



CLEVELAND HEIGHTS

Monday, August 15, 2022 Minutes

CITY COUNCIL MEETING

7:30pm-8:59pm

President Hart Presiding

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

Also Present: Mayor Seren, Director Hanna

COMMUNICATIONS FROM THE MAYOR:

Wants to discuss communication between residents and the administration. Using an example of an issue that has been on the mind of many residents recently. There have been many instances recently regarding graffiti along South Taylor. He wants to remind people of the most effective way to report criminal mischief. You can either go directly to celvelandheights.gov or google City of Cleveland Heights, and on our website, you can go to the “How Do I” page you can go to the “Report” section to report “Graffiti.” If it is on your private property, you can report to the police non-emergency line (216.321.1234). If it is on city property, you can call public works at 216.291.7300 or you can use the “Access Cleveland Heights” app or on the web, the Access Cleveland Heights webpage. You can report an issue directly on that website (you can use an interactive map to report location, and add a description and/or photo). There has been some misconception, the City of Cleveland Heights does take this type of crime seriously. The police division made two arrests for exactly this type of violation within the last week. He wants to caution the public, as some of the tenor of these discussions online (social media) is speculative in a way that is concerning. This graffiti has been classified or referred to as “gang tags” and he wants the community to know that we take gang activity very seriously but also take evidence seriously. The police have found no evidence that any of the graffiti being referenced online has been found to be gang related. He wants to make sure people are speaking about it appropriately with evidence in mind when classifying things as such. Please report to the police department (non-emergency) or to the city directly online.

PUBLIC COMMENT (AGENDA ITEMS ONLY):

Karin Lash: She wants to put some things on the record and to inform some citizens of things that have been transpiring. She believes the Mayor has been acting as a dictator, and gives the following examples. He has issued an employee handbook, and employees were required to read and sign it. Following that he sent an email saying employees could not talk to people in other departments, or to Council, creating an uncomfortable environment for employees. This has resulted in council people voting on issues without all the information they need. Another example, she has witnessed council people being rude to each other in both Council of The Whole meetings, and Regular Council meetings and this is embarrassing to citizens. She says Councilman Mattox as chair of the Planning Committee has not held a single meeting yet.

Councilman Cuda brought up amendment that will clearly define communications that should and must take place between employees and the city, and the language he is proposing can be found in many well-run communities near us. Council President Hart, and Vice President Cobb, and Councilman Mattox have all objected. The amendment should wait until a total charter review so as all changes should be made at the wrong time. Wants Council to start working together and being respectful to one another.

Linda Striefsky: Wants to talk about the proposed Charter Amendment. Wants the Amendment to be tabled until the Charter is rewritten. As the new administration settles in and hires staffs etc. there are kinks to be worked out. In looking at the draft of the proposed amendment to the charter, the issue is what is the correct scope for council to be able to make inquiries to department heads and staff and the constraints are too narrow. Council needs to be able to make inquiries, but not just about legislative matters, but also to address constituent concerns. The right of inquiry is not typically understood to be limited to legislative matters, and does not appear to be reasonable or appropriate. She urges council members to be judicious and thoughtful in making inquiries and to respect competing demands on department heads and staff, applies to both inquiries and request that staff/department heads attend council/committee meetings. Wants to thank council members for their work as it isn't an easy job, but would hope that all our elected officials can work together better, and that a charter commission is formed soon.

Audrey Hudak: Cleveland Heights homeowner, and professional with administrative experience. Her daily work is in strategy development and implementation. The problem of who has access to city departments is a process problem not a power problem. Issues like this happen during times of change—like during government change. It is the responsibility and role of the executive branch to create a process for legislative branch to interact with department directors. Processes like these need to be changed over time. It would be inappropriate to set this process in stone in the form of Charter Amendments. She doesn't want the admin team to be overburdened and overworked.

Wes Shaub: We need advocates, and he often feels like he doesn't get responses. No calls are answered or followed up with. He feels patronized and victimized by those he speaks to on the phone at City Hall. We as residents need a way to get help/response from the city. Council is the advocates for citizens, and if they can't intervene on citizens behalf, then residents don't have anywhere to go.

Barbra Sasnowski: Recommends President Hart, and Vice President Cobb, and Councilor Mattox to vote in favor of the Charter Amendment concerning the Council's right to inquiry. This legislation allows Council to be prepared for meetings and receive the communication from citizens. She understands that part of the opposition to this is doing a city Charter Amendment piece-meal as opposed to all at once, but she thinks something needs to be done sooner rather than later.

Rachel DeGolia: She expects Council to figure out how to communicate and treat each other with respect. Doesn't think we need to have a charter amendment right now in order to do that. We have a lot of pressing issues in this city that need to be addressed immediately, specifically regarding housing/development. Wants to focus on the issues at hand, and make the communications work.

Harriet Applegate: Here to speak regarding charter amendment. This is not in keeping with how we want the city to run. The citizens voted for a strong mayoral system. For far too many years the buck was passed from council to the city manager, now that we have fixed the problem, she thinks council wants to go back to the weak executive form. Council shouldn't have unlimited access to the administration, which

deprives the executive branch of its power to be the administrative arm of the city. Another reason people voted for this type of government is that we wanted an administration that could get things done quickly. Overly taxes a skeleton staff that is already overworked. Housing has been the No. 1 concern, and voters expected legislation on those issues to be passed immediately, but no such legislation has been passed. Urges the Mayor and Council to work cooperatively together, and supports the approach to work with mayor/administration to find a way to communicate between the branches.

Sue Dean Dyke: She is not in favor of the Charter Amendment. She doesn't know if she would like to be required to speak to Council on a regular basis if she worked here. She feels like it is really important for the people who work here to feel comfortable coming into their jobs every day. Developers don't want to come to Cleveland Heights and she doesn't want that to be the same for employees and people who want to come work here. Reporting lines need to be extremely explicit. She thinks the amendment is trying to legislate relationships, and that is not a good place to be spending our time now. We need to stop fighting and figure something out.

LEGISLATION

First Readings

a. First Readings-Consideration of Adoption Requested

ORDINANCE 114-2022: 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 Vice President Cobb

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

Legislation Passed

RESOLUTION 115-2022: First Reading. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for public services plans for the Cedar Fairmount Special Improvement District 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: Hart, Larson, Mattox, Moore, Russell, Cobb Cuda
 Nays: None

Legislation Passed

b. Second Readings

ORDINANCE 108-2022 (AS): Second 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.

Motion to Adopt by Councilman Cuda, Seconded by Councilor Larson

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

Legislation Failed 4-3*

*Legislation to place a Council-proposed Charter amendment on the ballot for consideration by the City's electors requires the affirmative vote of five members of Council

Discussion:

Councilman Cuda says that this first came up on May 16, 2022 and Council seems to agree timely access to information is essential for Council to make informed legislative decisions. This is not about legislating personalities or getting along, it is about Council's ability to do their job. There are numerous concerns about the flow of information from this administration to council. Most cities have the same right to inquiry found in the Charter Amendment that is being proposed. Council did their homework and came up with a solution that will not only work for this government but will create a separation of power and set of checks and balances essential to the success of future governments. To truly have co-equal branches of government, both branches must feel equally empowered to do their job. Council's power should come from the Charter, not from the administration.

Councilor Moore says Council needs information to do its job. Council cannot legislate in a vacuum of information. She would not support passing a Charter Amendment if this was a temporary problem. But this has been an ongoing problem and the Charter Amendment could prevent possible problems in the future. She supports the amendment in order for Council to legislate responsibly and knowledgably. Council needs to know what is going on so that they can be advocates for their constituents. This is about what is good governance and what fundamental needs Council has.

Councilor Larson says this has been a difficult issue to make a decision on. She is in support of this amendment. We need access to information to do our jobs as the citizens of Cleveland Heights deserve, while also respecting staff's time. We need access to information in order to avoid redundancy and to respond to all the requests we receive from the public. Whatever happens with this vote, a Charter Review Commission needs to be established asap.

Councilman Mattox is opposed to this amendment as Council has already asked voters to do a Charter Amendment and it was not as thorough or thought out as it should have been. Council started making changes before we really looked at the charter. Council needs a Charter Review Commission that will take a thorough review of all of the processes currently in place which will also stop us (Council) from making decisions that appear to be purely political. An outside

perspective is needed to look at the processes to make sure Council isn't making changes to the Charter as an emotional response. This legislation is not clear enough (the who, what, how etc.). Doing a charter change piece-meal is dangerous and he wants a comprehensive review of the charter.

Councilwoman Russell is for the Charter Amendment because she wants transparency. She doesn't want access to staff to tell them what to do, she is concerned about staff as she is a labor leader. But as legislators Council cannot create legislation if we don't know what we are creating or what the purpose is. As the Parks and Recreation chair, she needs to be able to talk to the director to find out what is going on in the Department and see if there are changes that need to be made, what they need etc. It is dangerous when we don't have a check and balance government.

Vice President Cobb opposed making the change from City Manager to Mayor but the community voted to make our government a mayoral one. Now there are some people that are unhappy with that decision. We are currently experiencing growing pains as to be expected. It is up to us to work out any differences between Council and the Administration without relying on a Charter Amendment to do so. He sat on the previous Charter Commission that took 14 months to review and make recommendations, however, nothing has come of those recommendations. He believes we need to be patient and that the collaborative process that we all hope for will come to fruition shortly. It is a work in process and we will get there.

President Hart, agrees with colleagues that they need information, also agrees that they are in transition, but disagrees with the method to get there, via a Charter Amendment. A full blow Charter Review is how we should amend the Charter. This is a process issue not a charter issue. Diplomacy is more appropriate. Working toward an agreement with the Mayor about how Council and the administration will work together and communicate information. With an agreement, we can test and tweak it if we need to, and then as we hone in on what works, then we can legislate.

ORDINANCE 109-2022: Second 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.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

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

Legislation Passed

Discussion:

Councilman Cuda is for this, but wants to say that this is an example of what he means by how information is provided to Council and the process behind it needs to be figured out. He doesn't want to be asked to pass legislation like this until we know what it is they are passing and we have the information we need.

RESOLUTION NO. 110-2022 (F): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with Link Computer Corporation for software licenses and support for

utility billings; 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: Hart, Larson, Mattox, Moore, Russell, Cobb, Cuda
 Nays: None

Legislation Passed

ORDINANCE NO. 113-2022 (F): Second 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 Moore

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

Legislation Passed

c. **Consent Agenda**

RESOLUTION NO. 116-2022 (MS): First Reading. A Resolution proclaiming September 2022, *National Preparedness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

RESOLUTION NO. 117-2022 (CRR): First Reading. A Resolution joining communities throughout the nation in proclaiming September 2022, *Prostate cancer Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

RESOLUTION NO. 118-2022 (CRR): First Reading. A Resolution proclaiming September 9 – 18, 2022, *Welcoming Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

***MOTION** to suspend the rules.

Moved by Councilor Moore, Seconded by Councilman Cuda

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

Motion Passed

Motion to Adopt by Vice President Cobb, Seconded by Councilor Larson

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

Nays: None

Legislation Passed

COMMITTEE REPORTS

1) Public Safety and Health Committee (Councilor Larson)

- a. The Mayor, Law Department, Committee Members and the Cuyahoga County Board of Health, agreed to move forward with Lead Safe Certification Legislation. A lot of work has been done on this legislation, and thanks go out to everybody involved. Plan is to move forward with a second reading asap, and hold a public hearing that will give everybody an opportunity to speak, and then a third reading after that.
- b. Councilor Larson moves to approve the following as new members of the RJTF: Gianna Davis, Cassandra Spates-Harden, Litta Gonzales, Franchesca Jones, Erma Summerville, Marquitta Stevenson, Chiquita MacArthur, and Andrea Freidman. Seconded by Councilwoman Russell

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

Nays: None

2) Administrative Services Committee (Vice President Cobb)

- a. Meeting on August 29, 2022

3) Community Relations and Recreation Committee (Councilwoman Russell)

- a. Part 2 meeting on August 8, 2022 to wrap up things from the August 1, 2022 meeting.

4) Finance Committee (President Hart)

- a. Special COTW meeting to draft budget

5) Housing and Building Committee (Councilman Cuda)

- a. Meeting Tuesday, September 6 at 4:30pm. Inviting Mayor and Housing Director

6) Municipal Services Committee (Councilor Moore)

- a. Meeting held August 15, 2022. Heard about new utility billing software. Discussed legislation establishing a tree commission, concluded not appropriate at this time because Committees are trying to figure out how they function in this form of government. Tree management plan will be discussed moving forward. Discussed possible legislation that would ban the idling of specific internal combustion engines (ICE) from idling for a specific amount of time. Will research this matter further. Also discussed possible legislation requiring multi-unit residential building for source separated single stream recycling (city does not supply recycling services for multi-unit buildings).

7) Planning and Development Committee (Councilman Mattox)

- a. Wants to address a comment that was made during public comments that was inaccurate. There has been a planning and development meeting discussing the Taylor-Tudor project. This committee would not be meeting every month, but most likely on a quarterly basis. There have been 4 black men in 100 years in Cleveland Heights that have been elected. As a public official he understands his name will be mentioned, but he wants to make sure that what information is stated is correct and accurate.

8) Committee of the Whole

PUBLIC COMMENT-GENERAL

Ruby Lyde: Saw division in a meeting she attended, and disrespectful behavior. Moving forward we have to have communication and respect. Urges council to take a look at the Zoom meeting at their facial expressions and body language to see what she is talking about.

OLD BUSINESS

NEW BUSINESS

COUNCIL MEMBER COMMENTS

- Councilor Larson: No further comment
- Councilman Cuda: Wants everybody to know Vice President Cobb is coming over to his house for a BBQ even though they disagree with many things (policy wise). Strong Mayor, required a strong council. He appreciates doing hard work for this city
- Vice President Cobb: No further comment
- Councilwoman Russell: Wants to thank the residents for coming to Council meeting and being here to support us and to make sure we stay on track. She feels she is responsible to the people; she is a legislator but also a public servant.
- Councilor Moore: Thanked Reverend Jimmy Hicks who hosted councilmembers at one of Start Rights newly refurbished homes and to look at the work they had done. Brought her children, and she can attest that the home is “childproof.” Schools starting up soon, and there are a lot of volunteering opportunities coming up. If you are interested you can go to Reaching Heights website to sign up to volunteer.
- Councilman Mattox: Next public ARPA meeting is August 24, at 6:30pm at Monticello middle school. Have over 500 survey results across the city. You will continue to see door hangers and hear people coming around knocking on doors. Go to www.clevelandheights.gov, at the top of the website there is a pop up to fill out the survey.

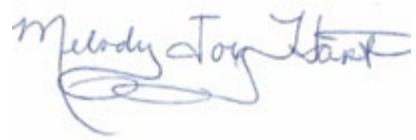
COUNCIL PRESIDENT'S REPORT

- Thanks everybody for coming. Wants to know citizens who came are heard regarding council being respectful of one another and trusts that Council will all make their best attempts to do better.

ADJORNMENT

NEXT MEETING OF COUNCIL: TUESDAY, SEPTEMBER 6, 2022

Respectfully submitted,



Melody Joy Hart
President of Council



Addie Balester
Clerk of Council