



# CLEVELAND HEIGHTS

**Monday, November 7, 2022 Minutes**

## **CITY COUNCIL MEETING**

Start: 8:07pm

End: 9:06pm

**President Hart Presiding**

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

**Also Present: Mayor Seren, Director Hanna**

## **APPROVAL OF THE MINUTES FROM PREVIOUS MEETING(S):**

- October 17, 2022—APPROVED
- October 24, 2022—APPROVED
- October 31, 2022—APPROVED

## **COMMUNICATIONS FROM THE MAYOR:**

- City will be relaunching ride alongs with Police Department
- Get out and Vote! Tomorrow is election day!
- Informed Council and those present of the passing of Barbara Boyd, she will be greatly missed.

## **REPORT OF THE CLERK OF COUNCIL:**

Notify Council that one notice has been received from the Ohio Division of Liquor Control advising that applications have been made by the following:

- E and E LLC, 2785 Euclid Heights Blvd., Cleveland Heights, OH 44106 for a transfer of a D5/D6 permit to Inn On Coventry Restaurant Group LLC dba Inn On Coventry, 2785 Euclid Heights Blvd., Cleveland Heights, OH 44106.

- Kathmandu Inc. dba Taste, 2317 Lee Rd, Cleveland Heights, OH 44118 for a transfer of a D5/D6 Liquor Permit to Laraj LLC, 2317 Lee Rd., Cleveland Heights, OH 44118.

### **Matter of Record**

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

### **PUBLIC COMMENT (AGENDA ITEMS and GENERAL (combined):**

- **Alex Pesta:** Urged City Council to pass the CLM TIFF tonight; the community voted on this issue with a resounding 73% in favor of this development project. The process has not stopped, work needs to continue; asks that Council, who unanimously approved the development agreement, to take action tonight and pass the TIFF legislation on the agenda tonight.
- **Catherine Osborn:** Supports the TIFF agreement on the agenda tonight; it will benefit everybody and the city and residents have worked hard to get this agreement passed. Urges Council to vote to pass the legislation tonight.
- **Korbi Roberts:** Speaking about saving Horseshoe Lake; many communities are served by the lake. Property values benefit from the existence of Horseshoe Lake, it is a landscape architecture masterpiece and a beautiful amenity that draws in and keeps homeowners, it is an Audubon designated bird area, filters water and fills underground aquifers. It is on two national registers of historic places. It doesn't cause flooding in University Circle, and it has a clean safety record of 170+ years, TRC showed there can be a solution to keep the lake in place and keep it within NEORSD's budget. The lake is free and equitable and available to everybody.
- **Penny Allen:** Here to comment on the sewer districts update they gave during COTW. The sewer districts update seems designed to make Council believe the process has been open and with a lot of public engagement, and that whatever they propose will be good for Shaker Heights and Cleveland Heights. The district is paying for the design of the park, not for the actual construction of the park proposed by the sewer district. So, Shaker/Cleveland Heights would be paying for the construction.
- **Christine Heggie:** During the NEORSD presentation they stated that public input was requested/considered; but they did not consider public opinion in their decision to destroy Horseshoe Lake. Only after they decided to destroy the lake did they ask for input from residents. They will not pay for park amenities or maintenance; a man-made park that is expensive to build and maintain. Where was the due diligence in seeking funding to save the lake?
- **Davida Russell:** SPEAKING AS A CITIZEN. Here to speak to residents of Cuyahoga County. Tomorrow is a big day (election day) in this Country. Our democracy is at risk; most people don't understand how important it is to vote. She is asking everybody to make a plan and get out and vote tomorrow. As of right now 166,794 have early voted in Cuyahoga County, that is only 6,000 more than 2018. It is one of the smallest increases in

this State. It means that our County is under performing. We need you [citizens] to turn out to vote. Everything you do in your life; a politician determines how it happens. If you do not exercise your right you have done a disservice to yourself and your future children. Doors open at 7am tomorrow!

## **LEGISLATION:**

### **First Readings**

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

**RESOLUTION NO. 159-2022(CRR): First Reading.** A Resolution authorizing and directing the Mayor to enter into negotiations with the Cleveland Heights-University Heights City School District for a mutually beneficial agreement for the use of each other's meeting and recreational facilities; indicating the Mayor's and this Council's commitment to such an agreement; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren, Council President Hart, Council Vice President Cobb, and Council members Cuda, Larson, Moore, and Mattox

Motion to Adopt by Councilwoman Russell, Seconded by Councilor Larson

Discussion: President Hart believes this is a good piece of legislation intended to move the CLM project along. Councilor Larson supports this legislation, separating the facilities agreement from the finance portion of the CLM legislation makes sense; a shared facilities agreement is a welcome agreement and making it separate allows for more frequent review. Councilman Mattox hopes the schoolboard will see that this Council is committed to having a partnership with them; however, he is adamant about keeping this separate from the CLM project, in order to not set any future presidents. Mayor stated he had brought up facilities sharing agreement ideas during his time as a councilmember. The goal of a multilateral sharing agreement is a complex question because of two municipal jurisdictions we encompass, but he thinks it is doable. This is a first step and hope it shows we as a city want to collaborate with the school district.

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

**Legislation Passed 7-0**

**b. First Readings Only**

**ORDINANCE NO. 160-2022(PSH): First Reading.** An Ordinance amending Schedule I “Through Streets” of the Appendix “Traffic Schedules” of Part Three “Traffic Code” of the Codified Ordinances of the City of Cleveland Heights to remove all or portions of Euclid Heights Boulevard, Lee Boulevard, Lee Road, North Taylor Road, and South Taylor Road from the list designating “through streets” in the City of Cleveland Heights.

Introduced by Mayor Seren

**Moved to PSH Committee**

**RESOLUTION NO. 161-2022(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Rubicon Global, LLC, for Software Services for the Department of Public Works, Division of Refuse Collection; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Moved to MSES Committee**

**RESOLUTION NO. 162-2022(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an amendment to an agreement with Valley Freightliner & Western Star, for the acquisition of a Freightliner 114SD Tandem Axle Cab and Chassis for the Department of Public Works; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Moved to MSES Committee**

**RESOLUTION NO. 163-2022(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with the County of Cuyahoga to perform certain services to help maintain the City’s sanitary and storm sewers; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Moved to MSES Committee**

**ORDINANCE NO. 164-2022(MSES): First Reading.** An Ordinance authorizing the Mayor to enter into an agreement with, and requesting the cooperative of, the County of Cuyahoga, Ohio (“COUNTY”), in the matter of the Resurfacing of Warrensville Center Road from Mayfield Road to the South Corporation Line in the City of Cleveland Heights (“MUNICIPALITY”); and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Moved to MSES Committee**

## **Second Readings**

**ORDINANCE NO. 150-2022(F): Second Reading.** An Ordinance authorizing the transfer of real property located at 2124 Rossmoor Road to Future Heights, Inc., for rehabilitation and resale; declaring the property no longer needed for a public purpose; 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

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**ORDINANCE 151-2022(F): Second Reading.** An Ordinance authorizing the transfer of real property located at 901 Englewood Road to Future Heights, Inc., for rehabilitation and resale; declaring the property no longer needed for a public purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Larson

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**RESOLUTION NO. 156-2022(MSES): Second Reading.** A Resolution authorizing the Mayor to enter into a grant agreement with the Northeast Ohio Regional Sewer District to accept funds under the 2023 Member Community Infrastructure Grant program for the Cedar Glen Parkway Rehabilitation and Replacement Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Councilwoman Russell

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**RESOLUTION NO. 157-2022(MS): Second Reading.** A Resolution authorizing the Mayor to enter into a grant agreement with the Northeast Ohio Regional Sewer District to accept funds under the 2023 Member Community Infrastructure Grant Program for the design control of the SSOs CH-27 and CH-51 Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Councilwoman Russell

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**ORDINANCE NO. 158-2022(AS): Second Reading.** An Ordinance amending Chapter 767, “Tenant’s Right to Pay to Stay,” of the Codified Ordinances of the City of Cleveland Heights and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**Fourth Readings**

**ORDINANCE NO. 148-2022(PD): Fourth Reading as Amended.** An Ordinance declaring certain improvements to real property located in the City of Cleveland Heights, Ohio to be a public purpose; declaring such improvements to be exempt from real property taxation for a period of years; making provision for the collection of service payments in lieu of taxes; establishing an urban redevelopment tax increment equivalent fund for the deposit of such service payments; authorizing a compensation agreement with the Cleveland Heights-University Heights City School District; providing related authorizations pursuant to Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43, and declaring an emergency.

**NO VOTE TAKEN**

**COMMITTEE REPORTS**

- a.) Housing and Building Committee

- i. Update from Housing and Building Committee meeting that happened tonight (11/7/22)
- b.) Municipal Services Committee (Councilor Moore)
  - i. Nothing to report
- c.) Planning and Development Committee (Councilman Mattox)
  - i. There will be an upcoming meeting in which GAP Financing and ARPA Funds will be discussed
- d.) Public Safety and Health Committee (Councilor Larson)
  - i. Next meeting 11/21/22 @ 10am; will discuss the assigned legislation from tonight's meetings and possible sidewalk repair and snow removal programs.
- e.) Administrative Services Committee (Vice President Cobb)
  - i. Meeting 11/28/2022 will hopefully finalized charter review legislation and begin discussions on boards/commissions restructuring.
- f.) Community Relations and Recreation Committee (Councilwoman Russell)
  - i. Update from today's meeting (11/7/2022) regarding small business Saturday, and hearing from representatives from area SID's
- g.) Finance Committee (President Hart)
  - i. Budget hearings are coming up; this is a new process from previous years.
- h.) Committee of the Whole (President Hart)
  - i. Nothing to report

### **OLD BUSINESS:**

### **NEW BUSINESS:**

### **COUNCIL MEMBER COMMENTS:**

- **Councilor Larson:** COVID cases up 19% in Cuyahoga County since two weeks ago. Encourages everybody to get their vaccination/booster. The Tiger's (high school football) had an exciting game against St. Ignatius; they lost by one point but ended a great season. Also, the performance of Sister Act she saw made our city proud.
- **Councilman Cuda:** There is a huge housing crisis in this country; rent is going up, investors are swooping in and buying up properties. What it is doing to cities is of a crisis proportion, and he believes it was an issue that was a missed opportunity for candidates in this years elections. On a positive note, in Ohio, Hamilton County for example, are buying up properties (vacant and abandoned) so that their CDC's could renovate and sell to owner occupants. There is legislation currently being talked about in our State for allowing CDCs to be able to purchase properties at sheriff sale.
- **Vice President Cobb:** No Comment

- **Councilman Mattox:** Encourages everybody to vote! It's 2022 and his granddaughter has less rights over her body than her great grandmother did. We have to roll back what is happening in this Country and the only way to do that is use your voice, your vote. It has never mattered more than it does right now. Call somebody in your groups/families to see if they need a ride, post on social media to remind people to vote!
- **Councilor Moore:** Hopes everybody has enjoyed our 70-degree November weather. This is another reason to vote, we know there are people who are running for office who want to continue strip rights for women and members of the LGBTQA+ community, but there are also people who deny the climate crisis and want to roll back the miniscule progress we have made. The climate crisis is accelerating and we must act, and we cannot put people in power who deny it is even happening. On November 17<sup>th</sup> the Doan Brook Watershed Partnership will be having their annual meeting which is open to the public; speaker will be Dr. Sheri Mason, she guides policy change internationally on microplastics in our oceans, and she is a very engaging speaker. Heights Arts Holiday store is open featuring gifts made by local artists and artisans.
- **Councilwoman Russell:** During canvassing she has discovered a lot of people don't know our judicial system; she has partnered with Judge Costello and with FutureHeights and will be doing a series of "You Talk, I Listen" to help our community understand our judicial system. The first will be Saturday, November 19 from 10:30am-12:30pm at the Disciple Christian Church at 3663 Mayfield Rd. Discussing tenant and landlord law, and housing partners will come in to talk about renter assistance programs and legal aid for those having problems with landlords.

### **COUNCIL PRESIDENT REPORT:**

- Get out and Vote! Especially important for women, but for everybody, for all our rights. You cannot mail in your ballot after today, but you can still drop it off downtown or do a provisional ballot at the polls. Text (248) 214-2375 if you need a ride to the polls tomorrow! November is small business month, so go out and try new businesses. Will be holding coffee hours, first one being November 16, at 10am at the Coventry Phoenix coffee.

All of Council shares their memories of Barbara Boyd and gives their condolences to the family of her passing.

### **ADJOURNMENT**

**NEXT MEETING OF COUNCIL: MONDAY, NOVEMBER 21, 2022**





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Melody Joy Hart  
President of Council



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Addie Balester  
Clerk of Council