



May 1, 2023
Regular Meeting
7:30 PM

Cleveland Heights City Hall
Council Chambers
40 Severance Cir
Cleveland Heights, Ohio

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Amendments to the Agenda (if necessary)**
- 5) Approval of minutes from previous meeting(s)**
 - a. March 6
 - b. April 3
- 6) Communications from the Mayor**
- 7) Northeast Ohio Regional Sewer District**
Horseshoe Lake Update
- 8) Report of the Clerk of Council**
- 9) Public Comment - Agenda Items only**
(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda. Comments unrelated to the agenda may be made after Committee Reports)
- 10) LEGISLATION**
Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.

a. **First Readings – Consideration of Adoption Requested**

RESOLUTION NO. 065-2023(AS): First Reading. A Resolution appointing Graig Kluge as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 066-2023(AS): First Reading. A Resolution appointing Harriet Applegate as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 067-2023(AS): First Reading. A Resolution appointing Linda Striefsky as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 068-2023(AS): First Reading. A Resolution appointing Marty Gelfand as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 069-2023(AS): First Reading. Resolution appointing Guy Thellian as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 070-2023(AS): *First Reading.* A Resolution appointing Roland Anglin as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 071-2023(AS): *First Reading.* A Resolution confirming the Mayor's nomination and appointing Jon Benedict as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 072-2023(AS): *First Reading.* A Resolution confirming the Mayor's nomination and appointing Stephanie Morris as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 073-2023(AS): *First Reading.* A Resolution confirming the Mayor's nomination and appointing Drew Herzog as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 084-2023(AS): *First Reading.* A Resolution appointing Kathryn Lester as an alternate member of the Architectural Board of Review of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 085-2023(AS): *First Reading.* A Resolution appointing Danielle Cohen as a member of the Landmark Commission of the City of Cleveland Heights, OH and reappointing Ken Goldberg, Thomas Veider, and Jim Edmonson as members of the Landmark Commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 086-2023(AS): *First Reading.* A Resolution appointing Darlene White (Boulevard Neighborhood), Cindie Carroll-Pankhurst, Anthony Porembski, Amanda Isaacson, Leslie Jones, Suella Wilfong, and Lisa Gilbert as members of the Citizens Advisory Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

RESOLUTION NO. 087-2023(AS): *First Reading.* A Resolution reappointing Justin Alcorn (Roxboro), Lee E. Barbee, II (Caledonia), David Benson (Canterbury), Laura Black (Coventry), Sue Dean Dyke (Fairfax), Susan Efroymson (Millikin), William Frank (Noble), Jonathan Goldman (Taylor), Gretchen Mettler (Caledonia), T. Nadas (Canterbury), Jessica Schantz (Fairfax), Allosious Snodgrass (Coventry), Patti Substelny (Roxboro), and Elizabeth Vanderleest (Oxford) as members of the Citizens Advisory Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Move for Adoption

ORDINANCE NO. 075-2023(CRR): *First Reading.* An Ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2023. and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for adoption

RESOLUTION NO. 083-2023(MSES): *First Reading.* A Resolution authorizing an agreement with Cintas Corporation for professional rental uniforms and laundry services for the Department of Public Works through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

b. First Readings Only

RESOLUTION NO. 076-2023(AS): *First Reading.* A Resolution creating and making permanent the City of Cleveland Heights Shared Spaces Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 077-2023(MSES): *First Reading.* A Resolution authorizing the Mayor to enter into an agreement with Greenman-Pedersen, Inc., for professional construction inspection and administration services relating to the Lee Road Resurfacing Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 078-2023(CRR): *First Reading.* A Resolution supporting a mayor's action call center with all actions necessary, including the expenditure of funds, hiring staff, and/or, if needed, purchasing implementing equipment, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmembers Russell, Larson, and Cuda

c. Second Readings

RESOLUTION NO. 062-2023(MSES): *First Reading.* A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc. of Ohio, for construction administration and resident observation services relating to control of sanitary sewer overflows CH-12, CH-17, CH-26 and CH-28; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

RESOLUTION NO. 063-2023(MSES): *First Reading.* A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc. of Ohio, for professional design engineering services relating to control of sanitary sewer overflows CH-27 and CH-51 along Quilliams Road and Atherstone Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

RESOLUTION NO. 064-2023(MSES): *First Reading.* A Resolution authorizing the Mayor to enter into an agreement with R₂O for professional design services relating to control of sanitary sewer overflows CH-36 and CH-37 along North Park Boulevard; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

d. Consent Agenda

RESOLUTION NO. 079-2023(CRR): *First Reading.* A Resolution recognizing May 2023 as Older Americans Month; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilwoman Russell

RESOLUTION NO. 080-2023(CRR): *First Reading.* A Resolution recognizing April 30—May 6, 2023 to be Professional Municipal Clerks Week; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilwoman Russell and President Hart

RESOLUTION NO. 081-2023(CRR): *First Reading.* A Resolution recognizing May 1-5, 2023, as *Air Quality Awareness Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

RESOLUTION NO. 082-2023(CRR): *First Reading.* A Resolution recognizing May 2023 as *Jewish American Heritage Month*; and declaring

the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

11) Committee Reports

12) Public Comment - General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

13) Old Business

14) New Business

15) Council Member Comments

(Note: Council comments should directly relate to the business of the City of Cleveland Heights, rather than personal reflection or commentary. A maximum 3-minute time limit applies, but the Council President may reduce time limit based on the volume of business on the agenda, the time of evening, or other similar factors.)

16) Council President's Report

17) Adjournment

NEXT MEETING OF COUNCIL: MAY 15, 2023



**March 6, 2023
Regular Meeting
7:30 PM**

**Cleveland Heights City Hall
Council Chambers
40 Severance Cir
Cleveland Heights, Ohio**

MEETING MINUTES

1) Meeting called to order by Council President

2) Roll Call of Council Members

3) Excuse absent members

4) Amendments to the Agenda (if necessary)

**Motion to amend agenda to add RES NO. 036-2023 to First Readings -
Consideration of Adoption Requested:** Janine Boyd

Seconded: Tony Cuda

Yes: Janine Boyd, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr.,
David Russell

No: None

Abstain: None

MOTION PASSED

5) Approval of minutes from previous meeting(s)

None to approve

6) Communications from the Mayor

North Rink update: four (4) responses have been received for the RFQ; a panel of the administrative staff is reviewing those responses and will provide him with a recommendation in the near future.

The previous estimates for the Splash Pad at Dennison are "stale" and the bid request will need to be updated with engineering estimates. More information to come soon.

7) 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: -CAPL RETAIL LLC dba JOES QUICK MARTS, 3983 Mayfield Rd., Cleveland Heights, OH 44121 for a new C1/C2 liquor permit.

READ INTO THE RECORD

8) Public Comment - Agenda Items only

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda. Comments unrelated to the agenda may be made after Committee Reports)

None

9) LEGISLATION

Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.

a. First Readings – Consideration of Adoption Requested

RESOLUTION NO. 036-2023(COTW): First Reading. A Resolution opposing House Bill 1, that cuts and flattens Ohio's income tax rates and stops \$1.2 billion per year in state payments to local governments; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to adopt: Janine Boyd

Seconded: Davida Russell

Discussion: President Hart is in support of this legislation and will be voting yes for it; Councilmember Larson added her support as well, saying that the answer to providing services to the residents of this city is not to have a tax cut; the Mayor made a statement in favor of this legislation, and called out the willful blindness coming out of the State Legislature, and thanked Councilmember Boyd for bringing this piece of legislation forward.

Yes: Janine Boyd, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

**LEGISLATION
PASSED**

b. First Readings Only

RESOLUTION NO. 033-2023(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc. of Ohio, for professional design engineering services relating to control of sanitary sewer overflows CH-13 and CH-61 and illicit connections on Hampshire Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

RESOLUTION NO. 034-2023(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Cleveland Compaction for the acquisition and installation of a new Transfer Station Compactor for the Refuse and Recycling Division of 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

READ INTO THE RECORD

RESOLUTION NO. 035-2023(F): First Reading. A Resolution acknowledging receipt from the Coventry Village Special Improvement District of a Plan for public services and improvements, and returning said Plan to the Board of Directors without comments or recommendations for changes; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

c. Second Readings

RESOLUTION NO. 027-2023(PD): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with the Home Repair

Resource Center, a non-profit corporation, for the use of HOME Funds to administer the City's Down Payment Assistance loan program; providing compensation therefor; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Move for Adoption

Motion to adopt: Anthony Mattox Jr.
Seconded: Davida Russell

Yes: Janine Boyd, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION
PASSED

ORDINANCE NO. 028-2023(CRR): Second Reading. An Ordinance amending Subsection (a) of Section 505.06, "Animals Prohibited in Public Parks," of the Codified Ordinances of Cleveland Heights to permit leashed dogs in the City's Parks under specified conditions.

Move for Adoption

Motion to amend by substitution: Davida Russell
Seconded: Gail Larson

Yes: Janine Boyd, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

MOTION
PASSED

Motion to adopt: Davida Russell
Seconded: Tony Cuda\

Yes: Janine Boyd, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION
PASSED

10) Committee Reports

PSH: Update on MetroHealth schedule for Minority Men's Health Fairs; next PSH Committee meeting is March 20 at 10am

HB: Update from HB Committee Meeting today; he plans on meeting with Director Hanna and modifying some of the legislation on short-term rentals; the next meeting will be in April

CRR: Update from CRR Committee meeting today at 5:30pm, which included a hearing on the dog park legislation that was voted on and passed tonight.

11) Public Comment - General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

Speakers

Diane Hallum	Citizen	Open meetings concerns; ADA compliance
James Williams	Citizen	Black history month/women's history month
Richard Goodwin	Citizen	Ice rinks

12) Old Business

None

13) New Business

None

14) Council Member Comments

(Note: Council comments should directly relate to the business of the City of Cleveland Heights, rather than personal reflection or commentary. A maximum 3-minute time limit applies, but the Council President may reduce time limit based on the volume of business on the agenda, the time of evening, or other similar factors.)

Mattox: Applauded how great the Black History Month event was this year; thanked the Mayor and the city staff.

Russell: Agreed with Councilmember Mattox regarding the Black History Month event. Update from her tenant-landlord series, next one is June 10th, and there will be an added portion called "Pathway to Homeownership."

Cuda: Also wanted to commend the Mayor and staff about the Black History Month event. Spoke about a great African American sax player who recently passed away. He also brought up that he recently went to the Cleveland Orchestra who played a piece of music from the late 1800s by a female composer. It made him wonder how much great art has been lost over the years due to sexism and racism. He is grateful he got to hear this piece of music and it wasn't lost.

15) Council President's Report

Echoed her colleagues' comments regarding the Black History Month event. Council is accepting nominations for Outstanding Women of Cleveland Heights, Business Women of Cleveland Heights, and Inspiring Young Women of Cleveland Heights. The nomination deadline is March 13, the celebration is March 23.

16) Adjournment

NEXT MEETING OF COUNCIL: MARCH 20, 2023



April 3, 2023
Regular Meeting
7:30pm

Cleveland Heights City Hall
Council Chambers
40 Severance Cir.
Cleveland Heights, Ohio

MEETING MINUTES

1) Meeting called to order by Council President

2) Roll Call of Council Members

Present: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

Excused: None

Absent: None

3) Excuse Absent Members

None

4) Amendments to the Agenda (if necessary)

Motion to amend agenda to move RES NO. 053-2023 to First Readings—

Consideration of Adoption Requested: Janine Boyd

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

MOTION PASSED

5) Approval of minutes from previous meeting(s)

a. March 20, 2023

APPROVED

6) Communications from the Mayor

Notify Council that sealed bids were received on February 24th, for project #22-05 - Lee Road SSO Control Project and Terrace Construction of Cleveland, Ohio's bid of \$1,314,748.00 has been found to be the lowest and best responsible

bid. ARPA funds are being used to pay for this project.

Request permission to bid for the following projects:

- #23-02 - Warrensville Center Road resurfacing
- #23-03 - Compton Road Greenway & Cedar-Lee ADA Ramp project
- #23-04 - City-Wide Catch Basin repair
- #23-05 - Cedar-Glen Sanitary Sewer Replacement

Motion to authorize: Craig Cobb

Seconded: Janine Boyd

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

MOTION PASSED

7) State Budget Update

Representative Juanita Brent

- Update on the State Budget (currently at \$202.1 billion)

8) 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:
 - Family Dollar Stores of Ohio LLC dba Family Dollar Store 23472, 1915 S Taylor Rd., Cleveland Heights, OH 44118 for a new C1/C2/D6 liquor permit.

READ INTO THE RECORD

REFERRED TO THE MAYOR, CHIEF OF POLICE, AND LAW DIRECTOR
WITH NO OBJECTIONS

9) Public Comment—Agenda Items Only

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda. Comments unrelated to the agenda may be made after Committee Reports)

None

10) LEGISLATION

Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.

a. First Readings—Consideration of Adoption Requested

ORDINANCE NO. 047-2023(F): First Reading. An ordinance to amend certain subparagraphs of Ordinance No. 168-2022(F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2023 and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Melody Joy Hart

Seconded: Craig Cobb

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION PASSED

ORDINANCE NO. 048-2023(PD): First Reading. An Ordinance authorizing the Mayor to convey an easement to the Cleveland Electric Illuminating Company for the relocation of power lines as part of the Cedar Lee Meadowbrook Development; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION PASSED

ORDINANCE NO. 053-2023(MSES): *First Reading*. An Ordinance authorizing the vacation of a portion of the public Right-of-Way for Andrews Road; authorizing an agreement with the adjoining property owners related thereto; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Janine Boyd
Seconded: Anthony Mattox Jr.

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION PASSED

b. First Readings Only

RESOLUTION NO. 049-2023(PD): *First Reading*. A Resolution authorizing the Mayor to enter into an agreement with Cuyahoga County for funding through the HOME Program for the City's affordable housing programs through April 30, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD
MOVED TO COMMITTEE

RESOLUTION NO. 050-2023(PD): *First Reading*. A Resolution authorizing the Mayor to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD
MOVED TO COMMITTEE

ORDINANCE NO. 051-2023(F): *First Reading*. An Ordinance amending Section 177.02, “Current Funds”, of Chapter 177 – Accounting Funds - Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights to establish an “Indigent Drivers Interlock and Alcohol Monitoring Fund” within the Special Revenue Funds; and declaring the necessity that this legislation become immediately effective as an emergency measure

Introduced by Mayor Seren

READ INTO THE RECORD

RESOLUTION NO. 052-2023(MSES): *First Reading*. A Resolution authorizing participation in the ODOT Cooperative Purchasing Program for road salt for the 2023-24 winter season; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

RESOLUTION NO. 054-2023(HB): *First Reading*. A Resolution expressing this Council’s support of Ohio Senate Bill 36 which requires that prospective owner-occupants and specified non-profit housing organizations be permitted to match winning bids at Sheriff’s Sales for the purchase of one-to four-unit foreclosed residential properties; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilman Cuda, President Hart, Vice President Cobb, Councilor Larson, Councilwoman Russell, Councilwoman Boyd, Councilman Mattox, and Mayor Seren

READ INTO THE RECORD

c. Second Readings

ORDINANCE NO. 040-2023(F): *Second Reading*. An Ordinance accepting and ratifying the material terms of the CVS, Walgreens, and Walmart Settlements pursuant to the OneOhio Memorandum of Understanding consistent with the terms of the July 21, 2021, National Opioid Settlement Agreement.

Motion to adopt: Melody Joy Hart

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION PASSED

ORDINANCE NO. 041-2023(F): Second Reading. An Ordinance accepting and ratifying the material terms of the Teva and Allergan Settlements pursuant to the OneOhio Memorandum of Understanding consistent with the terms of the July 21, 2021, National Opioid Settlement Agreement.

Motion to adopt: Melody Joy Hart

Seconded: Davida Russell

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION PASSED

d. Consent Agenda

Motion to suspend rules: Davida Russell

Seconded: Janine Boyd

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

MOTION PASSED

Motion to adopt RES NO. 055-2023 through RES No. 057-2023: Davida Russell

Seconded: Janine Boyd

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson, Anthony Mattox Jr., Davida Russell

No: None

Abstain: None

LEGISLATION PASSED

RESOLUTION NO. 055-2023(PD): First Reading. A Resolution declaring

May 2023 National Preservation Month; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 056-2023(CRR): *First Reading*. A Resolution proclaiming May 2023 to be *Mary Dunbar Bike Month* in the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 057-2023(CRR): *First Reading*. A Resolution appointing Joseph Dewitt-Foy, James Bucci, and Cole Ware, as members of the Transportation and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Cobb

Passed on consent agenda

11) Committee Reports

PSH: Next meeting of the Public Safety and Health Committee meeting will be Monday, April 17 at 10am. Metro Health is holding its Minority Men's Health Fair on Thursday, April 27 5:00-8pm at the Main Campus, Severance Center, and Ohio City. You may register online or by phone.

HB: Update from the Housing and Building Committee meeting today, and had a robust discussion regarding vacant and abandoned properties; also spoke with three CDC's (StartRight, Futureheights, and HRCC). Next meeting will be on the first Monday in May.

12) Public Comment—General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

Speakers:

Julie Gierke	Citizen	Arbor Day
Catalina Wagers	Citizen	Caledonia Ravine and Tree Canopy Restoration Project

Roy Larick	Citizen	Caledonia Ravine Restoration Project
-------------------	---------	---

13) Old Business

14) New Business

- Councilmember Cuda requests a tour of the ice rinks.

15) Council Member Comments

(Note: Council comments should be directly related to the business of the City of Cleveland Heights, rather than personal reflection or commentary. A maximum 3-minute time limit applies, but the Council President may reduce time limit based on the volume of business on the agenda, the time of evening, or other similar factors).

Russell: Thanked the speakers that came in to talk about the Ravine and Tree Canopy Restoration Project and expressed her support; she will be having a "You Talk. I Listen Townhall Meeting" will be April 15, at 10:30am at the Caledonia Community Culture Center (next to the school).

Larson: Gave a brief update regarding how well the Women's Day event went, and how well the Easter egg hunt went despite being pushed indoors due to the weather.

16) Council President's Report

Reproductive Rights petitions are being passed around and can be picked up at her house at 2976 Monmouth Rd. Saturdays 1-3pm and Mondays 1-3pm.

17) Adjournment

NEXT MEETING OF COUNCIL: APRIL 17, 2023

Proposed: 5/1/2023

RESOLUTION NO. 065-2023(AS): *First Reading*

By Vice President Cobb

A Resolution appointing Graig Kluge as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Ordinance No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Ordinance No. 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, Council has reviewed and considered applications submitted by electors interested in serving on the Charter Review Commission and wishes to appoint Graig Kluge to the Charter Review Commission at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio does hereby appoint Graig Kluge to serve as a member of the Charter Review Commission which is being convened in 2023.

RESOLUTION NO. 065-2023(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 066-2023(AS): *First Reading*

By Vice President Cobb

A Resolution appointing Harriet Applegate as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Ordinance No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Ordinance No. 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, Council has reviewed and considered applications submitted by electors interested in serving on the Charter Review Commission and wishes to appoint Harriet Applegate to the Charter Review Commission at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio does hereby appoint Harriet Applegate to serve as a member of the Charter Review Commission which is being convened in 2023.

RESOLUTION NO. 066-2023(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 067-2023(AS): *First Reading*

By Vice President Cobb

A Resolution appointing Linda Striefsky as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Ordinance No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Ordinance No. 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, Council has reviewed and considered applications submitted by electors interested in serving on the Charter Review Commission and wishes to appoint Linda Striefsky to the Charter Review Commission at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio does hereby appoint Linda Striefsky to serve as a member of the Charter Review Commission which is being convened in 2023.

RESOLUTION NO. 067-2023(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 068-2023(AS): *First Reading*

By Vice President Cobb

A Resolution appointing Marty Gelfand as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Ordinance No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Ordinance No. 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, Council has reviewed and considered applications submitted by electors interested in serving on the Charter Review Commission and wishes to appoint Marty Gelfand to the Charter Review Commission at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio does hereby appoint Marty Gelfand to serve as a member of the Charter Review Commission which is being convened in 2023.

RESOLUTION NO. 068-2023(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 069-2023(AS): *First
Reading*

By Vice President Cobb

A Resolution appointing Guy Thellian as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Ordinance No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Ordinance No. 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, Council has reviewed and considered applications submitted by electors interested in serving on the Charter Review Commission and wishes to appoint Guy Thellian to the Charter Review Commission at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio does hereby appoint Guy Thellian to serve as a member of the Charter Review Commission which is being convened in 2023.

RESOLUTION NO. 069-2023(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 070-2023(AS): *First Reading*

By Vice President Cobb

A Resolution appointing Roland Anglin as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Ordinance No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Ordinance No. 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, Council has reviewed and considered applications submitted by electors interested in serving on the Charter Review Commission and wishes to appoint Roland Anglin to the Charter Review Commission at this time.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio does hereby appoint Roland Anglin to serve as a member of the Charter Review Commission which is being convened in 2023.

RESOLUTION NO. 070-2023(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 071-2023(AS): *First Reading*

By Vice President Cobb

A Resolution confirming the Mayor's nomination and appointing Jon Benedict as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Resolution No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Resolution 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, the Mayor has reviewed the applications submitted by electors interested in serving on the Charter Review Commission and has nominated Jon Benedict for Council's confirmation and appointment to the Charter Review Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio confirms the Mayor's nomination of Jon Benedict to the Charter Review Commission and hereby appoints Mr. Benedict to serve as a member of the Charter Review Commission being convened in 2023.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

RESOLUTION NO. 071-2023(AS)

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 072-2023(AS): *First Reading*

By Vice President Cobb

A Resolution confirming the Mayor's nomination and appointing Stephanie Morris as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Resolution No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Resolution 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, the Mayor has reviewed the applications submitted by electors interested in serving on the Charter Review Commission and has nominated Stephanie Morris for Council's confirmation and appointment to the Charter Review Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio confirms the Mayor's nomination of Stephanie Morris to the Charter Review Commission and hereby appoints Ms. Morris to serve as a member of the Charter Review Commission being convened in 2023.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

RESOLUTION NO. 072-2023(AS)

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 073-2023(AS): *First
Reading*

By Vice President Cobb

A Resolution confirming the Mayor's nomination and appointing Drew Herzig as a member of the 2023 Charter Review Commission of the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article XV of the Charter of the City of Cleveland Heights provides that at least once during each ten-year period, by ordinance or resolution, Council shall determine whether to appoint a Charter Review Commission; and

WHEREAS, Council last appointed a Charter Review Commission in 2017; and

WHEREAS, on December 16, 2022 City Council adopted Resolution No. 176-2022 establishing a Charter Review Commission and determining the number of members and method of appointment and charging said Commission; and

WHEREAS, pursuant to Resolution 176-2022 it is necessary for City Council to appoint six (6) electors of the City to the Charter Review Commission, and for the Mayor to nominate three (3) electors for Council's confirmation and appointment to the Charter Review Commission; and

WHEREAS, the Mayor has reviewed the applications submitted by electors interested in serving on the Charter Review Commission and has nominated Drew Herzig for Council's approval and appointment to the Charter Review Commission.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. That the Council of the City of Cleveland Heights, Ohio confirms the Mayor's nomination of Drew Herzig to the Charter Review Commission and hereby appoints Mr. Herzig to serve as a member of the Charter Review Commission being convened in 2023.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

RESOLUTION NO. 073-2023(AS)

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to appoint members to the Charter Review Commission in order that it can begin its work at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 084-2023(AS), *First Reading*

By Vice President Cobb

A Resolution appointing Kathryn Lester as an alternate member of the Architectural Board of Review of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Chapter 1313 of the Ordinances of the City of Cleveland Heights provides for the establishment of the Architectural Board of Review, consisting of three (3) members having the qualifications set forth in Section 1313.02 and two (2) alternate members having the qualifications set forth in Section 1313.02 each for a term of three (3) years.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby appoints Kathryn Lester as a member of the Architectural Board of Review for a term ending December 31, 2025.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the efficient operation of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

RESOLUTION NO. 084-2023(AS)

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 085-2023(AS), *First Reading*

By Vice President Cobb

A Resolution appointing Danielle Cohen as a member of the Landmark Commission of the City of Cleveland Heights, OH and reappointing Ken Goldberg, Thomas Veider, and Jim Edmonson as members of the Landmark Commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Chapter 143 of the Ordinances of the City of Cleveland Heights provides for the establishment of the Landmark Commission, consisting of seven (7) members appointed by Council for staggered terms of three (3) years each; each member of the Landmark Commission having the qualifications set forth in Section 143.03.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby appoints Danielle Cohen as a member of the Landmark Commission and reappoints Ken Goldberg, Thomas Veider, and Jim Edmonson as members of the Landmark Commission for terms ending December 31, 2025.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the efficient operation of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

\

RESOLUTION NO. 085-2023(AS)

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 086-2023(AS), *First Reading*

By Vice President Cobb

A Resolution appointing Darlene White (Boulevard Neighborhood), Cindie Carroll-Pankhurst, Anthony Porembski, Amanda Isaacson, Leslie Jones, Suella Wilfong, and Lisa Gilbert as members of the Citizens Advisory Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Citizens Advisory Committee is made up of 22 members with a Chair, Vice Chair, and Secretary; ten (10) seats are reserved for representatives of the City's 10 historic elementary school boundaries; an additional twelve (12) seats are open to residents from all parts of the community and are appointed by City Council annually.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby appoint Darlene White (Boulevard Neighborhood), Cindie Carroll-Pankhurst, Anthony Porembski, Amanda Isaacson, Leslie Jones, Suella Wilfong, and Lisa Gilbert and as members of the Citizens Advisory Committee for a term ending December 31, 2023.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the efficient operation of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART

RESOLUTION NO. 086-2023(AS)

President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 087-2023(AS), *First Reading*

By Vice President Cobb

A Resolution reappointing Justin Alcorn (Roxboro), Lee E. Barbee, II (Caledonia), David Benson (Canterbury), Laura Black (Coventry), Sue Dean Dyke (Fairfax), Susan Efroymson (Millikin), William Frank (Noble), Jonathan Goldman (Taylor), Gretchen Mettler (Caledonia), T. Nadas (Canterbury), Jessica Schantz (Fairfax), Allosious Snodgrass (Coventry), Patti Substelny (Roxboro), and Elizabeth Vanderleest (Oxford) as members of the Citizens Advisory Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Citizens Advisory Committee is made up of 22 members with a Chair, Vice Chair, and Secretary; ten (10) seats are reserved for representatives of the City's 10 historic elementary school boundaries; an additional twelve (12) seats are open to residents from all parts of the community and are appointed by City Council annually.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby reappoints Justin Alcorn (Roxboro), Lee E. Barbee, II (Caledonia), David Benson (Canterbury), Laura Black (Coventry), Sue Dean Dyke (Fairfax), Susan Efroymson (Millikin), William Frank (Noble), Jonathan Goldman (Taylor), Gretchen Mettler (Caledonia), T. Nadas (Canterbury), Jessica Schantz (Fairfax), Allosious Snodgrass (Coventry), Patti Substelny (Roxboro), and Elizabeth Vanderleest (Oxford) as members of the Citizens Advisory Committee for a term ending December 31, 2023.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 087-2023(AS)

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the efficient operation of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/01/2023

ORDINANCE NO. 075-2023 (CRR), *First Reading*

By Mayor Seren

An Ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council annually reviews its use and rentals of the theatres in Cain Park; and

WHEREAS, the Mayor recommends the use and rentals set forth herein.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City of Cleveland Heights shall sponsor and present in Cain Park and other locations to be determined, through the spring and summer of 2023, a program of entertainment in general accordance with plans therefor previously adopted by the Mayor.

SECTION 2. Stage productions will be presented in Cain Park. Admission charges for these productions will not exceed Two Hundred Dollars (\$200.00). Rates will be gradated according to seat location, with the designations subject to approval by the Mayor. Groups of twenty (20) or more may purchase tickets at a discount rate subject to the approval of the Mayor.

Musical concerts will be presented at times scheduled by the Mayor. Such programs may or may not be co-produced with an outside agency as deemed fit by the Mayor. Special arrangements may be made for ticket prices to exceed Two Hundred Dollars (\$200.00), with the proceeds of the box office split per an agreement approved by the Director of Law to accommodate costs of the concert.

SECTION 3. One or more plays (musicals) may be presented at times scheduled and at the theaters designated by the Mayor. The City's share in the cost of such programs is hereby approved and such expenditure is authorized in a total amount not to exceed Eighty Thousand Dollars (\$80,000.00) per production.

The Mayor is hereby authorized and directed to enter into any and all agreements necessary for the presentation of summer concert and other non-theatrical programs at Cain Park and this council approves all currently executed contracts. All agreements shall be in a form approved by the Director of Law.

ORDINANCE NO. 075-2023(CRR)

To the extent possible, monies to pay for the aforesaid contracts shall be taken from the Cain Park Operating Fund and monies derived from Cain Park activities shall be placed in the Cain Park Operating Fund.

SECTION 4. (a) Such other programs and activities shall be presented as are approved by the Mayor. Fees may be established by the Mayor to defray the cost of these new programs. Special promotions which reduce or eliminate ticket prices in exchange for media time, print advertising or other publicity may be arranged as approved by the Mayor.

(b) Except as otherwise provided herein, when any class or activity is offered which requires the use of materials to be furnished to the participant, the Mayor is authorized to establish a fee based upon actual costs, which shall be paid by each person at the time of registering for such activity.

(c) Special benefit performances either at Cain Park or elsewhere may be presented for the purpose of offsetting programs deemed appropriate by the Mayor with ticket prices not to exceed the sum of Two Hundred Dollars (\$200.00). These arrangements will be made as deemed appropriate by the Mayor.

SECTION 5. (a) In the event that it should become necessary, in the judgment of the Mayor, at any time to limit the number of persons in attendance at any concert, dance or other activity to which the public would otherwise be generally admitted, the Mayor is hereby authorized to establish and place in effect such regulations and restrictions as he may deem necessary for such activities to protect the safety and welfare of the public grounds, the community in general, and members of the public at large.

(b) Such regulations may include, but are not limited to, advance or on-the-spot limitation of admissions, including closing-off of admission, and may also include a requirement that admission be limited to persons who are bona fide residents of Cleveland Heights and are authorized holders of a proper Recreation I.D. Card issued by the City of Cleveland Heights, and such number of guests accompanied by such Cardholder as the Mayor shall establish.

(c) In the event that the Mayor shall determine, in his sole discretion, that the conduct of a given program, or a portion of the program, would endanger the safety and welfare of the public, then he shall have the authority to cancel any program and, at the earliest time possible, to give, by appropriate means, notice to persons wishing to participate in such activity of the fact that the program or activity has been canceled.

(d) Notwithstanding any other provision, the Mayor is hereby vested with authority to transfer the conduct of any portion of the summer program for the year 2023 to another facility in order to ensure the safety and/or convenience of the general public. At such time, the Mayor shall, by appropriate means, advise persons wishing to participate in such activities of the change of location.

ORDINANCE NO. 075-2023(CRR)

SECTION 6. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 7. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet seasonal deadlines. Therefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/01/2023

RESOLUTION NO. 083-2023(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing an agreement with Cintas Corporation for professional rental uniforms and laundry services for the Department of Public Works through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is necessary to provide clean work clothing and soft goods for the Department of Public Works; and

WHEREAS, Section 171.11 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the Ohio Department of Administrative Services Cooperative Purchasing Program without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the necessary items and services may be purchased through this State Cooperative Purchasing Program at a lower price than could be obtained through bidding and that it would be in the City's best interests to purchase said equipment by this means.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to enter into an agreement with Cintas Corporation for the purchase of work clothing, soft goods, and laundry services for the Department of Public Works through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Section 171.11 of the Cleveland Heights Codified Ordinances. The agreement shall provide for a sixty-month term, with expenditures not to exceed the sum of Fifty Thousand Dollars (\$50,000.00) per annum without further authorization of this Council. All agreements hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health and safety

RESOLUTION NO. 083-2023(MSES)

of the inhabitants of the City of Cleveland Heights, such emergency being the need to Meet ODAS guidelines. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 076-2023(PD), *First
Reading*

By Mayor Seren

A Resolution creating and making permanent the City of Cleveland Heights Shared Spaces Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights prides itself on its many business districts. The City has for many years permitted outdoor dining—both on private property and within the public right-of-way/on public property—as a way to support the business community and enliven spaces for residents and visitors; and

WHEREAS, beginning in March 2020, the COVID-19 pandemic forced all of us to re-examine places and spaces—how we interact with our neighbors and friends and how we work, live, and play; and

WHEREAS, on July 6, 2020, in response to the COVID-19 pandemic, Council, by way of Resolution No. 83-2020, authorized a Temporary Expansion Area (“TEA”) Program for the creation or expansion of outdoor dining, entertainment and retail areas; and

WHEREAS, in light of the COVID-19 guidelines and mandates imposed upon affected businesses through Orders issued by the Governor and Director of the Ohio Department of Health, the TEA Program authorized business to use private property such as private parking lots, as well as City-owned property, streets and other public rights-of-way, including on-street parking areas, sidewalks, and parklets to expand their facilities as a means to combat the financial loss to businesses whose operations were affected by said Orders; and

WHEREAS, Resolution No. 83-2020 provided a sunset date of November 1, 2020 for the TEA Program; and

WHEREAS, due to the continuing negative impacts of the COVID-19 pandemic, by Resolution No. 131-2020, Council extended the TEA Program until December 31, 2021; and

WHEREAS, in 2020 and 2021, the City issued a number of TEA permits, including for a pilot “parklet” along Cedar Road as a tool to help businesses survive the COVID-19 health crisis; and

WHEREAS, temporary outdoor dining facilities, parklets, and pedlets are creative and cost-effective ways to add outdoor seating and spaces; and

RESOLUTION NO. 076-2023(PD)

WHEREAS, the pilot program was well-received, and in 2023, the City of Cleveland Heights desires to establish a permanent City-wide program (the "Shared Spaces Program"); and

WHEREAS, the City Council of the City of Cleveland Heights desires to clearly and articulately describe the parameters, administration, regulations, and processes of the Shared Spaces Program; and

WHEREAS, in order to permanently establish the Shared Spaces Program, a number of regulations found within the Codified Ordinances of the City of Cleveland Heights need to be suspended.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Council of the City of Cleveland Heights hereby establishes a permanent, City-wide Shared Spaces Program to allow for the installation of a temporary outdoor-dining facility, parklet, or pedlet within the public right-of-way, on public property, or on private property (collectively defined herein as a "Shared Space").

SECTION 2. The intent of the Shared Spaces Program is to help the City's business community expand capacity by providing a streamlined permitting process for temporary outdoor dining, gathering, and activity. The program is not intended to support large exterior party venues or accommodate large gatherings. Installations for large events or one-time occurrences shall be submitted through the appropriate City special event process.

SECTION 3. Installation and operation of a Shared Space shall be no earlier than May 1st of each year and removed by no later than November 1st of each year.

SECTION 4. For the purposes of the Shared Spaces Program, the following definitions shall apply:

"Public Right-of-Way" shall mean an easement (privilege or right) for public travel. In Cleveland Heights, public rights-of-way take the form of sidewalks, streets, alleys, multipurpose paths, and other public spaces. "Public Property" shall include, but shall not be limited to public parking lots.

"Outdoor Dining Facility" shall mean new or expanded seating areas installed on the public right-of-way/public property (sidewalks, public parking lots, or parallel parking spaces) or on private property.

"Parklet" shall mean seating platforms that convert curbside parking spaces (or public right-of-way) into gathering or dining spaces.

RESOLUTION NO. 076-2023(PD)

“Pedlet” shall mean public platforms that convert curbside parking spaces into safe, pedestrian walkways. These installations provide access around expanded or new outdoor dining facilities installed on the sidewalk.

“Temporary” shall mean all materials, furniture, barriers, and installations—whether on private property, in the public right-of-way, or on public property—are easily removed, are not affixed to the ground (excluding safety equipment such as wheel-stops bolted to the pavement), and are removed before November 1st of each year.

“Permanent” shall mean any installation—whether on private property, in the public right-of-way, or on public property—that is affixed to the ground, is not easily removed, and is intended to remain through all seasons. These permanent installations shall be reviewed through the Conditional Use approval process and are not eligible for a Shared Spaces Program permit.

SECTION 5. The Mayor and his/her designees, to include the Director of Planning and Development and his/her designees and the Director of Public Works and his/her designees (collectively, “Mayor”), are hereby authorized to administer the Shared Spaces Program.

SECTION 6. The process, rules, and regulations related to the Shared Spaces Program, including eligible applicants, site selection, public health and safety, liquor permits, design permits, the application, the review and approval process, the installation and inspection process, rules regarding operation and maintenance, and rules regarding removal/renewal and evaluation, shall be as follows, as well as included in the Shared Spaces Manual, attached as Exhibit A, as may be updated from time-to-time:

(A) Eligible applicants. Eligible applicants must have the organizational capacity to manage the installation and maintenance of a new or expanded outdoor space and may be, but are not limited to:

- Ground-floor business owners
- Property owners
- Non-profit and community-based organizations
- Special service districts
- Others, on a case-by-case basis

(B) Site and Design Standards for all Shared Spaces. All sites and/or Shared Spaces must:

- Be located within a commercially-zoned district
- Not interfere with the flow of pedestrian traffic
- Not block access to crosswalks, curb ramps, public utilities, waste collection receptacles, hydrants, alleys, manhole covers, ADA parking spaces, or driveways
- Utilize materials or elements no higher than three (3) feet in height that provide a sense of enclosure or create a boundary around the installation (e.g., planters, barrels, stantions, barriers, fences, etc.).

RESOLUTION NO. 076-2023(PD)

- (If using rope or chain) Utilize bright colors to help low vision pedestrians see thin elements.
- Install rope, chain, or lights no lower than two (2) feet off the ground to prevent tripping hazards.
- Design electrical connections to buildings that do not impede pedestrian traffic.
- Not connect to City light poles.
- Place elements that cross or sit perpendicular to the walking path of the sidewalk no more than two (2) feet apart.
- Provide a minimum of three (3) feet of clearance around all hydrants and ensure furniture does not block hydrants from view.

(C). Site and Design Standards for Parklets and Pedlets. In addition to the criteria listed in (B) above, sites for parklets or pedlets must also:

- Be located in an unrestricted parking lane, parallel to the curb edge, adjacent to the sidewalk
- Not block existing street drainage patterns
- Be located at least one (1) 20-foot parking space away from the nearest intersection
- Not occupy more than four (4) parking spaces
- Not be located in or within 40 feet of a bus stop
- Not be located on streets with steep slopes
- Include a three (3)- to four (4)-foot inner buffer when adjacent to another parking space
- Include vertical elements or barriers such as planters, railings, or cables to help distinguish the parklet or pedlet from the moving and parked car traffic on the street.
- Include reflective elements and wheel stops on corner posts around the perimeter of installation in the street's parking lane.
- Have reflective vertical elements, such as flexible posts or bollards, that make them visible to traffic.
- Maintain clear, unobstructed sightlines to and from the street.
- Be ADA-compliant.
- Be buffered by a minimum of four (4) feet from adjacent parallel parking spaces and three (3) feet from adjacent diagonal or perpendicular parking spaces using a wheel stop.
- Provide at least three (3) feet of clear space, as long as a 5-foot-by-5-foot (5'x5') passing space is provided every 200 feet.
- Have a minimum one (1) foot buffer of space from the edge of the parking lane or 13 feet from the nearest lane line.
- Have a flush transition at the curb to permit easy access for people in wheelchairs or with other mobility issues and avoid any tripping hazards.
- Include a sign at the locations of all hydrants with "HYD" in white lettering on a red background.
- Ensure all ramps have slopes of no greater than 8% (1:12).

RESOLUTION NO. 076-2023(PD)

- Ensure ramps have sufficient color contrast to be seen by people with limited visual ability.
- Have a surface constructed of a slip-resistant material with a minimum loadbearing weight of 100 pounds per sq. ft.
- Utilize barriers such as planters or railings to protect users.
- Provide sidewalk-facing edges that are open to pedestrians.
- Be constructed of durable, quality materials.

(D) Types of Barriers. Concrete barriers are preferred to separate the roadway with any parklet, pedlet, or temporary outdoor dining facility. Water-filled jersey barriers shall not be used to construct temporary outdoor dining facilities, parklets, or pedlets within the public right-of-way or on public property.

(E) Ohio Uniform Food Safety Code. All applicants wishing to install outdoor seating areas to support a restaurant operation must meet the Ohio Uniform Food Safety Code. This includes complying with building codes and regulations regarding sanitation, solid waste disposal, food and equipment storage, and dogs in outdoor dining areas.

(F) Liquor Permits. Restaurant and bar owners who wish to serve alcohol in their temporary expanded or new outdoor dining areas must comply with the State of Ohio's Division of Liquor Control regulations.

SECTION 7. The Mayor, as defined herein, shall create an application for the Shared Space Program, to be available on the City's website.

SECTION 8. The City of Cleveland Heights's Department of Public Works and Department of Planning & Development will review applications to: Determine if the application is complete; Determine if the application meets all requirements; and Review individual aspects related to the specific location and streetscape elements.

(A) Shared Spaces in the Public Right-of-Way or on Public Property. The Director of Public Works or his/her designee is designated to review and administratively approve applications for Shared Spaces within the public right-of-way or on public property and will coordinate review with the Planning & Development, Police, and Fire Departments, as applicable.

(B) Shared Spaces on Private Property. The Director of Planning and Development or his/her designee is designated to review and may administratively approve applications for Shared Spaces on private property and will coordinate review with the Public Works, Police, and Fire Departments, as applicable.

(C) Applicants will be notified in writing if their application is approved or denied. Notification of an application denial will state why the application has been denied and provide the applicant with information about how to appeal the denial determination.

SECTION 9. Approved applicants for installations within the public right-of-way or on public property will receive a construction permit and will be authorized to begin

RESOLUTION NO. 076-2023(PD)

construction, installation, and/or use of the public right-of-way/public property. Approved applicants for installations on private property will receive a Conditional Use Permit and will be authorized to begin construction and installation on private property. Building permits may be necessary for either instance and would require approval from the Building Department after authorization by the Department of Public Works or Department of Planning & Development.

SECTION 10. Any participant must comply with the Terms and Conditions of the Shared Spaces Program, attached as Exhibit B, as may be updated from time-to-time.

SECTION 11. The Mayor may enter into a License Agreement with an applicant seeking to use public property, public right-of-way, or on-street parking as a Shared Space, a template of which is attached as Exhibit C, as may be updated from time-to-time.

SECTION 12. All appeals shall be submitted in writing. Appeals of Shared Spaces Program decisions must be sent via e-mail or certified mail to the Mayor.

SECTION 13. Upon completion of installation, the applicant shall request an inspection from the City. Prior to removal, City staff will evaluate the installation ensure installed materials remained safe and met program requirements.

SECTION 14. Applicants are solely responsible for the maintenance and upkeep of their installations. This includes all duties and costs related to keeping the installation clean and in good condition. Installation areas should be cleaned daily, furniture stowed or locked nightly (if appropriate), and any damage repaired promptly. Proper maintenance is a condition of the permission to install, and failure to conduct proper maintenance may result in the loss of authorization for the installation at the City's discretion.

SECTION 15. If a business desires to maintain a temporary installation for the next calendar year, a renewal application must be submitted by October 1st of the current year. If any changes to the previously approved site plan are proposed, a new complete application must be submitted for review and approval. Renewal applications must include payment of the annual application fee, a completed renewal form, an updated copy of liability insurance, and any support or permission documentation.

SECTION 16. Fees.

(A) The fee for a Shared Space within the public right-of-way or on public property shall be \$115 or as otherwise established by the Mayor.

(B) The fee for a Shared Space on private property shall be \$75 or as otherwise established by the Mayor.

(C) Applicants with installations in metered parking spaces must rent meter covers

RESOLUTION NO. 076-2023(PD)

from the Department of Public Works for \$1.00 per cover and keep the meter covers in place for the duration of the installation.

(D) There shall be no additional fees in connection with a Shared Space.

SECTION 17. In order to allow for the administration of the Shared Spaces Program, the following Codified Ordinances regulations or requirements shall be waived or modified and replaced with the process, rules, and regulations contained in the Shared Spaces Manual:

- Part One (Administrative Code), Title One (General Provisions), Chapter 110 (City Property Disposition), Section 110.05 (Outdoor Dining on Public Property), (a) through (e) – to replace the regulations related to outdoor dining on public property with those listed above in Section 6 and contained within the Shared Spaces Manual.
- Part Three (Traffic Code), Title Three (Streets and Traffic Control Devices), Chapter 311 (Street Obstructions and Special Uses), Section 311.02 (Parades and Assemblages) – to permit assemblage within the public right-of-way or on public property to allow for the creation of a Shared Space that is approved by the Mayor, as defined herein, to replace the permit application process and timelines with a separate Shared Spaces application and process, and to modify the conditions by which Shared Space permit could be refused or cancelled.
- Part Three (Traffic Code), Title Seven (Parking), Chapter 351 (Parking Generally), Section 351.04 (Manner of Parallel Parking), (b)(2)A – to permit the temporary elimination of an angled parking space that is located on a state route necessary to create a Shared Space.
- Part Three (Traffic Code), Title Seven (Parking), Chapter 351 (Parking Generally), Section 351.11 (Obstructing Lane Access to Public Buildings) – to permit the placement of structures in the public right-of-way, public property, or on private property necessary to create a Shared Space.
- Part Three (Traffic Code), Title Nine (Pedestrians, Bicycles and Motorcycles), Chapter 371 (Pedestrians), Section 371.05 (Walking and Jogging on Roadways), (a) through (h) – to permit pedestrians to utilize Shared Spaces that occur in the public right-of-way.
- Part Five (General Offenses Code), Chapter 521 (Health, Safety and Sanitation), Section 521.05 (Playing Games in Streets), (a) through (b) – to permit the playing of games within Shared Spaces that occur in the public right-of-way.
- Part Five (General Offenses Code), Chapter 521 (Health, Safety and Sanitation), Section 521.07 (Unlawfully Using or Obstructing Fire Hydrants), (b) – to modify the required offset distance from a fire hydrant to three (3) feet for Shared Spaces.
- Part Eleven (Zoning Code), Title One (Administration), Chapter 1115 (Procedures), Section 1115.02 (Building Permit Required), (a) through (c) – to modify the approval process to follow the processes contained in the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title One (Administration), Chapter 1115 (Procedures), Section 1115.08 (Conditional Uses; Submission Requirements and Procedures), (a) through (i) – to modify the approval process to follow the

RESOLUTION NO. 076-2023(PD)

processes contained in the Shared Spaces Manual.

- Part Eleven (Zoning Code), Title One (Administration), Chapter 1115 (Procedures), Section 1115.12 (Schedule of Fees) – to waive the fees related to outdoor dining, conditional use permits, fences, among others, and replace them with the fees listed in Section 16 and within the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title Three (District Regulations), Chapter 1131 (Commercial Districts), Section 1131.02 (Commercial Districts: Principal and Conditionally Permitted Uses), Schedule 1131.02(c)(6) – to replace any conditional use regulations with those provided above in Section 6 and within the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title Three (District Regulations), Chapter 1131 (Commercial Districts), Section 1131.11 (Commercial Districts: Supplemental Regulations for Outdoor Display, Sales of Goods), (d) and (e) – to replace any supplemental regulations with those provided above in Section 6 and within the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title Three (District Regulations), Chapter 1131 (Commercial Districts), Section 1131.14 (C-2X Multiple Use District), (a) through (i) – to replace the regulations with those provided above in Section 6 and within the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title Seven (Conditional Use Regulations), Chapter 1153 (Supplemental Standards for Conditional Uses), Section 1153.03 (Specific Area, Width and Yard Regulations), Schedule 1153.03(29) – to replace the regulations with those provided above in Section 6 and within the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title Seven (Conditional Use Regulations), Chapter 1153 (Supplemental Standards for Conditional Uses), Section 1153.05 (Supplemental Regulations for Specific Uses), (p) – to replace the regulations with those provided above in Section 6 and within the Shared Spaces Manual.
- Part Eleven (Zoning Code), Title Nine (Supplementary Regulations), Chapter 1165 (Additional Regulations Governing Uses), Section 1165.07 (Exterior Lighting Requirements), (b) – to replace the regulations with those provided above in Section 6 and within the Shared Spaces Manual.
- Part Thirteen (Building Code), Title Three (Local Provisions), Chapter 1321 (Fences), Section 1321.01 (Permit Required; Fee), (a) through (b) – to waive the fees related to a fence permit for Shared Spaces. Such permit shall be issued by the Zoning Administrator as part of the Shared Space application process.

SECTION 18. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 19. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet seasonal deadlines. Therefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Resolution shall take effect

RESOLUTION NO. 076-2023(PD)

and be in force immediately upon its passage; otherwise it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor



To: Kahlil Seren-Mayor
From: Collette Clinkscale-Director of Public Works
Date: April 17, 2023
Re: Legislation for Public Works, GPI, Inc. Professional Construction
Inspection and Administration services – Lee Road Resurfacing

The proposed legislation will authorize the mayor to enter into an agreement with Greenman-Pedersen, Inc. (GPI) for professional Construction Inspection and Administration services for the Lee Road Resurfacing Project (ODOT PID 112874) at a not to exceed cost of \$75,800.00.

GPI was selected based on a qualification-based selection process. A request for Letters of Interest was advertised on January 27, 2023 for four weeks and four responses were received. The review committee selected GPI as the best qualified for this service.

Proposed: 5/01/2023

RESOLUTION NO. 077-2023(MSES), *First
Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Greenman-Pedersen, Inc., for professional construction inspection and administration services relating to the Lee Road Resurfacing Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is necessary to retain an engineering firm to perform construction inspection and administration services related to the Lee Road Resurfacing Project; and

WHEREAS, after a review of the qualifications of interested firms, the Mayor has determined that the services of Greenman-Pedersen, Inc. ("GPI") will best meet the City's needs at a reasonable cost; and

WHEREAS, such professional engineering services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute an agreement with Greenman-Pedersen, Inc. ("GPI") to provide professional construction inspection and administration services relating to the Lee Road Resurfacing Project. The terms of the agreement shall be substantially in accordance with the engineer's proposal dated April 3, 2023, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall be paid for work actually performed at the rates described therein and in no event shall fees and expenses exceed the sum of Seventy-five Thousand Eight Hundred Dollars (\$75,800.00) without further authorization of this Council. All agreements and documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet construction season deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall

RESOLUTION NO. 077-2023(MSES)

take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 078-2023(CRR),
First Reading

By Councilmembers Russell, Larson,
and Cuda

A Resolution supporting a mayor's action call center with all actions necessary, including the expenditure of funds, hiring staff, and/or, if needed, purchasing implementing equipment, and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, residents need a centralized resource system to report needs and obtain services for numerous activities and services in the City, such as, but not limited to noise complaints, needed street repairs, graffiti removal, abandoned trash, illegal parking, code enforcement/neglected and distressed properties, how to obtain a permit; and

WHEREAS, the development and creation, funding, and staffing for a centralized resource system for residents will satisfy the need identified herein; and

WHEREAS, the creation, funding, and staffing for a centralized resource system for residents will provide the city with a central data collection center to analyze, survey, audit, and study the needs and concerns of City residents; and

WHEREAS, While the purpose of a centralized resource system for residents is to provide high quality customer service, data, and information during normal hours of operation, residents will continue to have access to emergency services directly from safety 9-1-1 emergency services; and

WHEREAS, the centralized resource system should be fully responsive to the non-emergency needs of residents and should be accessible to our residents by all possible mediums to address as many socio-economic barriers as possible.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Cleveland Heights City Council hereby authorizes the funding, for a "Mayors Action Call Center for Residents":

- A. the "Mayors Action Call Center for Residents" will be administered by the Mayor, and Cleveland Heights city staff.
- B. Once a "Mayors Action Call Center for Residents" is up and running, a central data collection system should be established, and a summary of this data should be provided to members of City Council quarterly.

RESOLUTION NO. 078-2023(CRR)

SECTION 2. This resolution is timely in support of a Mayors Action Call center in response to concerns and needs of residents in the City of Cleveland Heights. Therefore, it is necessary that this resolution become immediately effective as an emergency measure simply stating a centralized resource system will be established for the resident of Cleveland Heights.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor



Date: April 13, 2023

To: Kahlil Seren, Mayor

From: Collette Clinkscale, Public Works Director

Subject: *Legislation Request for Wade Trim - Construction Administration and Resident Observation Services for CH-12, CH-17, CH-26 and CH-28 SSO Control Project (aka Lee Road SSO Control)*

The Sanitary Sewer SSO Control Project #22-05, Lee Road SSO Control, was awarded on April 3rd.

This agreement is for the construction administration of project #22-05 and is not to exceed \$121,720. The services include, but are not limited to, overall field project management, the pre-construction meeting, construction meetings throughout the project, on-site observation, change order reviews, etc. The services conclude with three (3) months of post-construction monitoring at the completion of the project.

These services are being paid for utilizing ARPA funds.

Cc: William Hanna, Law Director
Laure Wagner, Assistant Law Director
Addie Balester, Clerk of Council

Proposed: 4/17/2023

RESOLUTION NO. 062-2023(MSES), *Second Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc. of Ohio, for construction administration and resident observation services relating to control of sanitary sewer overflows CH-12, CH-17, CH-26 and CH-28; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is necessary to retain an engineering firm to perform construction administration and resident observation services related to control of sanitary sewer overflows ("SSOs") CH-12, CH-17, CH-26 and CH-28 on Cumberland Road and Lee Road as part of the Cleveland Heights' SSO Control Project; and

WHEREAS, the Mayor has determined that the services of Wade Trim have well served the City's needs for professional engineering services in connection with the City's SSO Control Project and the partial consent decree; and

WHEREAS, such professional engineering services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute an agreement with Wade Trim, Inc. of Ohio to provide professional construction administration and resident observation services relating to control of SSOs CH-12, CH-17, CH-26 and CH-28 on Cumberland Road and Lee Road. The terms of the agreement shall be substantially in accordance with the engineer's proposal dated April 7, 2023, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall be paid for work actually performed at the rates described therein and in no event shall exceed One Hundred Twenty-one Thousand, Seven Hundred Twenty Dollars (\$121,720.00) including expenses. All agreements and documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the

RESOLUTION NO. 062-2023(MSES)

inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet partial consent decree requirements. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Date: April 13, 2023

To: Kahlil Seren, Mayor

From: Collette Clinkscale, Public Works Director

Subject: *Legislation Request for Wade Trim – Engineering Design for Control of SSOs CH-27 and CH-51*

This agreement is for the engineering design to control SSOs CH-27 and CH-51 located along Quilliams Road and Atherstone Road, respectively. This project is in Tier 1 of the Overflow Control Master Plan (IOCMP).

This agreement is not to exceed \$983,400. The City received a MCIP grant from NEORSD for 50% of the project and the other 50% will be paid utilizing ARPA funds.

Cc: William Hanna, Law Director
Laure Wagner, Assistant Law Director
Addie Balester, Clerk of Council

Proposed: 4/17/2023

RESOLUTION NO. 063-2023(MSES), *Second Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc. of Ohio, for professional design engineering services relating to control of sanitary sewer overflows CH-27 and CH-51 along Quilliams Road and Atherstone Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is necessary to retain an engineering firm to perform design services related to control of sanitary sewer overflows ("SSOs") CH-27 and CH-51 along Quilliams Road and Atherstone Road as part of the Cleveland Heights Integrated Overflow Control Master Plan ("IOCMP"); and

WHEREAS, the Mayor has determined that the services of Wade Trim have well served the City's needs for professional engineering services in connection with the City's SSO Control project and the partial consent decree; and

WHEREAS, such professional engineering services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute an agreement with Wade Trim, Inc. of Ohio to provide professional design engineering services relating to control of SSOs CH-27 and CH-51 along Quilliams Road and Atherstone Road. The terms of the agreement shall be substantially in accordance with the engineer's proposal dated April 7, 2023, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall be paid for work actually performed at the rates described therein and in no event shall exceed Nine Hundred Eighty-three Thousand, Four Hundred Dollars (\$983,400.00) including expenses. All agreements and documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 063-2023(MSES)

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet partial consent decree requirements. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor



Date: April 13, 2023

To: Kahlil Seren, Mayor

From: Collette Clinkscale, Public Works Director

Subject: *Legislation Request for R2O Consulting LLC – Engineering Design for Control of SSOs CH-36 and CH-37*

This agreement is for the engineering design to control SSOs CH-36 and CH-37 located along North Park Boulevard. This project is in Tier 1 of the Overflow Control Master Plan (OCMP).

This agreement is not to exceed \$155,831. These services are being paid for utilizing ARPA funds.

R2O is a female owned business.

Cc: William Hanna, Law Director
Laure Wagner, Assistant Law Director
Addie Balester, Clerk of Council

Proposed: 4/17/2023

RESOLUTION NO. 064-2023(MSES), *Second Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with R₂O for professional design services relating to control of sanitary sewer overflows CH-36 and CH-37 along North Park Boulevard; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is necessary to retain an engineering firm to perform design services related to control of sanitary sewer overflows ("SSOs") CH-36 and CH-37 along North Park Boulevard as part of the Cleveland Heights Integrated Overflow Control Master Plan ("IOCMP"); and

WHEREAS, the Mayor has determined that the services of R₂O will serve the City's needs for professional engineering services in connection with the City's SSO Control project and the partial consent decree; and

WHEREAS, such professional engineering services are professional services for which no bidding is necessary.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor shall be and is hereby authorized to execute an agreement with R₂O to provide professional design engineering services relating to control of SSOs CH-36 and CH-37 along North Park Boulevard. The terms of the agreement shall be substantially in accordance with the engineer's proposal dated March 28, 2023, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall be paid for work actually performed at the rates described therein and in no event shall exceed One Hundred Fifty-five Thousand, Eight Hundred Thirty-one Dollars (\$155,831.00) including expenses. All agreements and documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely

RESOLUTION NO. 064-2023(MSES)

meet partial consent decree requirements. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

ADDIE BALESTER
Clerk of Council

PASSED: _____

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 079-2023(CRR),
First Reading.

By Councilwoman Russell

A Resolution recognizing May 2023 as *Older Americans Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights includes a growing number of older Americans who contribute their time, wisdom, and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

WHEREAS, the City of Cleveland Heights recognized the need to create a community that offers the services and support older adults may need to make choices about how they age; and

WHEREAS, the City of Cleveland Heights can work to build an even better community for our older residents by:

- Not limiting our thinking about aging
- Exploring and combating stereotypes
- Emphasizing the many positive aspects of aging
- Inspiring older adults to push past traditional boundaries
- Embracing our community's diversity.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council does hereby proclaim May 2023 as *Older Americans Month* and urges every resident to celebrate our older citizens, help to create an inclusive society, and accept the challenge of flexible thinking around aging.

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to join with other communities in this celebration and the need to proclaim *Older Americans Month* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution

RESOLUTION NO. 079-2023(CRR)

shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 080-2023(CRR),
First Reading.

By Councilwoman Russell and
President Hart

A Resolution recognizing April 30—May 6, 2023 to be *Professional Municipal Clerks Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Office of Professional Municipal Clerks is a time honored and vital part of local government and exists throughout the world and is the oldest among public servants; and

WHEREAS, the Office of Professional Municipal Clerks provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and

WHEREAS, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all and serve as the information center on functions of local government and community; and

WHEREAS, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of Professional Municipal Clerks through participation in education programs, seminars, workshops, and the annual meetings of their state, provincial, county, and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of Professional Municipal Clerks.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council does hereby proclaim April 30—May 6, 2023 to be *Professional Municipal Clerks Week* and recognizes the hard work and accomplishments of the Office of the Professional Municipal Clerk.

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to join with other communities in this celebration and the need to proclaim

RESOLUTION NO. 080-2023(CRR)

Professional Municipal Clerks Week on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 081-2023(CRR),
First Reading.

By Mayor Seren

A Resolution recognizing May 1-5, 2023, as *Air Quality Awareness Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Air pollution in the United States poses a public health threat affecting potentially millions of people throughout the country and is associated with health problems including asthma, increased emergency department visits and hospital stays for breathing and heart problems, and increases in illnesses such as pneumonia and bronchitis; and,

WHEREAS, the Environmental Protection Agency (EPA) is partnering with the National Oceanic and Atmospheric Administration (NOAA), National Weather Service, National Aeronautics and Space Administration (NASA), Centers for Disease Control and Prevention (CDC), U.S. Forest Services, U.S. National Park Service, U.S. Department of Energy, and U.S. Department of State to share information with the public about efforts to protect and improve air quality; and

WHEREAS, the theme for this year is "**Working Together for Clean Air**," highlighting resources that increase air quality awareness to encourage people to take action and incorporate air quality knowledge into their daily living; and

WHEREAS, the Ohio EPA operates over 240 air monitors at over 120 sites around the state, which routinely check levels of sulfur dioxide, lead, particulate matter, nitrogen dioxide, carbon monoxide, and ozone to determine whether Ohio's air meets federal standards established to protect public health; and

WHEREAS, according to the Ohio EPA's 2022 Annual Report, the entire state of Ohio now meets the 2010 sulfur dioxide standard of 75 parts per billion and is developing plans to bring the Cleveland area into attainment in accordance with Clean Air Act deadlines; and

WHEREAS, the Ohio EPA awarded more than \$18.1 million in grants in 2022 to support projects that will reduce emissions from aging diesel engines, and these projects are expected to reduce more than 62 tons of annual emissions of nitrogen oxides (ozone smog precursors), fine particulates, carbon monoxide, and hydrocarbons; and

RESOLUTION NO. 081-2023(CRR)

WHEREAS, the City of Cleveland Heights is undertaking a series of initiatives to track air quality and reduce the impact of poor air quality on those who live, work, and visit here;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council does hereby proclaim May 1-5, 2023, to be *Air Quality Awareness Week* and urges every resident to take action and incorporate air quality knowledge into their daily living.

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to join with other communities in this celebration and the need to proclaim *Air Quality Awareness Week* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor

Proposed: 5/1/2023

RESOLUTION NO. 082-2023(CRR),
First Reading.

By Mayor Seren

A Resolution recognizing May 2023 as *Jewish American Heritage Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in 1654, a small ship carrying 23 Jewish refugees sailed into the port of present-day New York City, fleeing oppression and discrimination. Facing resistance from the colony's leadership, they fought for the right to remain and became our nation's first Jewish community; and

WHEREAS, we honor these 23 refugees for building a legacy of generations of Jewish Americans who, despite their own encounters with prejudice, persecution, and the horrors of the Holocaust, have fought righteously for justice, equality, and freedom for all Americans; and

WHEREAS, the story of America was written, in part, by Jewish Americans who, through their words and actions, embraced the opportunity and responsibility of citizenship to ensure the rights and protections of all Americans – regardless of race, gender, or creed – sometimes at great risk to their own lives. Many Jewish Americans have served our country honorably in uniform, protecting and preserving American values and ideals – and making the world safer for democracy. They have also made enormous contributions to America's scientific, artistic, and cultural life; and

WHEREAS, the City of Cleveland Heights is proud to be home to a large and vibrant Jewish community that has actively participated in our growth as a strong, diverse city; and

WHEREAS, Jewish Americans are still subject to the scourge of white supremacy and antisemitic violence. The Jewish American story is one that is fueled by faith, resilience, and hope. Three-hundred and sixty-eight years after those 23 brave Jewish refugees arrived in America, Jewish Americans continue to help our country, and the City of Cleveland Heights, thrive and prosper.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council does hereby proclaim May 2023 as *Jewish American Heritage Month* and urges every resident to celebrate the valuable contributions of Jewish Americans to our community and American society, and to stand against bigotry and antisemitism.

RESOLUTION NO. 082-2023(CRR)

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to join with other communities in this celebration and the need to proclaim *Older Americans Month* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor