



CLEVELAND HEIGHTS

Monday, August 1, 2022 Minutes

CITY COUNCIL

7:30 p.m. – 8:49 p.m.

President Hart presiding

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

Communications from the Mayor

The Mayor wanted to clear up the misinformation in the news media regarding the incident involving the vehicle that struck and damaged a vehicle and garage on S. Taylor at its intersection with Fairmount Blvd. The driver failed to turn and stop and crashed into the resident's truck in his driveway. Mayor Seren headed to the crash site around midnight to witness the damage firsthand. He spoke with the homeowner and neighbors concerning the incident. Prior to this particular incident, over the last 10-11 months, the Mayor consulted with the City's engineering group and the Ohio Department of Transportation. He said they were up front with the homeowner that, according to ODOT guidelines, the City of Cleveland Heights is not allowed to place a guardrail at the location. The City provided a variety of options to the homeowner at the City's cost, to address this recurring issue. The City never removed an existing guardrail or promised that a guardrail would be installed. Mayor Seren noted that National Night Out is tomorrow evening at the community center, it's always the first Tuesday of August. This is an opportunity for the community to get connected to safety forces such as the Police Department and Fire Department in a relaxed environment. This is a family friendly event. He wanted to encourage people to get out and vote for the upcoming primary election tomorrow. Go to the Board of Elections website to get info regarding your polling place.

Council President Hart asked for clarification because she received an email saying the crash was a result of a high-speed police chase.

Mayor Seren said there was no high-speed pursuit that took place. It was a traffic stop for a basic traffic infraction. When police stepped out to approach the vehicle, the driver took off speeding down S. Taylor. He said it's the City's policy to not increase hazards due to high-speed pursuits when they aren't concerned with a violent criminal or a felony. He said there was no pursuit.

Personal communications from citizens on Agenda Items only

Rhonda Davis-Lovejoy is in support of Tony Cuda's legislation. She believes it is a very important issue and stressed the importance of transparency and inclusion that comes along with this type of legislation. She hopes the public understands and is clear on the issue.

Katherine Petrey is in support of Ordinance 108-2022 which is legislation of a proposed charter amendment. She believes for Council to do their job, they have the right to request and receive information from Directors and staff about the City and its operations and also should have the powers of investigation. Restrictions of Council's access of City information from Directors and staff, as well as, the ability to obtain information and publicly review and discuss the information deprives the City's residents of access to that information. The National Civic League publishes a model city charter which can be downloaded from the National Civic League's website. The Ninth Edition, which is the most recent version, was published in 2021. It promotes the City Manager form of government but much of it is applicable to elected Mayor. Information provided to one Council Member should be shared with all Council Members.

Len Friedson endorses and supports the Charter Amendment pending for discussion but objects to the language crafted on the Charter Amendment. The language includes "appointee". The amendment has nothing to do with "appointees". There is also no redline version to indicate what is included and what is already there. Also, in two paragraphs there is redundancy in some of the language. He believes it is important and that Council has a right to receive information to guide the City forward. The pro argument is that Council needs information to support their legislation. The opposing argument is that no codification is needed and Council already gets what it needs. He referred to the Bill of Rights as an analogy to the Charter Amendment. The inclusion of language in the Bill of Rights describing what the government could not do was just as important as what the government could do.

LEGISLATION

First Readings

a. First Readings - Consideration of Adoption Requested

ORDINANCE NO. 106-2022 (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 President Hart, Seconded by Councilor Larson

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

Legislation Passed

RESOLUTION NO. 107-2022 (F), *First Reading*. A Resolution establishing the OneOhio Opioid Settlement Fund and affirming that funds received by the City in accordance with the OneOhio plan shall be used in a manner consistent with the “Approved Purposes” definition in the OneOhio Memorandum of Understanding (“MOU”) and applicable law and regulations; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

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

Legislation Passed

b. First Reading Only

ORDINANCE NO. 108-2022 (AS), *First Reading*. An Ordinance providing for the submission to the electors of the City of Cleveland Heights of a proposed amendment to the Charter of the City of Cleveland Heights for placement on the November 8, 2022 ballot; and declaring the necessity that this Ordinance become immediately effective as an emergency measure.

Legislation Introduced

ORDINANCE NO. 109-2022 (PD), *First Reading*. An Ordinance authorizing the Mayor to execute an agreement for the purchase of certain real property located at 13234-13238 Cedar Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Legislation Introduced

RESOLUTION NO. 110-2022 (F), *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Link Computer Corporation for software licenses and support for utility billing; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Legislation Introduced

c. Second Readings

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

***MOTION** to table Ordinance No. 96-2022.

Moved by Councilman Mattox, Seconded by Councilman Cuda

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

Nays: None

Motion Passed

Councilman Mattox explained that they have had so much feedback from the community they want to wait to hear from everyone in terms of how they want them to spend the money. They wanted to put this on hold until they can hear from everyone and that's why they are tabling it.

RESOLUTION NO. 97-2022 (AS), Second 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.

***MOTION** to amend the language of the title and description of the Municipal Services Committee.

Moved by Councilor Moore, Seconded by Councilwoman Russell

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

Motion Passed

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

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

Legislation Passed

ORDINANCE NO. 98-2022 (PSH), Second 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.

Motion to Adopt by Councilor Larson, Second by Councilor Moore

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

Legislation Passed

Committee Reports

PLANNING AND DEVELOPMENT COMMITTEE

Nothing to report at this time.

PUBLIC HEALTH AND SAFETY COMMITTEE

Councilwoman Larson stated they are holding a Public Safety and Health Committee meeting on August 15th at 5:00 p.m., to discuss the proposed lead legislation. It's close to its final form. She's invited the Cuyahoga County Board of Health staff to join them. When it's ready for a second reading, the public can voice their concerns.

ADMINISTRATIVE SERVICES COMMITTEE

Nothing to report at this time.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

Councilwoman Russell spoke about the Council Committee meeting that was held to discuss the safety of basketball hoops, summer work mentoring program, the senior program updates, urban swims program. She mentioned that Director Mike Thomas and Director McCrae came but did not get a chance to finish their report because it was a full packed agenda. On August 8, 2022, there will be an additional meeting with the Mayor and that will allow Director McCrae to finish his report.

FINANCE COMMITTEE

Nothing to report at this time.

HOUSING AND BUILDING COMMITTEE

Council Member Cuda stated Sarah Wolf from Future Heights talked about a community wide meeting she had on June 28, 2022. 272 people responded to a questionnaire and ninety four percent (94%)

of the attendees were from Cleveland Heights. He said we need to improve on communication between the City and residents, they also talked about absentee landlords, vacant and abandoned properties, equity, and safety and sustainability in the neighborhoods. The next meeting is September 6, 2022. Michael Kerman from Future Heights showed some of the rehab of the vacant properties they have done. They have done 20 homes so far and four homes are in the works. This will allow the CDC to turn them into owner-occupied homes.

MUNICIPAL SERVICES COMMITTEE

Councilor Moore stated the Municipal Services and Environmental Sustainability Committee will meet on August 8, 2022 at 5:30 p.m. All are encouraged to attend.

COMMITTEE OF THE WHOLE

Council President Hart announced there will be a Special Council meeting next week for passage of some time sensitive legislation relative to the Cedar Fairmount SID. Also, there will be a discussion on the council budget in preparation of next year.

Personal communications from citizens

Danielle Benham is the lead on the Delmore community orchard. She said the deer have killed \$100 worth of native deer resistant plants. She received \$500 grant for native plants. Within 2 hours of planting, the deer had uprooted the plants, nibbled on them and left them there. New trees have been damaged. She proposed that the City should listen to the Ohio Department of Natural Resources on how to control the deer population. In addition, she said we should tag the deer and make sure they are healthy. We need to work with neighboring cities and ask citizens to report when and where they see the deer. This is a good start for us and our deer population

Barbara Sosnowski said within the past 8 years she has been tending to the beauty and safety along Noble Road by picking up trash and planting green spaces. She said her main concern is with housing and building and coding and inspection that has been happening or not happening. Her current concern is with a woman residing in one of these rental spaces who she became acquainted with through her church. The woman fears for her own safety and doesn't feel that the City is protecting her. Her neighbor lives in deplorable conditions and she doesn't feel the City cares. She found out about the rental property through Prominent. Her neighbor had gone 3 months without heat in the winter and her landlord didn't pay the water bill, so she had no water for one month. In addition, there are cracks in the foundation of her home which is resulting in an infestation of rats and mice. She wants to thank the Committee for taking up the cause and thanks Gail Larson for making communications with renters and better codes so everyone can remain healthy and safe.

Wes Schaub came to address ongoing issues with an Airbnb located at 1044 Helmsdale. He realized the City doesn't have any zoning around AirBnb's but suggested that Council may want to consider zoning. There are 8-12 guests at a time, party buses, several motorcycles, regular dumping of trash in the yard that

scatters into the neighboring yards. The owner is not taking care of it. He asked for their help with the problem.

Susan Frierson was on the Refuse and Recycling Task Force. People in the community are having issues getting enough containers. She spoke on behalf of her friend, Este who volunteers for an organization that is a medical supply lending library and a monthly program for the elderly that provides transportation and lunch. She also works and is a mother of 10 children. Este's family produces more trash and recyclables than the two allotted bins provided by the City. The City informed Este that she should see if any of her neighbors will allow her to place her trash or recyclables in other peoples' recyclable bins on the block. Susan wants to see if we can get this corrected. Her neighborhood consists of a lot of Orthodox Jews. She would like the City to come up with solution to allow people to put in orders for more containers. She said this is an area that should be given attention.

Lenora Cruz-Price is a public meeting note taker for the ARPA funds. She apologized for not making the ARPA funds meeting as she works two jobs. Relative to the businesses that attended the July 28, 2022 ARPA funds meeting with the Mayor and Councilman Mattox, it was indicated that Noble Taylor community never submitted the results requested by President Hart. The reports were submitted on December 6, 2022 and July 27, 2022. She stated this is their third time submitting the reports. She thanked the Mayor and City Council in addressing the rescuing needs of the Noble Taylor community and for taking care of the community. She thanked Councilwoman Russell for creating the legislation for \$5,000,000.

Anne Leslie Williams has lived in Cleveland Heights for 5 years. The housing rental situation deeply concerns her. She said she's lived in 12 or 13 different states and two different countries and Cleveland Heights is the worst place she has ever rented in. Four out of five of her landlords are not local. She said her rent increased sixty-three percent in one year. Landlords are acting unethically. The current landlord is holding onto her full deposit. He tried to get her out of the rental on May 2, 2022 but he was unaware he had to give her a 30-day notice. She was able to delay her exit time until the end of June. She had been looking for a place for a year. She searched for a third story attic and found a place five days before she was supposed to vacate the rental. She has some ideas, including landlord tenant laws need to be written regarding regulations for tenants and proof of damage. She suggested 60-day notices instead of 30-day notices. She said some serious legislation needs to be passed.

Johnny Fanton parents own a home on Pennfield Road and he frequently visits them. He believes the City is going downhill because they are not taking the initiative to come together and keep up the standards. There are a lot of people who are renting on their street. He has witnessed motorcycle gangs, excessive trash sitting out for entire week, a bunch of people coming and going, playing loud music and basketball all times of the night. He mentioned someone living in the garage. Playing ball at all times of the night. They now have mice in their house. He has notified the police and mentioned the wires were cut under his hood. He is asking the City for help.

Tonya Palmer lives in the 44112 area and has been in the city since 1974. She wants to know what the City can do for the community as far as mice and rodents. She owns several properties and has received several calls from tenants regarding mice. She has never had this issue. She wants to know what can be

done to beautify the curbs when a lot of the streets don't have curbs. Does the ARPA fund help with that? She is on a street where 24 new houses are being built but they don't have curbs.

Mark Washington is present to address issues relative to lack of property maintenance at 3556 Silsby Rd. The neighboring yard is only maintained once a year. He feels there is a class issue in Cleveland Heights. He lives in the lower middle class. He believes the City should make people take care of their houses. He pays too much in taxes to be subjected to this. He believes if he lived in a better section of Cleveland Heights, these issues would be taken care of.

Old Business

None at this time.

New Business

None at this time.

Council Member Comments

Councilwoman Larson stated at a gathering hosted by East Cleveland president Nathaniel Martin that the East Cleveland staff made an announcement that the Metroparks is going to invest \$22,000,000 to restore Forest Hills to its natural state. She said this news was very welcoming to the residents in attendance. She encouraged everyone to check out the Milikin playground this Wednesday, August 3, 2022 at 8:30 p.m., to view the movie Ice Age. She encourages everyone to drive down Delmore Road to look at the vacant lot that the community has built into an orchard and is sorry to hear about the damage inflicted to the plants from the deer. The Noble Farmer's Market runs from Saturday August 6, 2022 – September 24, 2022 and is located on the corner of Noble and Roanoke Road

Councilman Cuda gave praise to Councilwoman Moore for taking the lead on environmental and sustainability issues. He lamented about the fact that a few members on the Transportation Committee resigned as they felt overlooked, ignored and rejected. He wants to know what can be done to make public engagement meaningful. He spoke about the animal control issue in his January 3, 2022 address when he was sworn in. He feels we need to find a way to work regionally. The City doesn't currently have an animal control department but he hopes that maybe something can be implemented that is cost effective in a regional way.

Councilwoman Russell announced the Hillcrest Market takes place every Thursday from 4:00 p.m. -8:00 p.m., until October. It is located at the corner of Belvoir and Quarry. She is glad to hear from people about the issues going in the neighborhood and how Council can assist in helping the community. She thanked the residents of the Noble Taylor area that attended the July 28, 2022 ARPA funds meeting. She appreciated the great response from the neighborhood in what she has done to create legislation and make the community better.

Councilwoman Moore thanked everyone for coming out and speaking about community issues and what they need council to do. They are committed to trying to find solutions to make the City what they know it can be. She asked people to keep coming as they need to hear from them.

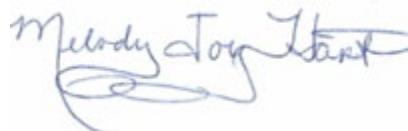
Councilman Mattox thanked everyone who attended the July 28, 2022 ARPA meeting. He said the response was awesome. The survey can be accessed at Cleveland hts.gov/ARPA. It is extremely important to complete the survey. He stated there will be volunteers knocking on doors in the community to get feedback about how we want the City to spend ARPA funds. The first ARPA meeting took place on July 28, 2022. He announced to those who live in Cleveland Heights but are connected to East Cleveland public school district, on Saturday 8/6/2022 at 2:00 p.m., the East Cleveland Library is giving out free school supplies. He stressed the importance of voting tomorrow.

Council President's Report

Council President Hart thanked everyone for coming and giving their input. She is aware there are a lot of housing problems. She encourages everyone go to the other ARPA meetings. They have a portal and paper forms. If you have any problems, you can also contact Council. She mentioned \$18,000,000 has been allocated to sewers and \$5,000,000 is earmarked for the Noble/Taylor neighborhood and businesses but has not been allocated yet. She said they are going back to the Committee of the Whole at this point to discuss legislation and go into Executive Session.

NEXT REGULAR COUNCIL MEETING: MONDAY, AUGUST 15, 2022

Respectfully submitted,



Melody Joy Hart
President of Council



Addie Balester
Clerk of Council