



Monday, June 6, 2022 Minutes

CITY COUNCIL

7:50 – 9:21 p.m.

President Hart presiding

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

***MOTION** to appoint Vice President Craig Cobb as Clerk Pro Tem of Council.

Moved by Councilor Moore, Seconded by Councilman Mattox

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

Motion Passed

***MOTION** to remove Ordinance 80-2022 from the agenda.

Moved by Councilwoman Russell, Seconded by Councilor Larson

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

Motion Passed

Approval of the minutes of the Council meeting held on March 28, 2022

Minutes were approved without any objections.

Matter of Record

Communications from the Mayor

Mayor Seren said Happy Pride Month to Council and the Community, saying they've raised flags outside many of the City's facilities and put benches in each of the five major parks in the City. He encouraged people to get out, take a selfie and tag the City on social media to let the City know your Pride. He said they also painted a crosswalk across the street from the High School on Cedar and Kildare, saying the location was intentional because right now Ohio is working on some pretty devastating legislation, and he thinks it's important we are a secure support to people who might otherwise feel marginalized. He stated they painted the crosswalk in order to let everybody know we support LGBTQ+ students and people in our community, with no exceptions. He said we are also introducing policy changes that will go a long way to substantively challenging the historic disrespect the LGBTQ+ community has faced. He said we are looking to ban conversion therapy. Also, we are looking to ensure that every contract the City enters into has strong safeguards for anti-discrimination, saying we don't want to enter into any contract with an organization that isn't required to refrain from discrimination. He mentioned the legislation declaring June Pride Month. He also discussed the new parental leave policy legislation. Finally, he discussed Juneteenth and its history. He made a plug for the Coventry Business District's Juneteenth celebration. He noted City Hall will be closed in observance and will be flying the African American flag, discussing the history and meaning behind its design.

Report of the Clerk of Council

No report at this time.

Personal communications from citizens on Agenda Items only

Michael Madorsky discussed Horseshoe Lake and the Friends of Horseshoe Lake. He said there is nowhere else in Cleveland Heights that he can think of where you can watch a sunrise over a beautiful plane of water. He thinks it'd be a shame to lose Horseshoe Lake. He doesn't want his grandchildren or ancestors to find a plaque that says "This is the former site of Horseshoe Lake," he wants them to find a plaque that shows it was protected and preserved.

Korbi Roberts talked about how, in the 1960s, a highway was planned to go through the Shaker Lakes district but the people came together and stopped it. She said the money to save it is already there with the Sewer District. She said it's very important that all of us, especially the representatives of the people, represent the health and needs of the people rather than the pockets of the Sewer District.

Jeff Balazs said he's a nature lover and a graphic designer and he wants to be an advocate for the Shaker Lakes. He discussed the foliage and habitat and said it would be a benefit to anyone to keep it. It's a proven fact that nature calms the nerves.

Bert Statton said there may be an impression that the lake is just for the rich people who live within a half a mile of it but he said when he lived in the Boulevard neighborhood and was in his 30s, he'd walk around the lake. He said it's a psychological advantage that is attractive to the whole community, not just a few people in the neighborhood.

Len Friedson thought the issue with the Shaker Lakes was put to bed last year, but he is learning there is more to be done. He said he doesn't have a highly emotional or historic connection with the Shaker Lakes in general and Horseshoe Lake in particular, still, he is sympathetic with the

efforts to save the Lakes. He found the Sewer District's plan reasonable, thorough and for the most part, accessible. He understands that the Friends of Horseshoe Lake have a plan, he didn't see it online. He said he'll review the plan but will admit he was skeptical. Unless he is strongly convinced otherwise, he remains in favor of the Sewer District's plan and urges both City Councils to remain focused on the objectives of public safety, flood management, water quality and financial impact, especially the financial impact.

Deborah Van Kleef wanted to put out the word that the contractor for the Horseshoe Lakes project will be holding a series of public engagement events this summer and she said it's a chance for people to come together and let the planners know what they want to see. She said we can have something historic and beautiful that reflects the wishes of the community if everyone gets involved.

Christine Heggie said that as we discuss the future of the Lake, it sits empty. She said destroying the Lake is not progress. She said it's much easier to destroy, then to build. She said that she is worried about the worst-case scenario for the land. She asked if Council was prepared to look into the eyes of their children and grandchildren to tell them why they didn't save Horseshoe Lake. She urged them to seriously consider the proposal of the Friends of Horseshoe Lake.

Marlies Schweitzer-Schutte asked Council to take the proposal of the Friends of Horseshoe Lake seriously, saying, you don't know what you got until it's gone. She said if we can keep Shaker Lakes for less money, the Sewer District should pay for it.

Sam Bell is a National Science Foundation Principal Investigator and the Chair of the Environmental and Sustainability Committee. He said his Committee uses its considerable expertise and experience to research best practices in areas under their remit and proposes policies or legislation to address these. He said we trust that they'll be able to continue to be able to call upon the staff as resources to provide necessary details to continue their work. Secondly, he said they humbly ask Council to take up their recommendations in a timely manner. He said they put a lot of thought and effort into each recommendation, and it is disheartening at best to be continually ignored. He also said they perennially under membered.

Lansing Hoskins said, in his travels while he was training as a physician and in the Navy, he's been in many communities and the City and Shaker Heights have a very beautiful place with the pair of lakes that they have. He said it was an inspiration that kept him going in his career as a doctor and professor. He said it's a great spiritual boost.

Friends of Horseshoe Lake Presentation

Penny Allen said the Northeast Ohio Sewer District's plan for Horseshoe Lake is not the only plan. She introduced dam safety expert Shawn McGee from TRC Engineering.

Shawn McGee discussed a plan to maintain the largest surface area of the lake. He said he believes the Friends of Horseshoe Lake plan can be reconfigured in a safe and responsible manner, the reconfiguration of the spillway can provide flood relief to Doan Brook, new construction will bring the dam back into the ODNR Dam Safety compliance, Horseshoe Lake Dam can be constructed at a lower cost than NEORSD's dam removal scenario and the alternate dam design will maintain historical and cultural significance of 100-year-old dam.

Tony Coyne from Mansour Gavin discussed the Sewer District's Regional Stormwater Management Program. He discussed the costs. He said it's really very important we look at the community input. He thinks the communities and the Sewer District should try to work better together in order to save the Lakes where it won't cost more than the current plan. He said much of this has been caused by the lack of maintenance over the years. He asked Council to support the alternative plan to make sure we can save Horseshoe Lake.

Questions

Councilor Larson asked Mr. McGee if the cost of maintaining the old dam had been included in the estimate. Mr. McGee said it wouldn't need to be repaired.

Councilman Cuda asked Mr. Greenland with the Sewer District to comment on the statement the Friends of Horseshoe Lake made about being able to come in under the budget estimate. Mr. Greenland said his comment is that they don't have a price in front of them, they have not heard a price estimate for the overall job. He said the price per cubic yard of sediment is erroneous. He said they await further information.

A citizen asked if any of the vertical pipes would be visible. Mr. McGee said they would mostly be underwater. Another citizen asked what the Council's next steps are. President Hart stated the next thing would be a discussion in their Committee of the Whole meeting.

Mr. Greenland wanted to clarify that the Sewer District doesn't have a \$1 billion budget, it's not money in the bank.

LEGISLATION

First Readings

a. First Readings - Consideration of Adoption Requested

ORDINANCE NO. 65-2022 (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.

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

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

Legislation Passed

RESOLUTION NO. 66-2022 (CRR), First Reading. A Resolution declaring June 2022 to be LGBTQ+ Pride Month; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to Adopt by Councilwoman Russell, Seconded by Councilor Moore

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

Legislation Passed

Mayor Seren thanked the Council for considering this Resolution. He thought it was important that the people know where they stand and that the community embraces everyone. He said they'll do everything they can to protect the people that are under attack right now.

RESOLUTION NO. 67-2022 (CRR), *First Reading*. A Resolution expressing this Council's opposition to proposed Ohio House Bill 616; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilwoman Russell, Seconded by Councilor Moore

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

Legislation Passed

Councilman Cuda stated, as a former teacher, there is so much autonomy being taken from the teachers. He said it's really an abomination and we really need to leave the education of our children to the parents and teachers and the school boards and keep it away from the state legislature.

Councilor Moore stated Ohio House Bill 616 is Ohio's version of Florida's 'Don't Say Gay" bill and is a very dangerous bill. She wanted to thank all of Council for supporting this.

Council President Hart noted that this Resolution is supported by all of Council.

Mayor Seren thanked the Council for putting this forward. He said they are attempting to put muzzles on people who are trying to teach reality, reality about racism, sexism, homophobia and more. He said they are trying to enforce something by law that has historically been enforced by culture and as the culture changes, they can't stand it. He thanked Council for putting it forward and showing strong opposition. He said he strongly supports the resolution

Councilor Larson said this strikes very personally for her because her daughter is a teacher. She said this kind of consideration in how teachers teach is being threatened and that is one of the main reasons she is supporting this resolution.

RESOLUTION NO. 68-2022 (PSH), *First Reading*. A Resolution expressing this Council's strong opposition to proposed Ohio Senate Bill 123 and proposed Ohio House

Bills 480 and 598; 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

Councilor Moore discussed the background of Ohio Senate Bill 123. She said we are opposing this because we believe in women's autonomy in their bodies and their lives.

Councilor Larson stated that Cleveland Heights has many low- and moderate-income families and this resolution will deliver the message that we support their right to make their own health choices.

RESOLUTION NO. 69-2022 (PSH), *First Reading*. A Resolution condemning Ohio House Bill No. 454, which prohibits affirming health care for Ohio transgender youth; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Councilman Mattox

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

Legislation Passed

Councilor Moore said they believe Ohio House Bill 454 is extremely dangerous.

Councilor Larson said this legislation supports all the families in Cleveland Heights who love a transgendered, gender diverse or non-binary youth.

b. First Reading Only

RESOLUTION NO. 70-2022 (F), *First 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.

Legislation Introduced

President Hart referred this to the Finance Committee.

RESOLUTION NO. 71-2022 (F), *First 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.

Legislation Introduced

President Hart referred this to the Finance Committee.

RESOLUTION NO. 72-2022 (F), *First 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.

Legislation Introduced

President Hart referred this to the Finance Committee.

RESOLUTION NO. 73-2022 (F), *First 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.

Legislation Introduced

ORDINANCE NO. 74-2022 (PSH), *First 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.

Legislation Introduced

ORDINANCE NO. 75-2022 (PSH), *First 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.

Legislation Introduced

President Hart referred this to the Safety Committee.

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

Legislation Introduced

ORDINANCE NO. 77-2022 (AS), *First 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.

Legislation Introduced

ORDINANCE NO. 78-2022 (AS), *First 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.

Legislation Introduced

ORDINANCE NO. 79-2022 (AS), *First 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.

Legislation Introduced

Councilor Moore thanked the Mayor for bringing this legislation to her to present.

ORDINANCE NO. 81-2022 (AS), *First 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.

Legislation Introduced

RESOLUTION NO. 82-2022 (CRR), *First 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.

Legislation Introduced

Second Readings

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

Motion to Adopt by Councilman Cobb, Seconded by Councilman Mattox

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

Legislation Passed

RESOLUTION NO. 64-2022 (PSH), *Second 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.

Motion to Adopt by Councilor Larson, Seconded by Councilor Moore

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

Legislation Passed

Committee Reports

HOUSING AND BUILDING COMMITTEE

Councilman Cuda said the Committee met that day and had two guests from the County landbank. They discussed vacant and abandoned properties. He also had a resident speak about Airbnb's and the possible need for ordinances regulating them. He said the next Committee meeting will be the first Monday in August.

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 she was grateful that the police department and the fire department dropped in on the Noble Fest Carnival. She said canine officer Otto was a definite hit. She said the next Committee meeting is scheduled for June 21st at 5 p.m.

ADMINISTRATIVE SERVICES COMMITTEE

Councilman Cobb said he will try to schedule a meeting before Council goes into recess to consider further appointments to Boards and Commissions that still need filling.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

Councilwoman Russell stated the City pools opened today and summer camps started today as well. She said School of Rock starts June 9th at Cain Park. She said she's been partnering with VERGE for recruiting young adults for jobs around the City.

FINANCE COMMITTEE

Council President Hart said the next Committee meeting will be June 10th at 1:30 p.m. where they will discuss the budget process and the tax budget.

COMMITTEE OF THE WHOLE

Nothing to report at this time.

Personal communications from citizens

Maurice Rhoades discussed his thoughts on why Ukraine and Russian soldiers were not testing positive for COVID-19. He thanked the Council for their time.

Laura Marks discussed damage that deer are doing. She discussed a study about the cultural caring capacity of cities for the number of deer that people seem to be comfortable with for urban municipalities. She said the caring capacity is determined by survey. She said the sooner we bring our deer population down, the less destruction and death we will face. The Transportation and Environmental Sustainability Committee twice has recommended that the City conduct two surveys, one to count the current deer population and the other to survey residents about their tolerance of the deer population to determine the cultural caring capacity. She asked Council to act on the recommendations.

Catalina Wagers spoke on behalf of the Cleveland Heights Green Team. She said in the spirit of celebrating diversity, on Saturday June 11th, the Cleveland Heights Green Team, in partnership with Caledonia Cultural Arts Center and Start Right CDC will be hosting Caledonia Day as part of “Loving Kindness Week.” It’s mission is to cultivate the communities self-care culture by creating connections through community building activities. She extended an invitation to the Mayor and Council to attend and asked for their support in sharing information about the event.

Tom Gibson echoed Laura Marks’ comments on the deer. He said he’s had a native plant garden since the year 2000. He talked about the deer eating his garden.

Shannon Morris discussed the Coventry PEACE Campus. She started by acknowledging the big adjustments happening in the government right now. She wanted to remind them that they are still reeling from the last form of government. She said a community thrives when the needs of its citizenry are met and exceeded. She said the new rent price structure is outrageous, virtually doubling their rent by the end of July. She urged Council to do their research and see for themselves the economic benefits the PEACE Campus brings to the table. She asked Council to stand up for them.

Robin Van Lear discussed the Coventry PEACE Campus. She said it’s thriving and has wide community support but now it’s threatened. She asked if this was the message the City wanted to send to entrepreneurs. She said as a tenant, if her rent is doubled, she’ll have to close up shop. She asked for Council’s help and for how to get on the Council’s agenda before it’s too late.

Lisa Rainsong spoke about the deer issue, saying they present a real safety concern. She discussed close encounters she’s had with bucks.

Jennifer Wintner discussed issues going on between the Library and the Coventry PEACE Campus. She discussed the management company’s fee schedule. She said no one knows when rent must go up. She asked Council to get involved and to have discussions with Nancy Levin on the Library Board, saying we can’t lose such a value asset to the community.

Barbara Sosnowski discussed the deer population. She concurs with everything that people have already said about the deer population problem and said we need a census. She said in order to preserve their health, we need to consider how to reduce that population.

DeAngelo came to say he didn’t think he was getting respect from the City, the Mayor’s office, the Police Department and housing inspectors. He said he’s put in phone calls and his issue is with the housing courts. He said he was disappointed to not be on the Committee. He doesn’t live here but he owns property here and he wants to be a part of the solution, not part of the problem.

Old business

Nothing to report at this time.

New business

Nothing to report at this time.

Council Member Comments

Councilor Larson said she'd be here on Saturday.

Councilman Cuda stated he saw a report about the number of fawns that does have and that birth control doesn't work on deer. He said in regards to the Coventry Peace Campus, he doesn't understand the no communication, and told the Peace Campus employees he'd like to talk to them after the meeting. He said Sam Bell and Laura in the Transportation Committee are wonderful and he learns so much from them. He said he understands their frustrations but he wants them to know that they are educating him and Council and that has helped in their decision making.

Councilwoman Russell said it's been a great evening for the LGBTQ community and she wanted to thank Council for their support. She said as we look around the world, there are a lot of issues happening with the LGBTQ community and around women's issues. She said she was so happy that the Mayor raised the African American flag for Juneteenth. She then talked about her HipHop Voter Registration van. She said we must stop what is happening by using our vote.

Councilor Moore said the resolutions passed tonight are going directly to our state representatives so we are sending a direct message to the people that are in control of whether or not these bills make it out of committee.

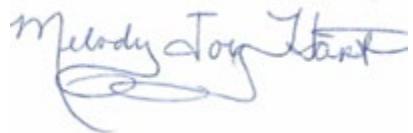
Councilman Mattox wanted to encourage everyone to celebrate Juneteenth and said he is excited about the flag raising at City Hall. He said the real way to celebrate Juneteenth is through service, activism, commitment and dedication to that cause. He said if we really want to celebrate Juneteenth, vote. He then spoke about the Coventry PEACE Campus. He said you can't have a dialogue if both sides can't come together. He said what we are seeing is saddening his soul and anything he can do to help facilitate reaching common ground, he'll do.

Report of the Council President

Council President Hart said the next Council meeting will be on Tuesday, June 21st. She encouraged everyone to come to Democracy Day. She said Council will be on recess for the month of July. She also said she was proud of the legislation passed. She said they are searching for Block Captains to help get out the vote.

NEXT REGULAR MEETING OF COUNCIL: TUESDAY, JUNE 21, 2022

Respectfully submitted,



Melody Joy Hart
President of Council



Addie Balester
Clerk of Council