heights has found virtual meetings of public bodies to be effective, and useful in mitigating the spread of COVID-19, and Council believes that the ability to hold virtual meetings is beneficial for City boards, commissions and other public bodies of the City, as well as for members of the public.

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

SECTION 1. This Council reaffirms that the COVID-19 pandemic continues to constitute an emergency in the City of Cleveland Heights, and that additional efforts to safeguard the health, safety and welfare of the public are required and determines that virtual meetings of public bodies of the City have been demonstrated to be effective, efficient and convenient for such public bodies and for members of the public, and that the authority for such meetings should be made permanent. In so reaffirming and determining, it is Council's intention to exercise and avail itself, on behalf of the City of Cleveland Heights, to the fullest extent of its power and authority under Article XVIII, Section 3 of the Ohio Constitution as well as the laws of the State of Ohio and the Charter and Ordinances of the City of Cleveland Heights.

SECTION 2. Pursuant to its Home Rule authority under Article XVIII, Section 3 of the

Ohio Constitution and the Charter and Ordinances of the City of Cleveland Heights as well as the laws of the State of Ohio, this Council determines that the following amendments and rules governing meetings of public bodies of the City of Cleveland Heights shall be in effect:

(a) Section 107.01(b) of the Codified Ordinances of Cleveland Heights shall be, and is hereby, amended to read as follows:

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. Subject to the approval of the City's chief executive officer, boards, commissions, and other public bodies of the City, unless otherwise provided in the Charter, ~~until April 1, 2022~~, may hold meetings, and members may attend and vote at meetings and may conduct and attend hearings, in-person and/or by means of teleconference, video conference, or other similar electronic technology, or any combination of in-person and electronic technology. All such meetings shall be open to the public and are deemed to be held at such public places as specifically prescribed in the Codified Ordinances, including the Cleveland Heights City Hall and/or at other public buildings or properties within the City, even if such meetings are held, or members of such public bodies attend and vote, by means of the technologies described above. 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](#).

(b) Any resolution, ordinance, rule, decision or other formal action of any kind made or taken during any meeting or hearing conducted entirely or in-part with members attending, participating, and voting by electronic technology shall have the same effect as if it had occurred during an in-person meeting or hearing of the public body; and

(c) Members of a public body who attend meetings or hearings by means of teleconference, video conference, or other similar electronic technology, shall be considered present as if in-person at the meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the meeting or hearing; and

(d) Public access must be provided to all public meetings or hearings, whether by electronic technology or in-person. The public shall be able to observe and hear the discussions and deliberations of all the members of the public body, whether members are attending in-person or virtually.

SECTION 3. The amendments and rules provided in this Ordinance shall apply notwithstanding any conflicting provision of the Codified Ordinances of the City of Cleveland Heights. Nothing in this Ordinance is intended to, nor shall it be construed or applied in a manner

ORDINANCE NO. 95-2022 (AS), *First Reading*

so as to, negate or conflict with any provision of the Charter of the City of Cleveland Heights.

SECTION 4. Notice of 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 5. 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 certain public bodies of the City to conduct business by electronic means in a continued attempt to curtail and minimize the spread of COVID-19. 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, *Pro tem*

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN, Mayor

Proposed: 6/21/22

ORDINANCE NO. 96-2022 (PD), *First Reading*

By Mayor Seren

An Ordinance creating an Appraisal Gap Program; and declaring an emergency.

WHEREAS, the foreclosure crisis of 2008, which was caused in large part by predatory lending and complex financial engineering, had a negative impact on the value of residential properties in the City, particularly those located in Qualified Census Tracts (“QCT’s) as defined by the Department of Housing and Urban Development, and resulted in many abandoned homes which were required to be demolished; and

WHEREAS, since 2008 the City has striven to develop and strengthen programs to aid in the recovery of the local housing market, including, but not limited to the City’s HOME-funded Down Payment Assistance Program; and

WHEREAS, the pandemic commencing March, 2020 interrupted the continued recovery of the housing market, particularly in QCT’s, and caused serious financial hardship to many residents, negatively impacting their ability to obtain safe, affordable housing; and

WHEREAS, the American Rescue Plan Act (“ARPA”), signed into law on March 11, 2021, established the Coronavirus State and Local Fiscal Recovery Fund (“SLFRF”), which authorized substantial funding to states and eligible units of local government to support their recovery from the COVID-19 health emergency in many areas including neighborhood development and the provision of affordable housing; and

WHEREAS, the construction of new homes on vacant lots and attracting new residents is integral to the continued economic health and vitality of the City of Cleveland Heights, Ohio, and its citizens; and

WHEREAS, the use of governmental resources for the promotion of economic development in the community is in the public interest and is a proper exercise of municipal powers as per Article VIII, Section 16 of the Ohio Constitution; and

WHEREAS, the City has both publicly- and privately-owned residential lots throughout the City that are suitable for new home construction; and

WHEREAS, the City desires to promote new housing construction in both QCT’s and other areas of the City; and

WHEREAS, the cost of constructing new homes on vacant lots in certain parts of the City creates an “appraisal gap” where mortgage lenders are unwilling to provide financing sufficient to purchase said homes; and

ORDINANCE NO. 96-2022 (PD), *First Reading*

WHEREAS, Council desires to establish an Appraisal Gap Program (the “Program”) to fill this “appraisal gap” to facilitate the construction and sale of new homes on vacant lots to owner-occupants; and

WHEREAS, it is the City’s desire to use a portion of ARPA funds to provide initial funding for the Appraisal Gap Program for the construction of new single-family, owner-occupied homes in QCT’s, with the possibility of future expansion of the Program into other City neighborhoods with alternate sources of funding.

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

SECTION 1. This Council hereby creates an Appraisal Gap Program (the “Program”) as set forth and described in Exhibit A, attached hereto and made a part hereof.

SECTION 2. Council hereby authorizes Planning and Development Department staff to develop Guidelines and Rules for the Program subject to the approval of the Mayor and the Director of Law. The Program shall be initially limited to homes constructed in Qualified Census Tracts and funded by ARPA funds. The Program Guidelines and Rules may be amended as necessary from time to time by the same process, subject to funding from this Council.

SECTION 3. Council hereby authorizes the Mayor to enter into any contracts deemed necessary to implement and manage the Program upon forms approved by the Director of Law

SECTION 4. 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 newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. It is necessary that this Ordinance 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 promote economic recovery, provide affordable housing, and support housing options in the 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council, *Pro tem*

ORDINANCE NO. 96-2022 (PD), *First Reading*

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN, Mayor

Proposed: 6/21/2022

RESOLUTION NO. 97-2022 (AS), *First Reading*

By Council President Hart

A Resolution amending the standing committees of Council to update the general responsibilities of each standing committee by subject matter; repealing Resolution No. 1-2022; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Section 111.11 of the Cleveland Heights Codified Ordinances authorizes Council to create standing committees by passage of a Resolution; and

WHEREAS, this Council last updated its standing committees through adoption of Resolution 1-2022 in which it created a new Building and Housing standing committee; and

WHEREAS, this Council desires to update the responsibilities of the standing committees.

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

SECTION 1. Pursuant to Section 111.11 of the Cleveland Heights Codified Ordinances, Council hereby establishes the following standing committees of Council and outlines their respective general responsibilities:

**Administrative Services Committee**

Administrative Code, Board & Commission Appointments, Charter Review, Salaries & Benefits, and as otherwise assigned by President of Council

**Community Relations and Recreation Committee**

Community Relations, Office on Aging, Public Properties, Public Relations, Recreation Programs, School Relationships, and as otherwise assigned by President of Council

**Finance Committee**

Appropriations, Assessment Programs, Bond Issues, Budget, Contractual Service Agreements, Levies, Municipal Court Budget Review, Notes, Equipment & Capital Improvements, Parking Rates & Regulations, Financial Reporting, and as otherwise assigned by President of Council

**Public Safety and Health Committee**

Signs & Signals, Traffic & Transportation, Health Services, Police & Fire Protection, Safety Education, and as otherwise assigned by President of Council

RESOLUTION NO. 97-2022 (AS), *First Reading*

Municipal Services Committee and Sustainability

Forestry, Refuse, Recycling & Leaf Collection and Disposal, Streets, Sewers, Lighting, and as otherwise assigned by President of Council

Planning and Development Committee

Community Development Block Grant (CAC), Economic Development, Community Development, Physical Planning, Public Construction, Zoning Code, and as otherwise assigned by President of Council

Building and Housing Committee

Building, Housing and Commercial Codes, Inspections and Enforcement, and as otherwise assigned by President of Council

SECTION 2. Resolution No. 1-2022, passed by Council on January 10, 2022, is hereby repealed.

SECTION 3. 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 4. 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 establish said Committees without delay of Council business. 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.

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MELODY JOY HART  
President of Council

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CRAIG COBB  
Clerk of Council *Pro tem*

PASSED:

RESOLUTION NO. 97-2022 (AS), *First Reading*

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 6/21/2022

ORDINANCE NO. 98-2022 (PSH), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to enter into a Site Lease Agreement with T-Mobile Central LLC or affiliate for the use of a portion of City-owned property located at 3445 Mayfield Road for the construction, installation, operation, maintenance, repair, replacement, and improvement of a wireless communications facility and the grant of associated easements; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights owns certain real property located at 3445 Mayfield Road, Cleveland Heights, Ohio 44118 (“Property”) upon which is located the City’s Fire Station #1 building; and

WHEREAS, T-Mobile Central LLC or an affiliate (“T-Mobile”), a wireless communications provider, has asked the City to: (1) lease to T-Mobile designated space on the roof Fire Station #1 building (“Leased Property”), for the placement of equipment to enhance T-Mobile’s wireless service to its customers, and (2) grant a utility easement and an access easement to T-Mobile to service the equipment and provide wireless communication services; and

WHEREAS, such proposed use and the granting of the easements will not interfere with the use of the Property for municipal purposes and will provide a substantial source of revenue to the City; and

WHEREAS, the proposed agreement would be 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. The Mayor be, and he is hereby, authorized to enter into a lease agreement with T-Mobile for the use of a portion of the Property for the construction, installation, operation, maintenance, repair, replacement, and improvement of a wireless communications facility. The Leased Property shall be areas on the top of the Fire Station #1 building as designated in plans on file with the Clerk of Council and Division of Fire. The lease agreement shall permit T-Mobile to use the Leased Property for the transmission and reception of radio communication signals and for the construction, installation, operation, maintenance, repair, removal or replacement of related facilities, including, without limitation, antennas, microwave dishes, equipment shelters and/or cabinets, and related activities. The agreement shall provide for one (1) one-year option period (“Option Period”) and, if the option is exercised, the initial term of the agreement shall be five (5) years (“Initial Term”), with five (5) five-year renewal options (“Renewal Term”) and up to nine (9) successive one-year periods (“Extended Periods”), subject to the City’s right to terminate the lease after expiration of the second, third or fourth Renewal Term, if applicable, or after any Extended Period.

ORDINANCE NO. 98-2022(PSH), *First Reading*

SECTION 2. Compensation for the Option Period shall equal the sum of Two Thousand Dollars (\$2,000.00) for the year. Compensation for the use of the Leased Property during the Initial Term, if the option is exercised, shall equal the sum of Two Thousand One Hundred Dollars (\$2,100.00) per month. Compensation for each of the Renewal Terms, if one or more of the Renewal Team options are exercised, shall equal the sum of One Hundred Ten Percent (110%) of the compensation for the immediately preceding Renewal Term. Compensation for each Extended Period, if one or more of the options are exercised, shall equal the sum of One Hundred Two Percent (102%) of the compensation for the immediately preceding term/year.

SECTION 3. The Mayor be, and is hereby, further authorized to enter into any necessary easement agreements with T-Mobile for access to the Leased Property and for utility purposes. The locations of the easements shall be as agreed upon by the City and T-Mobile and shall in no event interfere with the use of the Property for municipal purposes.

SECTION 4. The easements and lease authorized herein and all related documents shall contain such terms as recommended by the Mayor and Director of Law and shall be approved as to form by the Director of Law.

SECTION 5. It is hereby determined by this Council that the lease and easements authorized herein will not interfere with the use of the City property for municipal purposes.

SECTION 6. 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 6. It is necessary that this Ordinance 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 timely need to enter into the agreement on a timely manner to meet construction season deadlines. Wherefore, provided it receives the affirmative vote of five 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 and after the earliest time allowed by law.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, *Pro Tem*

PASSED:

ORDINANCE NO. 98-2022(PSH), *First Reading*

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor



**Monday, May 2, 2022 Minutes**

**CITY COUNCIL**

7:00 – 8:09 p.m.

President Hart presiding

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

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

**Approval of the minutes of the Council meeting held on March 14, 2022, March 21, 2022 and April 4, 2022**

Minutes were approved without any objections.

**Matter of Record**

**Communications from the Mayor**

- Notified Council that Sealed bids were received on April 8<sup>th</sup>, 2022 for Project #22-01 – 2022 Street Resurfacing & ADA Curb Ramp Replacement Program and that Chagrin Valley Paving, Inc. of Chagrin Falls, Ohio's bid of \$840,163.10 has been found to be the lowest and best responsive and responsible bid.

**Matter of Record**

- Notified Council that Sealed bids were received on March 25<sup>th</sup>, 2022 for Project #22-02 – 2022-2023-2024 Pavement Striping Program and that J.D. Striping and Services, Inc. of Ravenna, Ohio's bid of \$790,431.63 has been found to be the lowest and best responsive and responsible bid.

**Matter of Record**

- Notified Council that Sealed bids were received on April 8<sup>th</sup>, 2022 for Project #22-04 – 2022 Hot-In-Place Asphalt Recycling Project and that Angelo Benedetti, Inc. of Bedford, Ohio's bid of \$298,442.90 has been found to be the lowest and best responsive and responsible bid.

**Matter of Record**

He thanked outgoing City Manager Susanna Niermann O'Neil for clerking at her final meeting.

### **Report of the Clerk of Council**

Notified Council that two notices have been received from the Ohio Division of Liquor Control advising that applications have been made by the following:

- MGH Midwest BDS LLC, 1854 Coventry Road, Unit B Lower Level, Cleveland Heights, Ohio 44106 for a transfer of a D5 and D6 permit from Spartan Stir Fry Inc, d/b/a BD S Mongolian Barbeque, 1854 Coventry Road, Unit B Lower Level, Cleveland Heights, Ohio 44106
- Laid Back Management LLC, Kulture Restaurant & Lounge, 3962 Mayfield Road, Cleveland Heights, Ohio 44121 for a TREX transfer of a D5 permit from Emilys Angels LLC, 3962 Mayfield Road, Cleveland Heights, Ohio 44121

### **Matter of Record**

Referred to: The Mayor, Chief of Police, and the Director of Law

### **Personal communications from citizens on Agenda Items only**

None at this time.

### **LEGISLATION**

\***MOTION** to amend the agenda to move all items from the Consent Agenda into Second Readings.

Moved by Council President Hart, Seconded by Vice President Cobb

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

### **Motion Passed**

### **First Readings**

#### ***a. First Readings - Consideration of Adoption Requested***

**ORDINANCE NO. 57-2022 (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, Cobb, Cuda  
Nays: None

Legislation Passed

**RESOLUTION NO. 58-2022 (F), *First Reading*.** A Resolution authorizing and directing the Mayor to enter into a contract with Janus Small Associates for Council retreat facilitation services, increasing Council's budget to provide funds therefor, and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to Adopt by Council President Hart, Seconded by Councilwoman Russell

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

Legislation Passed

**RESOLUTION NO. 59-2022 (MS), *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with Energy Management Specialists, Inc., for professional services for HVAC systems maintenance; 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, Cobb, Cuda  
Nays: None

Legislation Passed

**RESOLUTION NO. 60-2022 (AS), *First Reading*.** A Resolution appointing Councilor Josie Moore to the Doan Brook Watershed Partnership Board of Trustees.

\*MOTION to suspend the rules.

Moved by Councilman Cobb, Seconded by Councilwoman Russell

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

Motion Passed

Motion to Adopt by Councilman Cobb, Seconded by Councilor Moore

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

Legislation Passed

## **Second Readings**

**RESOLUTION NO. 48-2022 (MS), Second 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.

Motion to Adopt by Councilor Moore, Seconded by Councilman Cobb

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

**Legislation Passed**

**RESOLUTION NO. 49-2022 (MS), Second 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.

Motion to Adopt by Councilor Moore, Seconded by Councilman Mattox

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

**Legislation Passed**

**RESOLUTION NO. 50-2022 (MS), Second 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.

Motion to Adopt by Councilor Moore, Seconded by Councilor Larson

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

**Legislation Passed**

Council President Hart noted all of the legislation being passed had already been discussed in the Committee of the Whole meeting. They were all in favor of it, so they recommended it be passed to Council. She said it's why things were moving quickly, as things had already been discussed extensively.

**RESOLUTION NO. 51-2022 (MS), Second 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.

Motion to Adopt by Councilor Moore, Seconded by Councilman Mattox

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

**Legislation Passed**

**RESOLUTION NO. 52-2022 (MS), Second 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.

Motion to Adopt by Councilor Moore, Seconded by Councilman Mattox

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

**Legislation Passed**

**RESOLUTION NO. 53-2022 (MS), Second 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.

Motion to Adopt by Councilor Moore, Seconded by Councilman Mattox

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

**Legislation Passed**

**RESOLUTION NO. 54-2022 (PD), Second 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.

Motion to Adopt by Councilman Mattox, Seconded by Councilwoman Russell

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

**Legislation Passed**

Councilman Mattox stated the legislation had been referred to the Planning and Development Committee. The Committee met last Monday and unanimously suggested it be approved.

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

Motion to Adopt by Councilman Mattox, Seconded by Councilman Cuda

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

**Legislation Passed**

**RESOLUTION NO. 56-2022 (CRR), Second 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.

\***MOTION** to amend Resolution No. 56-2022.

Moved by Councilwoman Russell, Seconded by Councilman Cuda

Councilwoman Russell moved to amend the legislation to rename *Bike Month* to *Mary Dunbar Bike Month* to honor former Council Member Mary Dunbar for her work in bringing Bike Month to Cleveland Heights, starting Heights Bicycle Coalition and more.

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

**Motion Passed**

Motion to Adopt by Councilwoman Russell, Seconded by Councilman Cobb

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

**Legislation Passed**

## **Committee Reports**

### **COMMUNITY RELATIONS AND RECREATION COMMITTEE**

Council Member Russell stated they had a Parks and Recreation meeting earlier in the morning where they had reports from the Commission on Aging and the Parks and Recreation Advisory Board. They also had a guest from South Euclid regarding a joint city farmer's market, which will start in June at Quarry Park. They had guests in from the County to discuss a mentoring youth

program at Euclid they are considering bringing in or partnering with regarding safety on basketball courts. They did an overview of Cain Park and all of their events, as well as an overview of Parks and Recreation and the school. She said at all of the Recreation Committee meetings, they will have a representative from the Recreation Advisory Board, the Commission on Aging, the libraries and the schools present. She stated they will have quarterly meetings, with one being held during the day so senior citizens can attend without having to worry about going out in the dark. She said she is partnering with an organization around summer youth programs where businesses within Cleveland Heights can get summer help. Youth between the ages of 13-18 years old will be paid \$15 an hour, working 20 hours a week. She said this will help all businesses within Cuyahoga County to help bring back employment effected by COVID. She stated she will be providing more information as the program rolls out.

## **FINANCE COMMITTEE**

Nothing to report at this time.

## **HOUSING AND BUILDING COMMITTEE**

Council Member Cuda stated the Committee met earlier in the day. He said they are starting to get focused on prioritizing Committee work. They had Director Butler in to talk about foreclosures and tax delinquent properties. He said, in the last 12 months, there have been 115 foreclosures in the City. He said there are also 910 tax delinquent properties that, in total, owe \$18.6 million to the City, with \$4 million alone owed from the Taylor Synagogue. He said they talked about land banked properties and how the City can have more control of them to get the properties rehabbed and back on the market. He said the next Committee meeting is scheduled for the first Monday in June.

## **MUNICIPAL SERVICES COMMITTEE**

Councilor Moore stated the Committee held a meeting on April 25<sup>th</sup> to discuss matters referred to the Committee. All of the resolutions just swiftly passed were discussed in the meeting. She said the Administration provided a great deal of information, they asked a lot of questions and they considered all of the resolutions thoroughly before coming to the consensus to recommend they be passed. She encouraged people to watch the meeting on YouTube. This past Friday, Mayor Seren met with her to discuss some matters, namely, how to increase the shoveling of sidewalks in the winter. She said they both recognized it would be a multipronged effort between Council and the Mayor. City Administrator Sinnott was there as well to provide a great deal of experience and insight. She said they also discussed increasing the tree canopy. She thanked the Mayor for meeting with her to discuss the issues and coming to the table in the spirit of collaboration and cooperation. She said she is greatly appreciative that all of the elected officials, all of Council and the Mayor, are demonstrating a commitment to improving the everyday lives and lived experiences of the residents.

## **PLANNING AND DEVELOPMENT COMMITTEE**

Councilman Mattox stated the Committee met last Monday and they were very excited to look at the Taylor-Tudor project. He wanted to let the public know, if they haven't had an opportunity to look at the meeting already, to do so because it was extremely informative. He thought the

Administration has done an amazing job partnering with the project, answering some hard questions and coming up with a development he thinks will help transform the City. He wanted to ensure people that both the Administration and the Council are committed to both transparency and receiving feedback from the public. He said to expect to see this go through their various boards and commissions. There will be opportunity to give feedback and he asked the community continue to email and ask those questions.

## **PUBLIC SAFETY AND HEALTH COMMITTEE**

Councilor Larson said she met with Law Director Hanna about the LeadSafe certification legislation. She said Director Hanna is working with the legal counsel for the Cuyahoga County Board of Health to provide amendments to the 2021 legislation acceptable to both the Board of Health and the City. She said to expect more updates. The next meeting is Tuesday, June 21<sup>st</sup> at 5 p.m. She said if anything comes up between now and then, she will schedule another meeting and post it on the City's calendar. She then said, for those interested, she will see them at the Tiger 5k on May 14<sup>th</sup>.

## **ADMINISTRATIVE SERVICES COMMITTEE**

Nothing to report at this time.

## **COMMITTEE OF THE WHOLE**

Council President Hart said they did not have time to discuss the Council Rules agenda item in the Committee of the Whole meeting, so it will be put off until their next retreat, which is not yet scheduled.

**RESOLUTION NO. 61-2022 (COTW), *First Reading*.** A Resolution naming the Atrium of the City Hall of the City of Cleveland Heights, "Susanna Niermann O'Neil Atrium."

\***MOTION** to amend the agenda to introduce Resolution No. 61-2022.

Moved by Council President Hart, Seconded by Councilwoman Russell

Council President Hart motioned to amend the agenda to introduce a resolution to recognize the significant and lasting contributions of outgoing City Manager Susanna Niermann O'Neil by renaming the Atrium of City Hall to the "Susanna Niermann O'Neil Atrium" in honor of her 46 years of tireless service to Cleveland Heights.

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

**Motion Passed**

Motion to Adopt by Councilor Moore, Seconded by Councilor Moore

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

Nays: None

**Legislation Passed**

City Manager Niermann O'Neil stated it was an honor and she honestly enjoyed it every single day. She thanked Council for the honor. Council President Hart stated she has been a great City Manager.

**Personal communications from citizens**

Maurice Rhoades said on December 20, 2021, CMHA was summoned to appear in Cleveland Heights Municipal Court but he said they did not. He said CMHA was legally obligated to give sufficient answer and defense to all of his allegations of breach of quiet enjoyment, he said they did not. He said the magistrate cannot argue the case for CMHA. He said she violated the Ohio Supreme Court Rules of Professional conduct Rule 8.4 for dishonesty. He said Magistrate Kimberly Bolton lied in her January 26, 2022 decision when she stated the excessive noise 'doesn't affect his health or safety.' He said Judge Costello's March 25, 2022 judgment is corrupt, crooked, unconstitutional and perjury. He said Judge Costello has abused his position in power for his CMHA friends and he has committed cognizable misconduct by violating judicial canons 1, 2, 3 and 5. He respectfully asked the Council and the Mayor to order Law Director Hanna to secure and protect the rights of quiet enjoyment for the elderly Jewish and non-Jewish men and women, including him. He asked the Jewish and non-Jewish people to elect a Godly judge who is honest, fair and impartial and will uphold the integrity of the Court.

Penny Allen stated as a teenager, she was an advocate for Shaker Lakes and she was now coming to Council as the Vice President/Secretary of the Friends of Horseshoe Lake. She said they have a proposal and alternative plan to save the Lake. She said the plan is more cost effective than the plans Council have already heard, while successfully addressing safety, flood control and environmental concerns. She urged Council to follow through on their previously passed legislation, calling on them to consider alternative plans for Horseshoe Lake and to speak to the engineers the Friends have hired. Their experts are in the process of reaching out to Council to consider these options.

Christine Heggie referenced Council President Hart's previous resolution that encouraged the City to be open to other ideas from the community to preserve Horseshoe Lake and protect public safety while effectively managing storm water and not placing any financial burden on the City. She said Council has a duty and obligation to consider, without bias, the proposal put forth by the Friends of Horseshoe Lake. She said the Friends have invested valuable time and money to hire reputable legal support and well respected and experienced experts who have produced an alternative plan for Horseshoe Lake. She said, as discussed during the City Council meeting, it was mentioned numerous times that the data to support the Sewer District's decisions about Horseshoe Lake was unavailable and she said Gannett Fleming engineers were expected to take, on faith, the Sewer District's conclusions. She said the sewer district should be expected to provide data that adequately refutes any alternative proposal. It is unacceptable to reject the Friends of Horseshoe Lake's proposal outright. She said the area is now empty and represents a danger to trespassers. She said it is now on Council to do the right thing to preserve Horseshoe Lake.

Peter Zicari stated around the county there is a pattern of 'chewing up' parks in the name of flood control; citing issues happening in Parma Heights, Broadview Heights, and Parma. He said engineers don't care much about public facilities, they are all about flood control. He said there is a vote coming up

tomorrow partially based on the fact that people value parks. He said the least we can do is listen to Friends of the Lake engineers and listen to the possibilities that they may be able to save an asset that a lot of people value.

Fran Mentch said tomorrow is voting day and asked everyone to vote Yes on Issue 9. The tentative plans are for the park to have restrooms, a small stage, space for farmer's markets, flea markets, etc. She said public health is quite important; they need to be a people friendly City. She stated young families and people working with the elderly or developmentally disabled have a great need for a park like this and it would be a big asset. She referenced the last Planning Commission meeting and said Brandon Bogan, a representative for the developer, refused to put in a small play area for children and refused to put in restrooms. She said they can have both the development and the park and they should have both. She asked people to come out to vote yes for the public, yes for the park and yes on Issue 9.

Michael Madorsky was there as a long-time resident and member of Friends of Horseshoe Lake. He said the group was formed by people all over the city, county and country. He said because they were shocked by the hastily made decision to remove the dam and abolish the lake, their group, at their own expense, hired a highly regarded firm to develop an alternative plan to save the lake. This alternative proposal will provide public safety for flood control, will improve water quality and provide wildlife habitat. It provides all this at a lower cost than the sewer district's plan. The Friends of Horseshoe Lake would like to meet with Mayor and Council to present their plan and they feel it should be seriously considered before any plans are finalized. He said the plan provides a multitude of benefits to the citizens at a lower cost, which a vast majority of Cleveland Heights citizens will support. He said we should carefully consider it now to save the beautiful and inspiring lake for future generations.

### **Council Member Comments**

Councilman Cuda reminded everyone to vote in the May 3, 2022 election. He said there are a number of important issues and candidates running for office. He then spoke to Susanna regarding how wonderful it's been knowing her all these years. He met her in the 80s when working for the Heights Community Congress. He said he doesn't know anyone who has been in a job for 46 years that, no matter where you go, everyone says they love, but they do here. He said it's a very difficult thing to do, especially when involved in government. He congratulated her on a great career and said he hoped to see her in the near future.

Councilman Cobb thanked Susanna for her years of service to the City and the Council and for her help in getting him acclimated to serving on Council. He wished her well on the next chapter of her life. He said she was certainly welcome to come back for future meetings.

Councilwoman Russell said Susanna has been a 'breath of sunshine.' She said she's been very inspiring. She said the reason people know her and love her so much is that she's truly a community activist. She thanked her for educating her and teaching her a lot about Parks and Recreations. She wished her many blessings and a long, long life.

Councilor Moore said there will be a Tiger 5k and fun run on May 14<sup>th</sup> at the high school where all the proceeds will be distributed equally among the district's elementary schools. She said there will be free ice cream. She said every Sunday there is a clean-up of invasive species at Lower Lake. She

encouraged everyone to come out to participate. She said she hasn't known Susanna very long or very well, but what she does know is she is kind, compassionate and generous. She wished she had gotten the chance to work closer with her and wished her a wonderful retirement. She thanked Susanna for everything she gave to the City.

Councilman Mattox said he thanked God for Susanna because when he was a young person walking through the doors of this place, she made sure he was seen and so many people like him were seen. He thanked her for her kindness, openness, leadership, mentorship; for the doors she's opened for him his entire life. He thanked her for the ways she's allowed him to think bigger, both about the community but also how one individual can make an impact. He said he will be forever grateful for stepping into City Hall and having her step into his life. His wife, his children and his entire family are better because of his connection to her. He said he is sitting in his chair now because she allowed him to think bigger than he thought to dream for himself. He said he can never repay her for the fact that she has always reminded him that he is seen. He said she has invested her life into not just the community, but into the marginalized, the downtrodden and broken and has found ways to make the community welcome to everyone. He truly would not be the man he is today had she not allowed the space in her life for him. He thanked her for the impact she has made on the lives of so many people in the City, including his own. He said he can never repay her for that and he will miss her dearly.

Councilwoman Russell reminded everyone the Women out Walking group meets every Sunday at 2 p.m. for a walk around Forest Hill park.

### **Report of the Council President**

Council President Hart said last Saturday was the Arbor Day celebration at the Community Center. The celebration is a requirement to keep the Tree City USA designation. She reminded residents about the election tomorrow, with Issue 9 (regarding the Park Initiative) and Issue 10 (regarding Council electing a Clerk of Council) on the ballot. Council President Hart wished Councilwoman Russell a Happy Birthday. She then welcomed Joseph Sinnott as the new City Administrator, stating he started last week and he is an important part of the City Administration. She said if you want to know anything, you ask Susanna, because she knows everything. She said even if they didn't rename the Atrium the Susanna Niermann O'Neil Atrium, Susanna's spirit still permeates the walls and thanked her.

City Manager Susanna Niermann O'Neil thanked Mayor Seren for the wonderful honor, to the Law Director who helped her everyday to make sure things were right. She thanked every member of Council. She said one of the things she's really enjoyed over the years is working with Council members on projects, realizing the kind of pressure Council and now the Mayor have on them from the residents who have high expectations. She said this town is founded on people being involved and having opinions and differences of opinions and it is part of the vitality of Cleveland Heights. She said she was extremely grateful for the honor, saying 46 years went fast. People have asked her why she stayed at Cleveland Heights, she said other things came along but, she said nothing ever measured up. The very core of Cleveland Heights is a commitment to diversity, civil rights, social justice. She said her thought for the future is that all new generations that come along, is that they remember and understand that it doesn't just happen, you have to keep caring about it.

Without it, we are just another City and who wants that? Who wants to be anything but Cleveland Heights? She said their essence is the commitment they made. She said she was very grateful for the thousands of residents, taskforce members and Council members for working hard together.

Council President Hart said she'd be remiss if she didn't recognize Cuyahoga County Council Vice President and Candidate for Lieutenant Governor Cheryl Stephens.

**NEXT MEETING OF COUNCIL: MONDAY, MAY 16, 2022**

Respectfully submitted,

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Melody Joy Hart  
President of Council

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Amy Himmelein  
Clerk of Council



**Monday, May 16, 2022 Minutes**

**CITY COUNCIL**

7:53 – 9:31 p.m.

President Hart presiding

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

Also Present: Mayor Seren, Chief Britton, Hanna, Himmelein

**Approval of the minutes of the Council meeting held on February 28, 2022 and April 18, 2022**

Minutes were approved without any objections.

**Matter of Record**

**Communications from the Mayor**

Mayor Seren thanked Council President Hart for adjusting the agenda so he can take a moment to honor Investigator Ondercin. He wanted to make Council and the public aware of an incident that happened on April 23, 2022. He said units were dispatched to a report of a 4-month-old child in full arrest. He said Investigator Ondercin was the first to arrive and, without delay, provided CPR and then the Heimlich maneuver, once he realized the child was choking. Mayor Seren stated Investigator Ondercin's actions likely saved the child's life. He thanked him for his service to the community. He said they've learned the child has since been moved from the ICU to a stepdown unit. He again thanked Investigator Ondercin for very likely saving the baby's life.

Chief Britton said he's been privileged to work with Investigator Ondercin and he said he exemplifies what they look for in an officer; dedication to duty, performance and professionalism. He said he is one of his best officers and he's proud of him for what he did. He said he ultimately saved the infant's life. He then presented Investigator Ondercin with the Lifesaving Award.

Mayor Seren stated over the weekend he participated in the Heights Tiger 5K, noting he is not a runner. He said he was very happy to participate in such a wonderful event for the community and for the schools. He then announced he is traveling to Columbus tomorrow to work with the Northeast Ohio Mayor and City Manager's Association to request audience time with our state representatives. He said he'll be down there fighting for what the citizens of Cleveland Heights believes.

## **Personal communications from citizens on Agenda Items only**

Michael Madorsky stated he wanted to make it clear he is a big supporter of all the work the Sewer District has done to clean up the waterways. He thinks that the Horseshoe Lake controversy has brought forth a solution that was very hastily made. He stated the Lake has been neglected for decades and getting rid of it is the easy way out. He thinks Horseshoe Lake is a much better habitat for wildlife than Lower Lake. He said his group, the Friends of Horseshoe Lake, has a plan that can be looked at in detail and they can work with the Sewer District engineers and planners to make a plan to save both lakes.

Deborah VanCleef said last fall she had the opportunity to participate as an observer in the process that the Sewer District undertook to choose a team for the first stage of planning for the restoration of the two Doan Brook branches that feed into Horseshoe Lake. She said they got to listen to the four final teams present their ideas. She's happy to say the team that was chosen was the one that the entire Cleveland Heights group of observers favored and she's excited to see how they will move forward. As a non-voting observer, one thing she thought about was how will this group connect with the community and get input. She said she was extremely impressed and she thought they were in good hands.

William Hopkins said a lot has been said about the ecology, etc., but what he doesn't hear a lot about is the design value they have in the Lake, calling it world quality. Landscape architect Ernest Bowditch was one of the great American masters. He doesn't think people get it. He said a meandering stream will not equal a great piece of landscape art. It was designed for the people, but not only that, it was designed around two cities. It was Ernest Bowditch's greatest and biggest design.

Penny Allen said she doesn't know what the Sewer District is going to tell them tonight but she said part of its power is a well-oiled PR campaign. She asked if losing Horseshoe Lake was something that would protect from catastrophe. She said a dam breach did occur in 1939, but caused no flooding. On June 15, 2021, the Sewer District showed a picture during a presentation showing significant flooding and they warned of that occurring and used it in support of their plan for Horseshoe Lake. She said the picture of the flooding was taken in 2020 but she said the Lake had already been drained in 2019, so the argument that it would help with flood control does not hold water.

Bert Stratton said William Hopkins stole a lot of his thunder. He said he reads the daily Heights newspaper every day, and the article he read today talked about activities that make people happy saying "people are consistently happier when they are out in nature, particularly near a body of water." He said re-meandered streams aren't going to cut it and said let's save Horseshoe Lake, saying they have a committee and counter plans that will work.

Korbi Roberts said it's important to know the Doan Brook parkland was a major achievement. She said private citizens gave that land to the people. She said they wanted to save it because we needed a piece of green parkland within the built-up urban environment. She said it is all deed protected; the agreement was that the parks and the lakes be maintained for the people. In 1901, when the City of Cleveland was building up the sewage system in Cleveland Heights, the engineers recommended

not tapping the sewers into the natural watershed. She said it is a wildlife sanctuary. All the branches of the Doan Brook are underground, she said they could be rehabilitated instead of taking down the Lake. She said the Sewer District needs to work around our historic sites and honor the deed protected land.

Christine Heggie had a follow up question to a comment she made at the last Council meeting concerning the transparency of the Sewer District and their lack of documentation for their decisions. She said in the interest of time, she would only cite one example: on page 11 of the list of questions and answers provided by Gannett Fleming after their interim report, they said the largest cost and certainty comes down to sediment and they hadn't gotten plans from the Sewer District, which the Sewer District refuted. Gannett Fleming states that the Sewer District only verbally provided information, they did not submit additional written resources for review. She said in order to have a fair and transparent discussion, we need to have the data the Sewer District used. The Friends of Horseshoe Lake has a hydraulic engineer that wants to review the data, but she said they can't have a transparent discussion about what's best if they don't have the data. She ended by asking was that data ever provided and if so, where can it be found?

### **NEORSD Presentation regarding the Horseshoe Lake Dam project**

Frank Greenland, Director of Watershed Programs for the Northeast Ohio Regional Sewer District, provided an update on where the project is at. They have awarded a contract for the 12 month predesign to AECOM-Stimson. The project components include the removal of the Class I dam, design of new streams and floodplains, sediment management, public engagement and a landscape integration plan. He believed that by the end of 2024, that the actual full-scale construction will have started.

#### **Question & Answer**

Councilor Larson asked if reconstruction of the dam with an adjusted spillway and a new emergency spillway would satisfy the requirements that NEORSD has for storm water management.

Director Greenland said they met with the consulting firm, TRC, but they respectfully disagree with their conclusions. He said they see no data in regards to flood management, no detail cost estimates, but he said they agree with them on sediment. He said they sent them a letter in that regard.

Councilman Cuda asked what happened in between when the Shaker Council voted on this and today.

Director Greenland said their job was to move forward with development of the scope for the predesign phase and start the consultant selection process. He said they sent Requests for Proposal out and they narrowed down the responsive teams to four. They listened to the proposals and selected the chosen consultants. In April, they awarded the contract and they are now ready to get rolling.

Council President Hart asked what the community engagement will look like.

Director Greenland said they want to have a very robust community engagement. He said it's meeting with the administrations, meeting with the general public, different pop-up events, etc.

Jeff Jowett with NEORSD said they look to have more traditional meetings where they'll engage with the general public, meet with identified stakeholders, do pop up events, and create different handouts trying to get the word out as best as possible.

Director Greenland said they open it up to Council as well. He said he wants to make sure over the key stages of the predesign, there is good discussion. He said he hopes they can do that jointly with Shaker Heights and Cleveland Heights. He said they have a very structured approach in the contract.

Councilman Mattox asked if there will be a list of events or dates or will they be announced one at a time.

Director Greenland said they'll do their best to give advance notice of what they are doing and where.

Councilman Cuda asked if the public had a chance to respond on what they just heard. Council President Hart said it's not supposed to be a debate but people are allowed to make public comment.

In response to a question asked from the public, Director Greenland stated they do not have an estimate from TRC about sediment removal, but he said from the discussion it was inferred that TRC thought that with the estimate the Sewer District used, that the removal costs could be lower. Gannett Fleming looked at the Sewer District's cost estimate and said it was a little low and they thought it could be higher. Director Greenland believes they are right where they need to be in their estimate.

Council President Hart said she will entertain people asking questions that are specific, but reminded people this was not meant to be a debate.

Roger Heller asked if TRC, working with the District, could come up with a plan that is within the budget and accomplish the goals and mission of the District, would they consider saving the Lake.

Director Greenland said the Sewer District has always kept an open mind. He said the decision was not come to lightly. He said it was a \$10 million-dollar, three-year study. He said it's not just cost, there are elements of risk, flood mitigation, cost, long term operation maintenance, etc. are all factors. He said they have provided nothing from the flood benefit standpoint. He said the best way to mitigate flooding is to run facilities dry, then wet, then dry. He said they looked at a number of different alternatives and came to their recommendation.

Director Greenland answered another question from the public by saying they didn't come to their recommendation lightly and he has answered every question asked. He said they came before two Councils for some type of concurrence. He said they will take all kinds of ideas, they want to hear them. He said they ask all stakeholders to get their ideas. He said we have to separate storm water from sewers, saying they are completely separate.

## **LEGISLATION**

### **First Readings**

#### ***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.

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

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

**Legislation Passed**

***b. First Reading Only***

**ORDINANCE NO. 63-2022 (AS), *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

**Committee Reports**

**FINANCE COMMITTEE**

Nothing to report at this time.

**HOUSING AND BUILDING COMMITTEE**

Nothing to report at this time.

**MUNICIPAL SERVICES COMMITTEE**

Nothing to report at this time.

**PLANNING AND DEVELOPMENT COMMITTEE**

Nothing to report at this time.

## **PUBLIC SAFETY AND HEALTH COMMITTEE**

Councilor Larson said SPAN Ohio held a webinar called “Don’t Be Misled by Lead.” She said it was a very good discussion about the lasting effect of lead poisoning on young children. She said we need to know how many of our children who live in rental units or attend daycares in buildings that were built prior to 1978 are being exposed to lead poisoning. She said they are taking up legislation that was introduced by the Mayor last year, saying the proposed legislation for Lead Safe certification is moving forward again. She said Law Director Hanna met with the Cuyahoga County Health Department Legal team last week and he expects written comments and proposed revisions soon and they will keep the public updated. She hopes to have the recommendations from the Racial Justice Taskforce Chair for new members for the Committee’s consideration at the next Committee meeting on May 23<sup>rd</sup>. Finally, she said Councilman Cuda is gathering data from the Administration for the Committee to discuss revising the noise ordinances for the summer months for backyard concerts.

## **ADMINISTRATIVE SERVICES COMMITTEE**

Nothing to report at this time.

## **COMMUNITY RELATIONS AND RECREATION COMMITTEE**

Nothing to report at this time.

## **COMMITTEE OF THE WHOLE**

Council President Hart stated they had a robust discussion on some legislation during the Committee of the Whole meeting.

### **Personal communications from citizens**

Erin Holstein Singh has multiple objections to the proposed plan at the Wellington Mews. She objects to the increased density they are proposing and objects to any tax abatement for demolition and for building \$900K+ homes. She objects to the alignment of the project to the surrounding community. She said she loves the community and moved back to the City to open her business. She would love to have her business in the monastery, so she obviously has an alternative agenda. She said Cleveland Heights is a very progressive community and she doesn’t believe the will of the people would be for demolishing a sacred space. She knows it is about the money, but she thinks they could possibly do something different with it. She believes the community has a different will and they can do something that actually serves the community. She also mentioned the environmental impacts that she said other people will speak to.

Allison Snyder said she went to Carmelite growing up and lives across from it now and she is quite upset about the proposed development. She said it will wreck the environment and the vision is short-termed. She doesn’t think it will benefit the community. She said there are huge traffic problems there, saying she thinks it will just get more congested and noisier. She said Cleveland Heights is a forested City, that’s why people come to Cleveland Heights. She said the people who protested the proposed freeways through the Shaker Lakes in the 1960s had a vision that has enriched their quality of life today. She said it is her hope that they can be long-visioned as those people were in the past. She knows there are migratory animals there that will all get wrecked. She thinks Cleveland Heights needs to be long-visioned.

Dave Rowsey said he sent an email to Tony last week about the electric scooters in the community, particularly in his area, the Lee Road business district. He said four times in the last month, he's nearly been hit by these scooters. He believes they can go from 15-20 mph and because they are electric, they are quite quiet. He said further complicating the matter is that the individuals operating the scooters appear to be too young to have a driver's license, so they have no experience or training in operating these vehicles. He said he looked at the scooters and they have a warning not to be operated in the sidewalks. He said bringing the scooters into the city was a bad idea and he thinks City Council should remove them immediately. He said they are an accident waiting to happen and they need to be removed before the accident does happen.

Robin VanLear asked them not wreck the arts at the Monastery. She then said the situation with the Coventry PEACE campus is getting worse. She wanted to make clear that their issue is not with the library itself, however, but library leadership. She said signing a contract with CRESCO Playhouse Square will damage the Coventry PEACE campus. She is asking for the acknowledgment that there is a crisis at hand that deserves thoughtful attention. She said in a recent Council meeting it was stated several times that Cleveland Heights is 'Home to the Arts.' She asked if they are willing to fight for that point of pride. She asked if they can continue to use the reference with a clear conscience if they sit by and let the literal "Home to the Arts" shutter and be demolished. She said public documents show the library's executive director has already had discussions with the City of Cleveland Heights about relocating their non-profit businesses but they haven't heard from the City directly. She said unless there is a quick resolution, some may have to relocate and some may shutter all together.

Steve Feldman said he lives directly across the street from the Wellington Mews development. He said they object, not because they are against developments, but because of things like the density issue. He said the developers are asking for a variance on density, which he said was crazy because traffic would be crazy. They also object to the demolition of 3145 North Park and it's the cottage, it is part of the historic registry. They also object to the tax abatement thrown around by the developer, saying it'd be over \$15 million over the years. They object because the value and enjoyment of their home will decrease, the neighborhood values and the community values will decrease.

Leslie Marceau said, based on her communications with the Planning Department, that the Wellington Mews appears to be a positively received proposal so far but she said she is horrified. She said there is no room for greenspace, which she says is supposed to be a requirement for a large development like this; there is no consideration for the architectural nature of the immediate vicinity, stating these are historic homes. She said she is horrified to think of the massive number of live animals and birds that have made the area their home for decades, which will now be destroyed. She referenced the Mornington Lane development built in the 1960s, which she said has tons of greenspace and she said that is how this should be considered. She objects to Dalad Group, saying they avoided giving any 3D imagery and the pictures just don't cut it. She said that corner is an iconic corner. She doesn't want to see the development happen as proposed.

David LaVelle said he lives about a quarter mile away from the proposed Wellington Mews site. He said aside from the devaluation, the biggest problem is the traffic problem at Fairmount and Lee. He said he's witnessed several accidents in that area. He said an awful lot of consideration needs to happen.

CJ Nash received a flyer saying "Do Not Bag Recyclables", so she said she didn't when she put out her recyclable bin, came home from work and found her shredded paper all over her yard and her neighbor's yard. She said she is hoping the note saying "Do Not Bag Recyclables" is a mistake.

Kristin Brooks said she echoes everything the Wellington Mews concerned citizens have said so far. She said she and her husband own a home and land in the neighborhood. She said it's not like the top of Cedar Hill, this is a different neighborhood that has different architecture and a different feel and has a different environmental and natural landscape that needs to be preserved. She said every time you get to the intersection, it's congested, especially during school hours. Her concerns are the green screen; that there is some kind of plan that respects the historic trees. Her father worked as a lawyer on the Mornington Lane development and worked very hard with the architects and the city to make sure elements of the original estate was preserved.

Glenn Meyer wanted to implore everyone to consider the question, why so many units? And why such an incredible tax abatement? He said at one point, they considered an addition to their house on their side property and he said they came under quite a bit of scrutiny from the City, rightfully so. He is wondering if the developers are being held to the same standards as well.

Sara Peck said her family crosses from their home to Lee Road 25 times a day. Her biggest concerns are the density and the traffic safety around the development. She said if she was buying a \$900K house, she wouldn't buy a house right on top of her neighbor; they moved to Cleveland Heights from University Heights specifically for the space. Her biggest concerns are the traffic and safety, the density and the tax abatements, which, in particular, make her furious.

### **Old business**

Nothing to report at this time.

### **New business**

Nothing to report at this time.

### **Council Member Comments**

Councilwoman Russell said in June she will be hosting a summer job fair for young adults aged 18-24, for jobs getting paid \$15 an hour for 20 hours a week for 6 weeks during the summer. She will be matching them up the young adults with businesses in Cleveland Heights who lost business during the pandemic. The money is coming through a grant, so the business owners will not have to pay their salaries. She will announce the day of the job fair at the first Council meeting in June.

Councilman Cuda thanked the residents for their thoughtful comments and putting stuff on Council's radar. He said he is concerned about what's going on with the Coventry PEACE campus. He said he's not sure what the Library Board's vision is for the corner that Coventry PEACE campus is on. He's been told the communication between the tenants and the Library Board has not been very good. He said bad decisions are made when there is bad communication. He hopes something can be worked out. He thanked the voters for voicing their strong support for the Cedar Lee Meadowbrook project on May 3<sup>rd</sup> and for supporting Issue 10, the Clerk of Council amendment. He thinks the Clerk will go a long way towards making them a more effective branch of government. He thinks there is a lot more work the Charter needs and he intends to lead the charge as it relates to Council. He lastly wanted to introduce Evelyn Kavanaugh, a student from

Shaker High School, who is interning with him as she does her senior project. He said she's fantastic and he is fortunate to be working with her, as she has a great interest in government.

Councilwoman Larson asked Council President Hart for permission to work with Mayor Seren on the scooter issue. Council President Hart said yes, stating because her Committee is the Public Safety and Health Committee, Councilor Larson should be handling it. Councilor Larson thanked everyone for coming tonight. She invited everyone to attend Noble Fest on May 20-22<sup>nd</sup> and said details can be found at nobleneighbors.com. She said it was exciting being at the groundbreaking for the first of 21 new homes that will be built by Start Right CDC in the Caledonia area. She then said she saw Mayor Seren and Councilwoman Moore run in the Tiger 5k and said it was a great event and she was happy to be in Cleveland Heights this weekend.

### **Report of the Council President**

Council President Hart said she hoped everyone should feel really encouraged about the development happening in the City. Top of the Hill is getting closer to completion, Cedar Lee Meadowbrook is underway, as is Taylor-Tudor. She also mentioned the infill housing on Desota and Caledonia. She said the next meeting is June 6<sup>th</sup>, so no further meetings in May.

Councilwoman Russell asked Council President Hart to let people know the Caledonia groundbreaking was on YouTube, so people can watch. Council President Hart said it was very nice and they got a lot of community engagement on the designs.

### **NEXT MEETING OF COUNCIL: MONDAY, JUNE 6, 2022**

Respectfully submitted,

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Melody Joy Hart  
President of Council

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Craig Cobb  
Clerk of Council, Pro Tem



**Monday, May 23, 2022 Minutes**

**SPECIAL CITY COUNCIL MEETING**

7:30 – 7:35 p.m.

Vice President Cobb presiding

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

Also Present: Mayor Seren, Hanna, Himmlein

\***MOTION** to approve the Clerk of Council job description and duties.

Moved by Councilor Moore, Seconded by Councilor Larson

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

**Motion Passed**

\***MOTION** to approve the Clerk of Council job posting.

Moved by Councilman Mattox, Seconded by Councilor Moore

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

**Motion Passed**

\***MOTION** to approve anticipated salary grade for Clerk of Council as Grade 19.

Moved by Councilman Cuda, Seconded by Councilwoman Russell

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

**Motion Passed**

**NEXT MEETING OF COUNCIL: MONDAY, JUNE 6, 2022**

Respectfully submitted,

---

Melody Joy Hart  
President of Council

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Clerk of Council