



CLEVELAND HEIGHTS

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

Monday December 5, 2022 Minutes

CITY COUNCIL MEETING

Start: 7:38pm

End: 9:28pm

President Hart Presiding

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

Also Present: Mayor Seren, Director Hanna

***Motion to add Resolution No. 181-2022 to the agenda for first reading—consideration of adoption requested; and move Resolution No. 176-2022 to first reading—consideration of adoption requested.**

Motion by Vice President Cobb, Seconded by Councilman Cuda

Voice Vote: Ayes: 7

Nays: 0

COMMUNICATIONS FROM THE MAYOR

- Wants to remind Council and the community that on December 21, a piece of legislation that Council approved changing the speed limit on certain streets will take effect. On South Taylor Rd., Lee Rd., Noble Rd. (North of Monticello), Taylor Rd. (North of Monticello and South of Euclid Heights Blvd.) and on Euclid Heights Blvd. (between Coventry Rd. and Taylor Rd.) the speed limit will change on December 21, from 35mph to 25mph
- Wants to notify Council of change order number one (final) for project No. 2106 Superior Rd rehabilitation which increases the original contract amount of \$671,616.51 by \$27,989.40 to a final amount of \$699,605.91. Most of this increase was because of additional work installing a catch basin and sewer line because of poor roadway drainage, and some base repairs and lead service lines that were replaced.

REPORT OF THE CLERK OF COUNCIL

Notify Council that a notice has been received from the Ohio Division of Liquor Control advising that an application has been made by the following:

- Chipotle Mexican Grill of Colorado LLC dba Chipotle Mexican Grill 3828, 12401 Cedar Rd. Cleveland Heights, OH 44106 for a new D1 permit.

Matter of Record

Matter referred to the Mayor, the Chief of Police, and the Law Director

COUNCIL PROCLAMATIONS

1. Renee Richard
2. Harriet “Gusti” Krauss
3. Alexandria Ruden
4. Barbara Boyd

PUBLIC COMMENT (AGENDA and NON-AGENDA ITEMS)

Penny Allen

- Thanked Council for Proclamation for Gusti

Adam May

- Comments on Vision Zero/Traffic Calming/Public Safety
- Doesn't think that reducing the speed limit on certain streets from 35mph to 25mph will help with speeding on residential/side streets; people are frustrated with the challenge of traversing Cleveland Heights, and by reducing speed limits on throughways will make it more likely for people to speed on side streets.

Deborah Van Kleef

- Came for Gusti and appreciates the proclamation for her; but also wants to thank the Mayor and Council for lowering the speed limits, and she appreciates knowing the standard will be lower.

Alisa Tsentr(sp?)

- Landlord issues; no heat in her apartment. She found out about 3 hours ago she is being evicted.

Robin Vanlear

- Peace Campus/Holiday Lantern Festival; asking for Coventry Rd. between Euclid Heights Blvd. and Hampshire Rd. to be closed for about 20 minutes so they can do their procession.

Shayna Parks

- Children’s safety in the community and safety in the school; she doesn’t feel safe sending her kids to school after her child was a victim that was hurt on September 8 on Derbyshire. Wants to know what the city can do to ensure safety of children. She has talked to the Chief of Police but hasn’t been given a solution. Wants Council to think about what they can do to ensure that kids feel safe in their community.

The following people all commented on saving the South Rink at the Rec Center:

- **Brian West**
- **Christopher Lacey**
- **Ann Lavelle**
- **Barbara Rosenbaum**
- **Elana Baldwin**
- **Lisa West**
- **Travis Cox**
- **Michael Watson and sons (Daniel, Gabriel, Joey, and Nicholas)**
- **Genevieve Care**
- **Richard Goodwin**
- **Vincent LiNixon and Michelle Johnson**
- **Jeremy Pree**
- **Jay and Theo Tekus**
- **Chris Wick**
- **Jenn Wick**
- **John Dorsey**

LEGISLATION

a. First Readings—Consideration of Adoption Requested

RESOLUTION NO. 175-2022(CRR): First Reading. A Resolution proclaiming January 2023 as National Poverty in America Awareness Month; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilwoman Russell

Motion to Adopt by Councilwoman Russell, Seconded by Councilor Moore

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

RESOLUTION NO. 181-2022(AS): First Reading. Resolution authorizing the Mayor to apply for grant funding under the Cuyahoga County Department of Development's Community Development Supplemental Grant program to install benches in public parks, streetscapes and spaces throughout Cleveland Heights, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

RESOLUTION NO. 176-2022(AS): First Reading. A Resolution establishing a Charter Review Commission, determining the number of members and method of appointment and charging said Commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Hart

Motion to Amend by Councilman Cuda, Seconded by Vice President Cobb

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

Motion to Adopt by Vice President Cobb, Seconded by Councilman Cuda

*Discussion: Councilman Cuda wants everybody to know he supports having a charter review commission; he has personally supported 3 charter amendments and wants to have this charter review. Our charter is antiquated; however, this legislation has problems for him. He believes it does not follow the spirit of the Charter. This in his opinion clearly gives Council the power, not the Mayor. He believes that Council has legislative authority and that in this legislation we are giving away 1/3 of the power given to Council to the Mayor. The role of the Mayor is to testify in front of the Charter Review Commission about the executive branch point of view. He is firm on voting no on this legislation. Vice President Cobb says Council has spent hours discussing this legislation and the formation of the Charter Review Commission, and it is time to move forward.

Ultimately it will be Council's decision of what goes on the ballot based on the Commissions recommendations. We have spent too much time arguing about this process, and it is time to move forward. President Hart wants to point out many charter commissions allow the mayor to have appointees, this will be an independent charter review that will be independent of all of us, including the mayor. Councilman Mattox agrees with Vice President Cobb, and he believes the way they went about this process and the way we structured this along with the mayor that this is more a partnership and will be extremely helpful in building trust between the Council the Mayor and residents moving forward.

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

Legislation Passed: 5-2

b. First Readings Only

ORDINANCE NO. 177-2022(PSH): First Reading. An Ordinance authorizing the Mayor to enter into a renewal of a License Agreement with the Ohio Bell Telephone Company, dba AT&T for a municipal parking lot at 13172 Cedar Road; providing compensation therefor; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

RESOLUTION NO. 178-2022(MSES): First Reading. A Resolution agreeing to allow Cuyahoga County to operate an Electric Public Utility in the City of Cleveland Heights pursuant to its powers under the State of Ohio and the Laws established by the Government of Cuyahoga County.

Moved to MSES Committee

RESOLUTION NO. 179-2022(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with the Cuyahoga County Board of Health for funding for lead remediation work to be performed on residential properties in the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Moved to MSES Committee

ORDINANCE NO. 180-2022(PD): First Reading. An Ordinance authorizing the Mayor to execute an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

c. **Second Readings**

ORDINANCE NO. 168-2022(F): Second Reading As Amended. An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2023 through December 31, 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Amend legislation by increasing fund 216 (recreation fund) by \$500,000.00 (from general fund reserves) by Councilman Mattox, Seconded by Councilwoman Russell

*Discussion: Councilwoman Russell wants to thank the Mayor and Councilman Mattox and Council for supporting the addition to the budget for the splashpad at the park. Happy that we are now funding that project. Councilor Larson would like to thank Councilman Mattox and the Mayor for looking at an opportunity for adding joy to Dennison Park and the residents who live around there. President Hart wants to thank them as well because she believes it is a good move for the area.

Voice Vote: Ayes: 7
Nays: 0

Legislation Amended

RESOLUTION NO. 169-2022(PSH): Second Reading. A Resolution to suspend enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2023, or at such earlier time as Council may subsequently prescribe, on the following-described streets; providing for on-street overnight permit parking on specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads; and declaring the necessity that this legislation become immediately effective as an emergency measure.

*Discussion: PSH Committee considered this resolutions which is an annual renewal, and spoke with the Mayor who advised that the city is starting to tow vehicles on Mayfield and Euclid Heights Blvd during commuting hours.

Motion to Adopt by Councilor Larson, Seconded by Councilman Cuda

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

RESOLUTION NO. 170-2022(PD): Second Reading. A Resolution authorizing the Mayor to enter into an amendment to an agreement with Start Right CDC, a non-profit corporation, for the use of Community Development Block Grant

funds to provide funding for assistance with its Good Neighbor Home Rehab Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

RESOLUTION NO. 171-2022(PD): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with Economic and Community Development Institute for Program Management Services for Small Business Support Programs; providing compensation therefore; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Vice President Cobb

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

ORDINANCE NO. 172-2022(PD): Second Reading. An Ordinance amending Section 1311.05, *Architectural Board of Review Fees*, of Chapter 1311, *Administration, Fees and Penalty*, of Part Thirteen, *Building Code*, of the Codified Ordinances of Cleveland Heights to revise and add certain fees for procedures and services pertaining to the administration and enforcement of the Architectural Board of Review.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

ORDINANCE NO. 173-2022(PD): Second Reading. An Ordinance adopting a revised Schedule of Fees for procedures and services pertaining to the administration and enforcement of the Zoning Code.

Motion to Adopt by Councilman Mattox, Seconded by Vice President Cobb

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

ORDINANCE NO. 174-2022(PD): *Second Reading.* An Ordinance designating a schedule of fees for procedures and services related to the administration and enforcement of the provisions of Chapter 143, *Landmark Commission*, of the Codified Ordinances of the City of Cleveland Heights.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Voice Vote: Ayes: 7
Nays: 0

Legislation Passed

9) Committee Reports

- a.) Community Relations and Recreation Committee
 - No report
- b.) Finance Committee
 - Budget hearing have been completed and budget discussed during COTW
- c.) Housing and Building Committee
 - Update from meeting today at 4:30pm, next meeting will be January 3, 2023
- d.) Municipal Services and Environmental Sustainability Committee
 - Next meeting is planned for 12/19 at 11am to review 178-2022, and 179-2022
- e.) Planning and Development Committee
 - Next meeting will be scheduled by the end of the week (will be held in December)
- f.) Public Safety and Health Committee
 - Update from meeting this morning
- g.) Administrative Services Committee
 - Applications for Charter Review Commission will be available soon
- h.) Committee of the Whole
 - No report

OLD BUSINESS

- None

NEW BUSINESS

- None

COUNCIL MEMBER COMMENTS

Councilman Mattox: Appreciates the number of residents who came out to present their views including all the young people who came out.

Councilor Moore: Read a statement of discontent with Council for having not created a set of rules and procedures in order to guide councilmembers on how to do their jobs and achieve goals. Shares in resident's frustrations that Council has not done a good job of working together over the past 9 months. She has sent out multiple documents with suggestions to Council on both rules/procedures and legislative process but it has not been discussed as of yet. When she has suggested legislation, she feels as though Council President Hart and Vice President Cobb have instated rules/requirements on the spot that have not been voted on by Council. We need to have a strong Council to support our new strong Mayor.

Councilwoman Russell: Would like to thank Jay Tekus for speaking with her after last Council meeting regarding his comments on the ice rink. Would like to thank Megan Smith for sending her a thank you card after attending the Landlor/Tenant meeting; there will be these events 3 times a year (March, June and October) moving forward. The Judicial branch is partnering with her to do a toy drive in partnership with Toys for Tots and Olivia's Dream. There will be a drop off spot outside of the court rooms. Congratulations to Denison Park neighborhood and for the splash pad that will be budgeted for in 2023.

Vice President Cobb: Nothing tonight

Councilman Cuda: Wants to clarify his definition of co-equal branches of government; that both branches are equally and fully empowered to do their job. He looks forward to working on everything Councilor Moore mentioned. Also wants to say he loves the passion of sports and the support shown by the hockey lovers who came in.

Councilor Larson: Agrees we need to work together on council rules and processes, and looks forward to doing that in 2023. Is very concerned for those who live in apartment buildings without heat and can't wait to see what happens with the property owner at 2450 Overlook in court tomorrow.

COUNCIL PRESIDENT'S REPORT

Addresses Councilor Moore's comments; Council has tried to do council rules, and they chose not to pass them but nobody suggested changes. She has received multiple emails from Councilor Moore with a lot of information and a manual for how Council should operate but we also have been in the middle of budget hearings for the past 3 weeks, and the legislative process is up for discussion in the future. We will have another retreat where the focus will be Council rules and legislative process. This is a matter for all Council to discuss.

ADJOURNMENT

NEXT MEETING OF COUNCIL: FRIDAY, DECEMBER 16, 2022

A handwritten signature in blue ink that reads "Melody Joy Hart". The signature is fluid and cursive, with a large, stylized initial "M".

Melody Joy Hart
President of Council

A handwritten signature in blue ink that reads "Addie Balester". The signature is cursive and elegant, with a large initial "A".

Addie Balester
Clerk of Council