



August 21, 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. May 15, 2023
- 6) Communications from the Mayor**
- 7) Proclamation**
Cleveland Heights High School Class of '73
- 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 Only

ORDINANCE NO. 127-2023(PD): *First Reading*. An Ordinance introducing amendments to various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create and make 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

ORDINANCE NO. 128-2023(PD): *First Reading*. An Ordinance amending Chapter 110, *City Property Disposition*, of the Codified Ordinances of Cleveland Heights to permit transfer of tax-foreclosed and donated-in-lieu-of-foreclosure properties to the Cleveland Heights Community Improvement Corporation.

Introduced by Mayor Seren

ORDINANCE NO. 129-2023(PD): *First Reading*. An Ordinance authorizing the Mayor to transfer title to specified City-owned properties to the Cleveland Heights Community Improvement Corporation.

Introduced by Mayor Seren

RESOLUTION NO. 130-2023(MSES): *First Reading*. A Resolution authorizing the Mayor to execute a contract with Nutter Consulting for the preparation of a Climate Action and Resiliency Plan; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

b. Second Readings

RESOLUTION NO. 122-2023(COTW): *Second Reading*. A Resolution allocating Five Thousand Dollars (\$5,000.00) to Future Heights by City Council to serve as a co-sponsor for the 2023 Heights Music Hop; and declaring the necessity that this legislation become immediately effective as an emergency measure.

By Councilmember Cuda

Move for adoption

RESOLUTION NO. 124-2023(AS): *First Reading*. A Resolution confirming the Mayor's appointment of Danny R. Williams as City Administrator for the City of Cleveland Heights; and declaring the necessity that this legislation

become immediately effective as an emergency measure.

Introduced by Mayor Seren

Move for Adoption

c. Consent Agenda

RESOLUTION NO. 131-2023(CRR): First Reading. A Resolution joining communities throughout the nation in proclaiming September 2023, *Prostate Cancer Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 132-2023(CRR): First Reading. A Resolution proclaiming September 2023, *National Preparedness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

RESOLUTION NO. 133-2023(CRR): First Reading. A Resolution proclaiming September 8 - 17, 2023, *Welcoming Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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) Adjournment

NEXT MEETING OF COUNCIL: SEPTEMBER 5, 2023



May 15, 2023
Regular Meeting
7:30 PM

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

1
2 **MEETING MINUTES**

3 **1) Meeting called to order by Council President**

4 **2) Roll Call of Council Members**

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

7 **Excused:** None

8 **Absent:** None

9 **3) Excuse absent members**

10 **4) Amendments to the Agenda (if necessary)**

11 **5) Approval of minutes from previous meeting(s)**

12 a. April 17, 2023

13 **APPROVED**

14 b. April 24, 2023

15 **APPROVED**

16 **6) Communications from the Mayor**

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- Notify Council that sealed bids were received on May 4th for project #23– 02 Warrensville Center Road (CR-4) Resurfacing. Ronyak Paving, Inc. of Burton, Ohio's Bid of \$585,348.00 has been found to be the lowest and best responsible bid.

FOR THE RECORD

1 • Addressed the excitement regarding the City's participation in "No Mow May."
2 The website that the City referenced in the announcement to the public made
3 clear that No Mow May is not an end all be all solution to a problem that
4 affects us all; it is a way to get people introduced to the topic of pollinators and
5 their impact on our eco system. He believes it to be a success, because
6 people have been introduced, whether or not they agree with the program. He
7 understands that people take their lawns very seriously, and his executive
8 order was to his employees not to citizens; instructing his employees to not
9 penalize residents who wanted to participate in "No Mow May." It is important
10 to continue to have this conversation; it is just a start to the conversation on
11 how we use public land here in Cleveland Heights. The city will be working
12 with experts on how to convert the many acres of land that are now
13 completely unproductive into productive land by planting pollinators and
14 micro-clover etc.

15 • Addressed the murder of a young black man in this city on May 7; wants to
16 take a moment to acknowledge the officers who worked the scene and
17 investigation who very quickly arrested two suspects; officers Jackie
18 Nietert, Brian Ondercin, John Finucan, Erik Mild, John Ciccone, Donte
19 Wallace, Dallas Guyton, Michael Hill; and detectives Sean Riley, James Hood,
20 Earl Pierson, Audreana Salter; and Capitan Jeremy Young.

21 • Lastly, he hopes the community will be excited about this development; he is
22 excited to announce that the Mayor's Action Center Coordinator had his first
23 day of onboarding today. He hopes everybody gives him time to adjust to this
24 new role; he will be working very closely with the Mayor to create a new
25 system to provide a more responsive action to our residents' concerns etc.

26
27 **7) Report of the Clerk of Council**

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

30
31 a. Abundance Food & Beverage LLC, 1975 Lee Rd., Cleveland Heights, OH
32 44118 for a transfer of a D5 permit from RSC 670 LLC, 580-84 N High St &
33 Patio, Columbus, OH 43215

34
35 **READ INTO THE RECORD**

36 Referred to the Mayor, Chief of Police and Law Director

37 **8) Public Comment - Agenda Items only**

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

42 **Speakers:**

Drew Herzig	Citizen	Observation of Pride Month
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1 9) **LEGISLATION**

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

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

11 **Motion to limit the discussion to the merits, background, and**
12 **qualifications of the applicants for the charter review commission:** Craig
13 Cobb
14 **Seconded:** Anthony Mattox Jr.

15 **Discussion:** Cobb says at the last council meeting we had a thorough
16 discussion of the process and views of the council people, and further
17 discussion at a 2-hour special council meeting. It is time to move the process
18 forward as oppose to rehashing. Cuda says council people should be able to
19 express themselves the way they need to express themselves.

20 **Yes:** Janine Boyd, Craig Cobb, Melody Joy Hart, Anthony Mattox Jr.

21 **No:** Tony Cuda, Gail Larson, Davida Russell

22 **Abstain:** None

23 **MOTION PASSED**

24 **RESOLUTION NO. 071-2023(AS): First Reading.** A Resolution confirming
25 the Mayor's nomination and appointing Jon Benedict as a member of the
26 2023 Charter Review Commission of the City of Cleveland Heights; and
27 declaring the necessity that this legislation become immediately effective as
28 an emergency measure.

29 Introduced by Vice President Cobb

30 **Motion to adopt:** Craig Cobb

31 **Seconded:** Anthony Mattox Jr.

32 **Yes:** Janine Boyd, Craig Cobb, Melody Joy Hart, Anthony Mattox Jr.

33 **No:** Tony Cuda, Gail Larson, Davida Russell

34 **LEGISLATION FAILED**

35 **RESOLUTION NO. 072-2023(AS): First Reading.** A Resolution confirming
36 the Mayor's nomination and appointing Stephanie Morris as a member of the
37 2023 Charter

1 Review Commission of the City of Cleveland Heights; and declaring the
2 necessity that this legislation become immediately effective as an
3 emergency measure.

4 Introduced by Vice President Cobb

5 **Motion to adopt:** Craig Cobb
6 **Seconded:** Janine Boyd

7
8 **Yes:** Janine Boyd, Craig Cobb, Melody Joy Hart, Anthony Mattox Jr.
9 **No:** Tony Cuda, Gail Larson, Davida Russell

10 **LEGISLATION FAILED**

11 **RESOLUTION NO. 073-2023(AS): *First Reading*.** A Resolution confirming
12 the Mayor's nomination and appointing Drew Herzog as a member of the
13 2023 Charter Review Commission of the City of Cleveland Heights; and
14 declaring the necessity that this legislation become immediately effective as
15 an emergency measure.

16 Introduced by Vice President Cobb

17 **Motion to adopt:** Craig Cobb
18 **Seconded:** Janine Boyd

19
20 **Discussion:** President Hart believes there were valid reasons why the Mayor
21 selected all three of his nominations; we reviewed them beforehand and she
22 believes they are all good candidates.

23
24 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
25 Anthony Mattox Jr., Davida Russell

26 **No:** None

27 **LEGISLATION PASSED**

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

32 Introduced by Vice President Cobb

33 **Motion to adopt:** Craig Cobb
34 **Seconded:** Gail Larson

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

38 **No:** None

39 **LEGISLATION PASSED**

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

5 Introduced by Vice President Cobb

6 **Motion to adopt:** Craig Cobb

7 **Seconded:** Janine Boyd

8
9 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
10 Anthony Mattox Jr., Davida Russell

11 **No:** None

12 **LEGISLATION PASSED**

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

17 Introduced by Vice President Cobb

18 **Motion to adopt:** Craig Cobb

19 **Seconded:** Gail Larson

20
21 **Discussion:** Cuda says that Marty Gelfand is absolutely qualified. However,
22 it has been said before that people who will be running for office and,
23 therefore, he will have to vote no on this one as he believes this commission
24 will not be done by then. Hart would hope that the commission would have
25 completed their work by the time he would be running in a primary next year.

26 **Yes:** Janine Boyd, Craig Cobb, Melody Joy Hart, Anthony Mattox Jr.

27 **No:** Tony Cuda, Gail Larson, Davida Russell

28 **LEGISLATION FAILED**

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

33
34 Introduced by Vice President Cobb

35 **Motion to adopt:** Craig Cobb

36 **Seconded:** Gail Larson

37
38 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
39 Anthony Mattox Jr.

40 **No:** Davida Russell

41 **LEGISLATION PASSED**

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

5 Introduced by Vice President Cobb

6 **Motion to adopt:** Craig Cobb

7 **Seconded:** Gail Larson

8
9 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
10 Anthony Mattox Jr., Davida Russell

11 **No:** None

12 LEGISLATION PASSED

13 **RESOLUTION NO. 088-2023(AS): *First Reading.*** A Resolution appointing
14 Graig Kluge as a member of the 2023 Charter Review Commission of the City
15 of Cleveland Heights; and declaring the necessity that this legislation become
16 immediately effective as an emergency measure.

17 Introduced by Vice President Cobb

18 **Motion to adopt:** Craig Cobb

19 **Seconded:** Gail Larson

20
21 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
22 Anthony Mattox Jr., Davida Russell

23 **No:** None

24 LEGISLATION PASSED

25 **RESOLUTION NO. 089-2023(PSH): *First Reading.*** A Resolution
26 authorizing the Mayor to accept a grant from the Ohio Department of Public
27 Safety, Office of Criminal Justice Services (“OCJS”), promulgated through the
28 American Rescue Plan Act of 2021- Community Violence Intervention First
29 Responder Program; and declaring the necessity that this legislation become
30 immediately effective as an emergency measure.

31 Introduced by Mayor Seren

32 **Motion to adopt:** Janine Boyd

33 **Seconded:** Gail Larson

34
35 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
36 Anthony Mattox Jr., Davida Russell

37 **No:** None

38 LEGISLATION PASSED

39
40 **RESOLUTION NO. 090-2023 (PSH): *First Reading.*** A Resolution
41 authorizing the Mayor to accept a grant from the Ohio Department of Public

1 Safety's ("ODPS"), Ohio Traffic Safety Office ("OTSO"), *High Visibility*
2 *Enforcement Grant Program (Summer Holiday Enforcement Program,*
3 *"SHEP") to support traffic enforcement efforts; and declaring the necessity*
4 *that this legislation become immediately effective as an emergency measure.*

5 Introduced by Mayor Seren

6 **Motion to adopt:** Janine Boyd
7 **Seconded:** Anthony Mattox Jr.

8
9 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
10 Anthony Mattox Jr., Davida Russell

11 **No:** None

12 **LEGISLATION PASSED**

13 **ORDINANCE NO. 091-2023(F): *First Reading.*** An Ordinance to amend
14 certain subparagraphs of Ordinance No. 168-2022, relating to appropriations
15 and other expenditures of the City of Cleveland Heights, Ohio for the fiscal
16 year ending December 31, 2023, and declaring the necessity that this
17 legislation become immediately effective as an emergency measure.

18 Introduced by Mayor Seren

19 **Motion to adopt:** Craig Cobb
20 **Seconded:** Anthony Mattox Jr.

21
22 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
23 Anthony Mattox Jr., Davida Russell

24 **No:** None

25 **LEGISLATION PASSED**

26 **RESOLUTION NO. 092-2023(PD): *First Reading.*** A Resolution authorizing
27 the Mayor to enter into an amendment to an agreement with the Home Repair
28 Resource Center, a non-profit corporation, for the use of HOME Funds to
29 administer the City's Down Payment Assistance loan program, to increase the
30 amount of funding for said Program from the Forty-four Thousand Dollars
31 (\$44,000.00) authorized by Resolution No. 27-2023 to Eighty-eight Thousand
32 Dollars (\$88,000.00); and declaring the necessity that this Resolution become
33 immediately effective as an emergency measure.

34 Introduced by Mayor Seren

35 **Motion to adopt:** Craig Cobb
36 **Seconded:** Janine Boyd

37
38 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
39 Anthony Mattox Jr., Davida Russell

40 **No:** None

41 **LEGISLATION PASSED**

1 **RESOLUTION NO. 093-2023(F): *First Reading*.** A Resolution
2 acknowledging receipt from the Cedar-Lee Special Improvement District of a
3 Plan for public services and improvements, and returning said Plan to the
4 Board of Directors without comments or recommendations for changes; and
5 declaring the necessity that this legislation become immediately effective as
6 an emergency.

7 Introduced by Mayor Seren

8 **Motion to adopt:** Anthony Mattox Jr.

9 **Seconded:** Gail Larson

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

12 **No:** None

13 **LEGISLATION PASSED**

14 b. **First Readings Only**

15 **RESOLUTION NO. 094-2023(PSH): *First Reading*.** A Resolution
16 authorizing an agreement with Technology Install Partners for the update of
17 the City's surveillance systems; authorizing an agreement with Cuyahoga
18 County for the receipt of ARPA funds to contribute to the funding for the
19 security update; and declaring the necessity that this legislation become
20 immediately effective as an emergency measure.

21 Introduced by Mayor Seren

22 **READ INTO THE RECORD**
23 **REFERRED TO PSH COMMITTEE**

24 **ORDINANCE NO. 098-2023(PSH): *First Reading*.** An Ordinance amending
25 Chapter 522, "Lead Hazards," of Part Five, General Offenses Code, of the
26 Codified Ordinances of the City of Cleveland Heights; amending Chapter
27 1347, "Certificate of Occupancy and Lead-Safe Certification" of the Codified
28 Ordinances of the City of Cleveland Heights; and amending Section 1345.99,
29 "Penalty," of Chapter 1345, "Enforcement and Penalty," of Part Thirteen,
30 Building Code, of the Codified Ordinances of the City of Cleveland Heights.

31 Introduced by Mayor Seren

32 **READ INTO THE RECORD**
33 **REFERRED TO PSH COMMITTEE**

34 c. **Second Readings**

35 **RESOLUTION NO. 077-2023(MSES): *Second Reading*.** A Resolution
36 authorizing the Mayor to enter into an agreement with Greenman-Pedersen,
37 Inc., for professional construction inspection and administration services

1 relating to the Lee Road Resurfacing Project; and declaring the necessity
2 that this legislation become immediately effective as an emergency
3 measure.

4 Introduced by Mayor Seren

5 **Motion to adopt:** Anthony Mattox Jr.
6 **Seconded:** Tony Cuda

7
8 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Melody Joy Hart, Gail Larson,
9 Anthony Mattox Jr., Davida Russell

10 **No:** None

11 **LEGISLATION PASSED**

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

17 Introduced by Councilmembers Russell, Larson, and Cuda

18 **Motion to adopt:** Gail Larson
19 **Seconded:** Davida Russell

20 **Discussion:**

21

- 22 • Larson says this is important for everybody, coming from Council
23 asking for Council to support the Mayor. All of council hears from
24 residents who contact city hall and do not get answers. What this
25 legislation asks for is that, as the mayor sets up his process, there is
26 data that is collected, so that, ultimately, the mayor can report to
27 council how effective this particular staff has been.
- 28 • Russell says that this does not take away from what the mayor is doing.
29 It is simply to say that there is something in place that the mayor will
30 do to make sure that the residents get a response. Residents are due
31 that much. This is Council supporting what the mayor is already doing
32 and has put in place.
- 33 • Cuda thanks Russell for the hard work she has done. It is an important
34 statement that this is important not just for this mayor, but for future
35 mayors.
- 36 • Mattox says he will be voting no tonight. He feels it is inappropriate
37 for this Council to make decisions for the administration on how they
38 engage with the public. He believes council should focus on its own
39 communication and engagement with the public and that this
40 legislation does not hold council responsible in any way to engage and
41 communicate with this community, nor does it put any process in place
42 with the community to communicate with council.

1 • Cobb says last December Council voted on and approved a budget
2 that included funding the mayor's call center as well as an employee;
3 we have already provided funding. He is uncomfortable because it
4 seeks to impose an administrative burden on the executive and he
5 doesn't believe that is something this Council should be doing.
6 • Hart says this is a resolution not an ordinance, so it isn't so enforceable,
7 and she said she is not going to vote for it tonight because they already
8 voted on this issue twice during budget legislation and on the position
9 itself during the wage and salary legislation.
10

11 **Yes:** Tony Cuda, Gail Larson, Davida Russell
12 **No:** Janine Boyd, Craig Cobb, Melody Joy Hart, Anthony Mattox Jr.

LEGISLATION FAILED

d. Consent Agenda

17 *Note: Individual Consent Agenda items are not discussed separately during
18 the Council meeting, unless removed from the Consent Agenda on the
19 request of a member of Council. Once an item is removed from the Consent
20 Agenda, it will be placed on the Regular Agenda. Action upon the Consent
21 Agenda will require two motions: the first to suspend the rules under Chapter
22 11 of the Codified Ordinance of the City of Cleveland Heights, and a second
23 for approval or adoption of the items within the Consent Agenda. A vote
24 upon adoption of the Consent Agenda operates as to all items on the
25 Consent Agenda at the time the motion to approve or adopt is made.*

26
27 **RESOLUTION 095-2023(CRR): *First Reading***. A Resolution declaring
28 June 2023 to be LGBTQ+ Pride Month; and declaring the necessity that this
29 legislation become immediately effective as an emergency measure.

30 Introduced by Mayor Seren

31 **Passed on Consent Agenda**

32
33 **RESOLUTION NO. 096-2023(CRR): *First Reading***. A Resolution
34 proclaiming June 2, 2023 to be National Gun Violence Awareness Day in
35 the City of Cleveland Heights; and declaring the necessity that this
36 legislation become immediately effective as an emergency measure.
37

38 Introduced by Mayor Seren

39 **Passed on Consent Agenda**

40
41 **RESOLUTION NO. 097-2023(CRR): *First Reading***. A Resolution
42 recognizing May, 2023 to be *Mental Health Awareness Month*; and declaring
43 the necessity that this legislation become immediately effective as an
 emergency measure.

Introduced by Mayor Seren

Passed on Consent Agenda

Motion to suspend rules: Gail Larson

Seconded: Craig Cobb

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

No: None

MOTION PASSED

Motion to adopt: Craig Cobb

Seconded: Tony Cuda

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

No: None

LEGISLATION PASSED

10) Committee Reports

Planning and Development: Update from tonight's committee meeting where they discussed the process for distributing ARPA funds. The Planning and Development Committee will be dealing specifically with businesses and non-profit organizations.

Public Safety and Health: Upcoming meeting

Municipal Services and Environmental Sustainability: Update from today's meeting, including the clean-up of the Caledonia Ravine, and

Housing and Building:

Community Relations and Recreation:

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

Oliver Henkel	Citizen	North Park Blvd. road conditions
Deonna Taylor	Citizen	No Mow May/Speed limit drop and lack of enforcement on Taylor

		Rd.
Linda Copeland	Citizen	Worries on the condition of her street and rental properties/renter activities
April Hart	Citizen	Pro-Bono representation for concerned citizens of Allston Rd.
Lahoucine Izem	Citizen	Concerns about his street/new renters vandalizing and feeling unsafe in his home/yard.

1

2 **12) Old Business**

3 None

4 **13) New Business**

5 None

6 **14) Council Member Comments**

7 **(Note:** Council comments should directly relate to the business of the City of
8 Cleveland Heights, rather than personal reflection or commentary. A maximum
9 3-minute time limit applies, but the Council President may reduce time limit based
10 on the volume of business on the agenda, the time of evening, or other similar
11 factors.)

12 **Russell:** 3 sessions coming up...June 8th she will be hosting, along with other
13 partners, a strategy session on how to purchase a home. June 10th KeyBank,
14 Chase, PNC, Dollarbank, Third Federal, USBank etc. 11:30am-1:30pm. You will
15 be able to...June 10th Tenant/Landlord 102 session.

16 **Larson:** Tiger Nation 5k run and 10k walk will be happening this Saturday.
17 Saturday May 27, is EcoFest at the Coventry Peace Park. Groundbreaking
18 ceremony tomorrow at 5:30pm for the new Noble library. Noblefest Friday
19 evening. Go to Nobleneighbors.com for information.

20 **Cobb:** Is willing to discuss further applicants for the CRC in executive session.

21 **Cuda:** Echo's Vice President Cobb about executive session. Thanked the
22 Allston Road neighbors who came tonight.

23 **15) Council President's Report**

24 Thanked everybody for coming, and is sorry for the trouble that the Allston
25 neighbors expressed tonight. She won't be able to be at the Noble event as she

1 will be out of town. She wishes them success. She wants to thank all the residents
2 who applied and congratulate those appointed tonight. You will be hearing more
3 shortly from the Clerk of Council. Property Tax Clinics (co-sponsored by Boyd,
4 Mattox, and Cobb) where a representative from the County will be there to
5 answer your questions. May 17th at 6pm at the Lee Rd Library, May 18th at 6pm
6 at Coventry Rd. Library at 6pm. and May 20, at 10am at the Community Center.

7 **16) Adjournment**

8 8:59pm

9
10 **NEXT MEETING OF COUNCIL: June 5, 2023**

DRAFT



MEMORANDUM

To: Mayor Seren
CC: William Hanna, Law Director
From: Eric Zamft, Director of Planning & Development
Date: August 18, 2023
Subject: Shared Spaces Program

The City 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—as a way to support the business community and enliven spaces for residents and visitors. However, beginning in March 2020, the COVID-19 pandemic forced us to re-examine places and spaces—how we interact with our neighbors and friends and how we work, live, and play.

On July 6, 2020, in response to the COVID-19 pandemic, Council, Resolution No. 83-2020, authorized a Temporary Expansion Area (“TEA”) Program for the creation or expansion of outdoor dining, entertainment and retail areas. In light of the COVID-19 guidelines and mandates imposed upon affected businesses through Orders issued by the Governor and State 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, to expand their facilities as a means to combat the financial loss to businesses whose operations were affected by said Orders. Resolution No. 83-2020 provided a sunset date of November 1, 2020 for the TEA Program. 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.

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. The pilot program was well-received. In 2022, a number of businesses inquired about the program, but, ultimately, were unable to complete the approval process. In 2023, the City of Cleveland Heights desires to create a permanent City-wide program (the “Shared Spaces Program”). Earlier this year, Council adopted Resolution 103.023, which authorized the Shared Spaces program to continue during 2023. In order to make the Shared Spaces Program permanent, the Codified Ordinances of the City of Cleveland Heights, including the Zoning Code, need to be amended.

The two (2) pieces of legislation codifies the Shared Spaces Program as a permanent program moving forward. Should Council desire to move forward with the legislation, the proposed Zoning changes must be referred to the Planning Commission, per Chapter 1119 of the Zoning Code.

Proposed: 8/21/2023

ORDINANCE NO. 127-2023(PD), *First Reading*

By Mayor Seren

An Ordinance introducing amendments to various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create and make permanent the City of Cleveland Heights Shared Spaces Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance and upon its own initiative, introduce amendments to the Zoning Code of the Codified Ordinances of the City of Cleveland Heights; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such amending Ordinance by Council, such amending Ordinance shall be transmitted to the Planning Commission for its consideration and recommendation; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days and nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the City of Cleveland Heights prides itself on its many business districts and 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

ORDINANCE NO. 127-2023(PD)

by said Orders; and

WHEREAS, the TEA Program was very well-received was therefore extended on several occasions in relation to the pandemic; and

WHEREAS, at the Mayor's request, the City Administration developed a Shared Spaces Program and Manual in 2022-23 to guide the permitting and regulation of such facilities and spaces; and

WHEREAS, in 2023, Council adopted Resolution 103-2023 to authorize a Shared Spaces Program for the 2023 outdoor dining season through November 1, 2023, in accordance with the Shared Spaces Program and Manual, and now wishes to establish a permanent program (the "Shared Spaces Program"), necessitating amendments to the Zoning Code.

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

SECTION 1. Pursuant to Section 1119.01 of the Codified Ordinances, this Council hereby introduces amendments to Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights, as set forth in **Exhibit A** attached hereto.

SECTION 2. Pursuant to Section 1119.03 of the Codified Ordinances, this proposed amending Ordinance shall be transmitted to the Planning Commission.

SECTION 3. Notice of 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 4. 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 for the introduction of the proposed zoning amendments to be effective at the earliest time possible so that said amendments can be timely considered and acted upon by the Planning Commission for the benefit of the City and its residents. Wherefore, provided it receives the affirmative vote of five (5) or more of the 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

ORDINANCE NO. 127-2023(PD)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved by Mayor: _____

KAHLIL SEREN
Mayor

Exhibit A to Ordinance XX-2023

PROPOSED ZONING TEXT AMENDMENTS:

SHARED SPACES

May 22, 2023

CHAPTER 1103

Definitions

...

1103.03 DEFINITIONS OF GENERAL TERMS.

(b) Certain general terms are hereby defined as follows:

...

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

(85.7) "Pedlet" means 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.

...

(104.2) "Shared Space" means temporary outdoor dining facilities, parklets, and pedlets within 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.

(104.5) "Shared Spaces Manual" includes 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.

(104.7) "Shared Spaces Program" means the City of Cleveland Heights' permanent program to permit a Shared Space.

...

CHAPTER 1107

Zoning Administrator

...

1107.02 POWERS AND DUTIES.

For the purpose of this Zoning Code, the Zoning Administrator shall have the following duties:

- (a) Enforce the provisions of this Zoning Code and interpret the meaning and application of its provisions.
- (b) Issue zoning approval as provided by this Zoning Code and keep a record of same with a notation of any special conditions involved.
- (c) Accept and review for completeness all applications upon which the Zoning Administrator is authorized to review by the provisions of this Code. The Zoning Administrator shall promptly review each application submitted to determine compliance with applicable district regulations and submission requirements. If the application is deemed insufficient, the Zoning Administrator shall promptly notify the applicant of necessary changes. If the application is deemed sufficient and the application fee has been paid, the Zoning Administrator shall officially accept the application on that date from consideration of the action(s) requested.
- (d) Respond to questions concerning applications for amendments to the Zoning Code text and the official Zoning Map.
- (e) Maintain in current status the official Zoning Map.
- (f) Maintain permanent and current records required by this Code, including but not limited to zoning approval, inspection documents, and records of all variances, amendments, conditional uses, and similar use determinations.
- (g) Make such records available for the use of Council, the Planning Commission, the Board of Zoning Appeals, and the public.
- (h) Conduct inspections of buildings and uses of land to determine compliance with this Zoning Code and, in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.
- (i) Determine the existence of any violations of this Zoning Code and cause such notifications, revocation notices, stop orders, or tickets to be issued, or initiate such other administrative or legal action as needed, to address such violations.
- (j) Administer the Shared Spaces Program with relation to a Shared Space on private property.

CHAPTER 1115

Procedures

...

1115.02 BUILDING PERMIT REQUIRED.

No building or other structure shall be erected, constructed, reconstructed, enlarged, moved or structurally altered nor shall any excavation or site improvements be commenced, until a building permit has been applied for and received by the owner of the property involved or a person having an interest in such property and acting under written authority of the owner, and issued by the Building Commissioner. If applicable, no building permit shall be issued until the Zoning Administrator or designated agent has approved the application for the permit for Zoning Code compliance.

(a) Such approval shall be granted only when:

- (1) The Zoning Administrator or designated agent finds that all applicable requirements and standards of this Zoning Code have been complied with;
- (2) A request for a variance has been approved by the Board of Zoning Appeals in accordance with the limitations, procedures and requirements of this Chapter and has been approved by Council, as applicable;
- (3) The Planning Commission or Zoning Administrator has issued a conditional use permit for the conditional use in accordance with the procedures described in this Chapter;
- (4) The Planning Commission has made a determination in accordance with the procedures described in this Chapter that a proposed use is substantially similar to a principal or conditionally permitted use in the zoning district in which such use is located;
- (5) The Board of Control has approved a detailed development plan for a proposal in the S-1 District, according to the procedures established in Section 1143.10; and/or
- (6) The Architectural Board of Review has approved the application for the proposed use, building or structure as required by the 'Codified Ordinances, including this Zoning Code.

(b) In the event that an application for a building permit requires approval by more than one (1) board or commission, the following order of review should generally be observed:

- (1) Review by the Board of Zoning Appeals, as applicable;
- (2) Review by the Architectural Board of Review, as applicable;
- (3) Review by the Landmarks Commission, as applicable;
- (4) Review by the Planning Commission or Board of Control, as applicable;
- (5) Review by Council, as applicable.

(c) In the event that an application for a fence permit requires approval by more than one (1) board or commission, the following order of review should generally be observed:

- (1) Review by the Architectural Board of Review, as applicable;
- (2) Review by the Board of Zoning Appeals, as applicable;
- (3) Review by the Planning Commission or Board of Control, as applicable;
- (4) Review by Council, as applicable.

(d) It is the objective of this Zoning Code to process applications as expeditiously as possible. Therefore, recognizing the interrelationships of the various review components, the Zoning Administrator, prior to Council consideration and with the consent of the applicant, may alter the above order to accomplish the review in an order deemed more timely.

(e) For the Shared Spaces Program, the above shall be superseded by the processes contained in the Shared Spaces Manual, as may be updated from time-to-time.

...

1115.08 CONDITIONAL USES; SUBMISSION REQUIREMENTS AND PROCEDURES.

When a proposed use is permitted in a zoning district as a conditional use as set forth in the district regulations, a conditional use permit is required prior to the issuance of a building permit. The owner, or agent thereof, of property for which such conditional use is proposed shall file with the Zoning Administrator an application for a conditional use permit upon forms provided by the Zoning Administrator. Conditional use applications requiring approval by the Planning Commission shall be reviewed in accordance with the following procedures:

(a) Submission Requirements. An application for a conditional use permit shall be accompanied by plans, elevations, drawings, and other documentation as set forth in Section 1115.09, and the payment of the application fee as established by Council.

(b) Review for Completeness by the Zoning Administrator. Upon receipt of an application, the Zoning Administrator shall, within ten (10) working days, make a preliminary review of the application to determine whether such application provides the information necessary for review and evaluation. If it is determined that such application does not provide the information necessary for such review and evaluation, the Zoning Administrator shall so advise the applicant of the deficiencies and shall not further process the application until the deficiency is corrected.

(c) Public Hearing by the Planning Commission. The Planning Commission shall hold a public hearing within seventy-five (75) days from the date the application is accepted as complete by the Zoning Administrator.

(d) Notice of Public Hearing. Before conducting the public hearing required in subsection (c) hereof, notice of such hearing shall be posted on the City's website at least ten (10) days before the date of such hearing. In addition, a written notice of the hearing shall be mailed by the Zoning Administrator or designated agent at least ten (10) days before the day of the public hearing to the applicant, the owner of the property if he or she is not the applicant, and to adjacent properties to the attention of the owners of such properties as follows:

- (1) Properties on the same side of the street which abut the site on which the building or use is sought to be located;
- (2) Properties on the same side of the street next contiguous to the premises so abutting;
- (3) Properties across the street immediately opposite the site; and the premises opposite the abutting and contiguous premises referred to in subsections (1) and (2) hereof; and
- (4) All other premises abutting the site.

The notice shall set forth the time and place of the public hearing and the nature of the proposed conditional use. The failure of any person to receive such notice shall not affect the right and power of the Commission to hear such application or to take action in accordance with such public notice.

(e) Review by the Commission. The Planning Commission shall review each application for a conditional use permit to determine if such request complies with the purpose and intent of the conditional use regulations as set forth in Title Seven of this Zoning Code.

(f) Action by the Planning Commission. After the public hearing required in subsection (c) hereof, the Commission shall either approve, approve with supplementary conditions as specified in subsection (g) hereof, or disapprove the request for conditional use permit.

(g) Additional Conditions. The Planning Commission may impose such additional conditions, stipulations, safeguards and limitations on the duration of the use as it may deem necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of this Zoning Code will be observed. Any conditional use permit when so issued by the Zoning Administrator upon order of the Commission shall set forth such conditions, stipulations, safeguards and duration limit. The Commission may not extend the scope or extend the duration of a conditional use permit previously issued upon its order. Any additional action so desired may be effected only upon application to the Zoning Administrator for issue of a new conditional use permit in accordance with the provisions of this Zoning Code.

(h) Time Frame for Commission Action. An applicant may request that an application for a conditional use permit be acted upon by the Commission within ninety (90) days of the start of the public hearing. An applicant may by subsequent written communication or oral representation under oath agree to an extension of such prescribed time for Commission action. Failure of the Commission to act within the ninety (90) days or extended time period as so agreed upon, shall, at the election the applicant, be deemed a denial of the conditional use permit. A Commission action becomes and is in full force and effect at the time of said Commission action pursuant to Section 1111.05.

(i) Terms of Conditional Use Permit. Each conditional use permit granted by the Planning Commission shall state upon its face the time limit within which the applicant shall complete the installation of the use, or the construction or alteration of the structure which is the subject of the application. Failure on the part of the applicant to complete the installation, alteration or construction within the allotted time shall terminate all rights under such conditional use permit. However, the Commission may, for good cause shown, extend from time to time the time limit but in no case more than a date eighteen (18) months from and after the date of the original time limit within which the applicant was required to complete the installation of the use, unless construction is actively underway. If any action is taken that is contrary to the terms of the conditional use permit or contrary to conditions accompanying the conditional use permit, the Commission may revoke such conditional use permit. A conditional use permit issued pursuant to this Chapter shall be valid only to the person to whom issued, unless a transfer of such permit has been approved by the Commission.

(j) Exception for Shared Spaces Program. For the Shared Spaces Program, the above shall be superseded by the processes contained in the Shared Spaces Manual, as may be updated from time-to-time.

...

1115.12 SCHEDULE OF FEES.

Council shall by ordinance establish a schedule of fees for building permits, amendments, appeals, variances, conditional use permits, and other procedures and services pertaining to the administration and enforcement of this Zoning Code after considering the recommendations of the Zoning Administrator with respect to actual administrative costs, both direct and indirect. The fees

for the Shared Spaces Program shall be listed within the Shared Spaces Manual, as may be updated from time-to-time. All other fees shall be waived for the Shared Spaces Program. The schedule of fees shall be available on the City's website, and may be altered or amended only by Council, with the exception of the fees associated with the Shared Spaces Program, which may be altered or amended administratively. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure.

...

CHAPTER 1131

Commercial Districts

...

1131.02 PRINCIPAL AND CONDITIONALLY PERMITTED USES.

(a) Unless otherwise provided by law, the Shared Spaces Manual, or in this Code, buildings, structures or land shall only be used or occupied following the adoption of this Zoning Code for the uses permitted herein. Schedule 1131.02 enumerates those uses that may locate in a C-1 Office, C-2 Local Retail, C-2X Multiple Use and C-3 General Commercial District as a matter of right as a principal use, and those uses which may locate in a given district only upon obtaining a conditional use permit.

(1) A use listed in Schedule 1131.02 shall be permitted by right in a district when denoted by the letter P provided that all requirements of the Codified Ordinances and this Zoning Code have been met.

(2) A use listed in Schedule 1131.02 may be permitted as a conditional use in a district when denoted by the letter C, provided that the requirements of Title Seven have been met.

(b) Although a use may be indicated as permitted or conditionally permitted in a particular commercial district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Code applicable to the specific use and parcel in question.

Schedule 1131.02

PERMITTED AND CONDITIONALLY PERMITTED USES IN COMMERCIAL DISTRICTS

<i>Land Use Category</i>		<i>C-1 Office District</i>	<i>C-2 Local Retail District</i>	<i>C-2X Multiple Use District</i>	<i>C-3 General Commercial District</i>
(a)	<u>Residential Uses:</u>				
	(1) Multi-family dwelling as a free-standing building	P			
	(2) Multi-family dwelling units above the first floor in association with permitted commercial use	P	P	P	P
	(3) Lodging house and boarding house including convent, home for the aged, residential care facility, and other congregate living facility	C	C	C	C
	(4) Nursing home including intermediate and long-term care facility	C	C	C	C
	(5) Dormitories, fraternities, sororities	C	C	C	C
	(6) Live/Work Dwelling subject to the regulations of Section 1131.13	C	C	C	C
(b)	<u>Office/Professional/Medical Uses:</u>				
	(1) Offices provided that only samples of merchandise are displayed or stored in the premises	P	P	P	P
	(2) Financial establishment without drive-through facility	P	P	P	P
	(3) Financial establishment with drive-through facility	C	C	C	C
	(4) Financial establishment with Automatic Teller Machine (ATM)	C	C	C	C

	(5)	Animal clinics, veterinary offices, animal training, animal grooming facilities, animal day-care facilities, overnight boarding of animals in conjunction with animal clinics, veterinary offices, animal grooming facilities and animal day-care facilities	C	C	C	C
	(6)	Funeral homes and mortuaries				C
	(7)	Hospitals	C			C
	(8)	Urgent care clinics	C	C	C	P
(c)	<u>Retail/Service Uses:</u>					
	(1)	Retail establishments in wholly enclosed buildings		P	P	P
	(2)	Convenience retail and service establishments in an office building provided such business occupies no more than an area equal to one-hundred percent (100%) of first floor area	P	P	P	P
	(3)	Personal services including dry cleaning, laundry, beauty salon, tattoo parlor, body piercing		P	P	P
	(4)	Restaurants bar, tavern, nightclub		P	P	P
	(5)	Catering		C	C	P
	(6)	Outdoor dining facility, except a Shared Space		C	C	C
	(7)	Drive-through facility in association with a permitted restaurant, retail or service use		C	C	C
	(8)	Hotels	C	C	C	C
	(9)	Shared Space	P(a)	P(a)	P(a)	P(a)
(d)	<u>Automotive Uses:</u>					
	(1)	Automobile sales, new or new and used				C
	(2)	Automobile rental				C
	(3)	Truck, boat sales/rental				C
	(4)	Gasoline station				C
	(5)	Car wash establishment				C
	(6)	Automobile service station - major and minor repair				C
	(7)	Parking lot as a principal use		C	C	P
	(8)	Parking deck or private parking garage as a principal use	C	C	C	C
(e)	<u>Commercial Entertainment/Recreation Uses:</u>					
	(1)	Indoor commercial entertainment facility including game room, bowling alley, skating rink, and movie theater		C	C	C
	(2)	Private indoor and/or outdoor recreation including a health, tennis and racquet club		C	C	C
	(3)	Dance studio, exercise class		C	C	P
	(4)	Meeting room	C	C	C	C
	(5)	Banquet hall, party center		C	C	C
	(6)	Mural	P	P	P	P
	(7)	Satellite dish receiving antenna	C	C	C	C
(f)	<u>General Commercial/Light Industrial Uses:</u>					
	(1)	Shops and studios for custom work of making articles to be sold at retail on the premises		P	P	P
	(2)	Printing and publishing		P	P	P
	(3)	Storage and warehousing of goods, self- storage				C
	(4)	Research & Development, Limited	P	P	P	P
	(5)	Industrial Design	P	P	P	P
	(6)	Nursery and garden supply with accessory outdoor storage		C	C	C
	(7)	Greenhouse	C	C	C	C
(g)	<u>Educational Facilities:</u>					

	(1) Elementary, junior and senior high school	C	C	C	C
	(2) College, university, trade and training schools, adult education facilities	C	C	C	C
	(3) Day care center, preschool, tutoring center	C	C	C	C
(h)	Community Facilities:				
	(1) Public library, museum	C	C	C	C
	(2) Public safety facilities	C	C	C	C
	(3) Public service and maintenance facilities	C	C	C	C
	(4) Public parks and playgrounds	C	C	C	C
	(5) Outdoor community festival longer than 3 days	C	C	C	C

Note to Schedule 1131.02:

(a) Shared Spaces must follow the regulations put forth in the Shared Spaces Manual, as may be updated from time-to-time.

...

1131.04 LOT AREA AND WIDTH REGULATIONS.

Principal buildings and uses permitted in the C-1 Office, C-2 Local Retail, and C-3 General Commercial Districts shall be located only on a lot that complies with the lot area and lot width regulations set forth in Schedule 1131.04, unless otherwise specifically provided for elsewhere in this Zoning Code. Shared Spaces shall follow the regulations set forth in the Shared Spaces Manual, as may be updated from time-to-time.

...

1131.06 MINIMUM YARD REQUIREMENTS FOR PRINCIPAL USES.

In C-1 Office, C-2 Local Retail, and C-3 General Commercial Districts, each zoning lot shall maintain the minimum front, side and rear yards specified in Schedule 1131.06, except as otherwise provided for in this Chapter. Each yard shall be unobstructed by a principal use, including outdoor storage of goods, supplies and equipment as permitted in this Chapter, or a principal building, except as otherwise provided in this Zoning Code. Such areas, together with all other portions of the zoning lot not covered by permitted structures, shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which at all times shall be maintained in good and healthy condition so as to assure adequate screening of parking and loading areas, as well as absorption of rainfall. Shared Spaces shall follow the regulations set forth in the Shared Spaces Manual, as may be updated from time-to-time.

...

1131.08 ACCESSORY USE REGULATIONS.

Accessory uses, buildings and structures permitted in a C Commercial District shall conform to the regulations of this section, and shall be landscaped and screened from view in accordance with Chapter 1166, as applicable.

...

(c) Fences. Fences may be erected in any commercial district provided they comply with the following regulations:

(1) A fence located in a front yard shall have a maximum height of four (4) feet above ground level.

(2) In a rear or interior side yard, a fence shall have a maximum height of seven (7) feet above ground level.

(3) In a corner side yard, a fence shall have a maximum height of six (6) feet above ground, except as required by Section 1166.07 for lots adjacent to a residential district, or unless set back 15 or more feet from the public right of way, in which case a fence shall have a maximum height of seven (7) feet above ground level.

(4) Any fence within 25 feet of a public right of way and parallel or approximately parallel to such street shall be approved by the Architectural Board of Review. No chain-link fencing shall be permitted in front or corner side yard.

(5) No barbed wire fence shall be constructed or erected on any lot. Any nonconforming barbed wire fence shall be removed following five years from the adoption of the amendment to this Zoning Code which made such fence nonconforming.

(6) A fence which has the sole purpose of enclosing a seasonal outdoor activity shall be removed during the times of the year when the seasonal activity is not in operation if it causes a nuisance or limits safe travel along public sidewalks.

(7) A pergola or other freestanding structure may be permitted in front of a building, but not within the required front yard, subject to Architectural Board of Review approval.

(8) Any fence as part of a Shared Space shall follow the regulations set forth in the Shared Spaces Manual, as may be updated from time-to-time.

...

1131.11 SUPPLEMENTAL REGULATIONS FOR OUTDOOR DISPLAY, SALES OF GOODS.

The sale or service of food outside of a building; or the display or sale outside of a building of house furnishings, merchandise or vehicles, shall only be permitted as specified below:

(a) The display of oil at a gasoline station or automobile service station;

(b) The display of automobiles and other rental vehicles as permitted in the C-3 District or for which a conditional use permit has been obtained pursuant to Chapter 1153.

(c) The sale or display of flowers, plants, shrubs and trees in the open in connection with a nursery flower mart, landscape business for which a conditional use permit has been obtained pursuant to Chapter 1153.

(d) An outdoor dining facility for which a conditional use permit has been obtained pursuant to Chapter 1153, except for a Shared Space, which shall follow the regulations permitted in the Shared Spaces Manual, as may be updated from time-to-time.

(e) An outdoor dining facility or outdoor sales of goods in conjunction with a duly authorized festival, except for a Shared Space, which shall follow the regulations permitted in the Shared Spaces Manual, as may be updated from time-to-time.

(f) The display of liquid fuel, such as propane, in conjunction with a principally or conditionally-permitted use.

...

1131.14 C-2X MULTIPLE USE DISTRICT.

The C-2X Multiple Use District shall be governed by the following regulations:

...

(f) Yard Requirements: Yard requirement shall be as set forth in the following table:

<i>Yard (illustrations 1-4)</i>	<i>C-2X District Minimum(c)</i>	<i>C-2X District Maximum(c)</i>
Front*	0	10(b)
Yards abutting a C or S District		
Interior Side	0	No max. depth
Rear	5	No max. depth
Corner Side*	0	15(b)
Yards abutting an MF District		
Interior side and rear	15	No max. depth
Corner side*	5	15(b)
Yards abutting an AA, A or B District		
Interior side and rear	20	No max. depth
Corner side(a)	10	No max. depth

Notes:

- (a) For the purposes of measuring front and corner-side yards in C-2X Districts, the yard shall be measured from the “built-to” line, which shall be a line running along the inner edge of the existing public sidewalk.
- (b) The Planning Commission may conditionally approve a front or corner side yard use, other than parking, that would result in a building being set back more than the maximum distance permitted from the “built-to” line.
- (c) Shared Spaces within the C2-X District shall follow the regulations set forth in the Shared Spaces Manual, as may be updated from time-to-time.

...

CHAPTER 1133

Park District

...

1133.02 PERMITTED USES.

In the Park District, land and structures shall be used or occupied, or structures shall be erected, constructed, enlarged, moved, or structurally altered only for a principal use, a conditional use in accordance with Title Seven, or an accessory use to a permitted principal or conditional use specified below and regulated herein.

(a) Principal Uses. The following uses are principal uses permitted by right in a Park District provided that all requirements of the Codified Ordinances and this Zoning Code have been met:

- (1) Public parks and playgrounds;
- (2) Public outdoor recreation facilities;
- (3) Shared spaces.

...

1133.04 MINIMUM YARD REQUIREMENTS.

For each permitted use located in a Park District, front, side and rear yards shall be provided in accordance with the following:

(a) Principal and accessory buildings and active recreational areas shall be located no less than fifty (50) feet from a front, side and rear lot line.

(b) Any playground structure or picnic shelter shall be located no closer to a front, side or rear lot line than a distance equal to its height.

(c) Off-street parking areas shall comply with Chapter 1161 and landscaped in accordance with Sections 1166.06 and 1166.07.

(d) Shared Spaces shall follow the regulations set forth in the Shared Spaces Manual, as may be updated from time-to-time.

...

CHAPTER 1153
Supplemental Standards for Conditional Uses

...

1153.03 SPECIFIC AREA, WIDTH AND YARD REGULATIONS.

(a) Schedule 1153.03 sets forth regulations governing lot area, lot width and minimum yard dimensions for principal and accessory buildings and parking areas for conditional uses that require area, width and yard regulations different from the district regulations. Additional standards and requirements pertaining to such uses are set forth in Section 1153.05.

(b) In addition, all parking areas adjacent to a single-family or two-family dwelling shall be landscaped in accordance with Section 1165.05.

Schedule 1153.03

AREA, WIDTH AND YARD REGULATIONS FOR CERTAIN CONDITIONAL USES

			<i>Min. Yard Dimensions (in feet)</i> <i>Buildings (d) Parking</i>					
<i>Conditional Use</i>		<i>Min. Lot Area</i>	<i>Min. Lot Width (Feet)</i>	<i>Front</i>	<i>Side/Rear</i>	<i>Side/Front</i>	<i>Rear</i>	<i>See Also Section</i>
(1)	PRD	---	--	--	--	--	--	1155.01 - 1155.08
(1a)	PDO Development District	2 acres						1147.01 - 1147.09
(2)	Place of worship	1 acre	150	50	50	50	10	1153.05 (a)
(3)	School facilities	1 acre	150	50	50	50	10	1153.05 (b)
(4)	Public libraries	1 acre	150	50	50	50	10	---
(5)	Public safety facilities	1 acre	150	50	50	50	10	---
(6)	Public and private parks and playgrounds, and public recreation facilities	None	None	50(a)	50(a)	(b)	(c)	1153.05 (b)
(7)	Golf courses	None	None	50	50	50	50	---
(8)	Cemetery	---	--	--	--	--	--	1153.05 (c)
(9)	Parking lot for a permitted use not on the same zoning lot	None	None	N/A	N/A	(b)	(c)	---
(10)	Accessory parking for a commercial use	---	--	--	--	--	--	1153.05 (f)
(11)	Parking deck or private parking garage as a principal use	20,000 sq. ft.	100	30	15	N/A	N/A	---
(12)	Day care home	---	--	--	--	--	--	1153.05 (d)
(13)	Day care center, preschool	---	--	--	--	--	--	1153.05 (e)
(14)	(Intentionally omitted)	---	--	--	--	--	--	
(15)	Home occupation in an accessory building	---	--	--	--	--	--	1153.05 (h)
(16)	Outdoor community festivals	---	--	--	--	--	--	1153.05 (i)
(17)	Dormitories, fraternities, sororities	20,000 sq. ft.	100	30	15	30	15	1153.05 (j)

(18)	Lodging houses, boarding houses, convents, home for the aged, other congregate living and residential care facilities	20,000 sq. ft.	100	30	15	30	15	1153.05 (k)
(19)	Nursing home, intermediate and long-term care facility	1 acre	150	50	50	30	15	---
(20)	Special training schools and adult education facilities	---	---	---	--	--	--	---
(21)	Hospitals	2 acres	200	50	50	30	15	---
(22)	Colleges and universities	2 acres	200	50	50	30	15	---
(23)	Drive-thru facilities	---	--	--	--	--	--	1153.05 (l)
(24)	Automatic Teller Machine	---	--	--	--	--	--	1153.05 (m)
(25)	Funeral homes and mortuaries in a C-2 or C-3 District	20,000 sq. ft.	100	50	50	15	(b)	---
(26)	Animal clinics, veterinary offices, or animal grooming facilities	---	--	--	--	--	--	1153.05 (n)
(26A)	Animal day-care facilities and overnight boarding of animals	---	--	--	--	--	--	1153.05 (bb)
(27)	Convenience retail in an office building	---	--	--	--	--	--	1153.05 (o)
(28)	Catering	---	--	--	--	--	--	---
(29)	Outdoor dining, except for Shared Space	---	--	--	--	--	--	1153.05 (p)
(29A)	Shared Space	---	--	--	--	--	--	See Shared Spaces Manual
(30)	Dance studios, exercise classes and similar uses	---	--	--	--	--	--	1153.05 (q)
(31)	Auto sales, new, (new and used) and auto rental	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (r)
(32)	Auto sales, used	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (s)
(33)	Truck, boat, sales/rental	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (s)
(34)	Gasoline stations	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (t)
(35)	Car wash establishment	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (u)
(36)	Auto service-major and minor repair	20,000 sq. ft.	100	(b)	(b)	15	(b)	1153.05 (u)
(37)	(Intentionally omitted)							
(38)	Game rooms	---	--	--	--	--	--	1153.05 (v)
(39)	Indoor commercial entertainment	---	--	--	--	--	--	---
(40)	Private indoor/outdoor recreation	---	--	--	--	--	--	---
(41)	Banquet hall, party center	---	--	--	--	--	--	---
(42)	Satellite dish receiving antenna	---	--	--	--	--	--	1153.05 (w)
(43)	Meeting room	---	--	--	--	--	--	1153.05 (x)
(44)	Storage and warehousing of goods	---	--	--	--	--	--	---
(45)	Research and testing laboratories	---	--	--	--	--	--	---

(46)	Nursery and garden supply with accessory outdoor storage	---	--	--	--	--	--	1153.05 (z)
(47)	Public indoor/outdoor entertainment, public indoor recreation	---	--	50(a)	50(a)	(b)	(b)	---
(48)	Reduction in parking requirements	---	--	--	--	--	--	1161.05
(49)	Architecturally significant nonconforming signs	---	--	--	--	--	--	1163.11
(50)	Attached single-family dwelling unit (e)	---	--	--	--	--	--	1153.05 (aa)
(51)	Chicken coop and run	---	--	--	10	--	10	1153.05 (gg)
(52)	Commercial Renewable Energy Systems ("Solar Farms")	2 acres	--	25	25	--	--	1153.05 (ff)

Notes to Schedule 1153.03:

- (a) Playground structures and picnic shelters shall be located no closer to a front, side or rear lot line than a distance equal to its height.
- (b) Shall comply with the district regulations.
- (c) Shall comply with the parking regulations for multiple-family uses set forth in Section 1123.12(a).
- (d) Shall include principal and accessory buildings unless specified otherwise in this Zoning Code.
- (e) For the purpose of determining applicable lot area, width, and yard regulations, adjoining parcels containing attached single-family dwelling units and common areas shall be considered a single zoning lot. Any parcel on which an attached single-family dwelling unit is located shall have frontage on a public street.

...

1153.05 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES.

The following conditional use regulations are specific requirements pertaining to the location and maintenance of certain conditional uses and are in addition to the general criteria set forth in Chapter 1151 and the lot area, width and yard regulations set forth in Section 1153.03.

...

(p) **Outdoor Dining.** In C-1, C-2, C-2X and C-3 Districts, an outdoor dining facility may be conditionally permitted. An outdoor dining facility located on private property and having 25 or fewer seats may be approved by the Zoning Administrator; a facility with more than 25 seats shall require Planning Commission approval. Shared Spaces shall not be subject to these regulations, but, rather, shall follow the Shared Spaces Manual, as may be updated from time-to-time. In granting approval for an outdoor dining facility, except for a Shared Space, the following standards shall apply:

- (1) The facility shall only be used in conjunction with, and under the same management and exclusive control of, a restaurant located on the same or contiguous property.
- (2) The use shall not interfere with the flow of pedestrian traffic. The approving authority shall determine to what extent, if any, such use may encroach upon the public right-of-way, provided that an unobstructed walkway of a width specified in the conditional use approval is reserved for public passage. In no case shall the unobstructed walkway be less than six feet in width.
- (3) Before a conditional use permit is granted for the use, it shall be determined that the facility will not create an undue parking shortage within the district.

(4) Temporary stanchions with chains or ropes may be approved for the outdoor dining facility, the extent and nature of which shall be set out in the conditional use permit. Fencing shall be subject to regulations in Section 1131.08(c).

...

CHAPTER 1161

Off-Street Parking and Loading Regulations

...

1161.03 NUMBER OF PARKING SPACES REQUIRED.

The required number of off-street parking spaces for each facility or use shall be determined by application of the standards noted in Schedule 1161.03. For a use not specified in Schedule 1161.03, the Planning Commission shall apply the standard for a specified use which the Commission determines to be most similar to the proposed use.

Schedule 1161.03

REQUIRED OFF-STREET PARKING SPACES (a)

<i>Principal Building or Use</i>		<i>Minimum Spaces Required</i>
(a) Residential Uses:		
(1a)	Single-family dwellings with 2 or fewer bedrooms	1 space for each dwelling unit (b)
(1b)	Single-family dwellings with greater than 2 bedrooms	2 spaces for each dwelling unit (b)
(2)	Two-family dwellings	2 spaces for each dwelling unit, of which not less than 0.5 spaces per dwelling unit shall be enclosed (c)
(3)	Townhouses	2 spaces for each dwelling unit, of which both spaces per dwelling unit shall be enclosed (b)
(4)	Multiple-family dwelling	1 space for each dwelling unit
(5)	Senior citizen apartments	1 space for each dwelling unit
(6)	Lodging house, boarding houses	1 space for each bed
(7)	Dormitories, sororities and fraternities	1 space for each 3 persons based on the maximum capacity as established in the Housing Code
(8)	Nursing homes	1 space per 3 beds
(b) Office, Professional Service Uses:		
(1)	Office, medical office, animal clinic and financial establishments	1 space for each 300 sq. ft. of floor area.
(2)	Funeral homes, mortuaries	1 space for each 50 sq. ft. of floor area in parlors or service rooms.
(3)	Hospitals	2 spaces per room
(c) Retail/Service Uses:		
(1)	Retail or business uses permitted in any C District, unless specific standards given below	1 space for each 300 sq. ft. of floor area
(2)	Furniture and appliance; retail nursery garden supply, establishments	1 space for each 500 sq. ft. of floor area
(3)	Restaurants; bars; taverns; night clubs	1 space for each 300 sq. ft. floor area (outdoor dining area excluded)
(4)	Hotels and motels	5 spaces plus 1 space for each sleeping room or suite
(5)	Shared Space	No minimum parking requirement
(d) Automotive Uses:		
(1)	Auto sales; new and used, auto, truck, boat sales, rental facilities	1 space for each 500 sq. ft. of floor area (indoor area only)
(2)	Gasoline stations	.5 spaces per pump +1 per 500 sq. ft. of accessory retail area
(3)	Car wash facilities	1 space per bay plus sufficient area for stacking spaces
(4)	Automobile service stations - major and minor repair	4 spaces per bay
(e) Commercial Entertainment/Recreation Uses:		

(1)	Bowling alleys	2 spaces per each lane.
(2)	Game rooms	1 space for each billiard table or amusement device
(3)	Skating rinks	1 space per 200 sq. ft. of floor area
(4)	Indoor movie theaters, auditorium and other public assembly places	1 space for every 4 seats for first 400 seats then 1 space per 10 seats
(5)	Golf course	4 spaces per hole
(6)	Tennis or racquet ball court	2 spaces per court
(7)	Indoor or outdoor swimming pools, public or private	1 space per 200 sq. ft. of water area.
(8)	Health, fitness, recreation club	1 space for every 200 sq. ft. of exercise area, including locker room, and equipment room.
(f)	<u>General Commercial Uses:</u>	
(1)	Printing, publishing, storage and warehousing of goods	1 space for each 800 sq. ft. of floor area.
(2)	Research and testing laboratories	1 space for each 400 sq. ft. of floor area.
(g)	<u>Educational Facilities:</u>	
(1)	junior high schools, elementary schools and kindergartens	2 spaces per classroom +1 space per 15 seats in largest assembly hall
(2)	Neighborhood high schools	2 spaces per classroom
(3)	Regional high schools	5 spaces per classroom.
(4)	Colleges, universities	10 spaces for every classroom
(5)	Day Care Centers, preschools and similar uses	1 space for each staff person or employee plus a minimum of 2 pick-up/drop-off spaces
(h)	<u>Community Facilities:</u>	
(1)	Places of worship	1 space for every 4 seats
(2)	Community center, library, museum or similar public or private semi- public building	1 space for every 4 seats or for each 300 sq. ft. of floor area, whichever is greater.

Notes to Schedule 1161.03:

- (a) Unless modified by the Planning Commission, per Section 1161.05.
- (b) Parking spaces shall be enclosed, except as otherwise provided in Section 1161.051.
- (c) At least 0.5 parking spaces shall be enclosed, except as otherwise provided in Section 1161.051.

...

1161.13 EXCEPTIONS TO OFF-STREET PARKING REQUIREMENTS IN COMMERCIAL DISTRICTS.

(a) In the City's commercial districts, parking needs are predominantly met by the existence of significant amounts of on- and off-street public parking and, in some areas, large private parking areas serving multiple uses. This reduces the need for individual uses to provide their own dedicated off-street parking, as does the fact that many patrons of uses in these commercial districts arrive on foot or by public transportation. Further, a large number of small parking lots would be disruptive in these areas, in which safe and pleasant conditions for pedestrians are important assets. On the commercial-district parcels described in subsection (b) below, the following exceptions to the off-street parking requirements set out in Chapter 1161 shall apply:

- (1) New uses in existing buildings that would not result in a significant change of intensity relating to traffic and parking shall not be required to provide off-street parking.
- (2) New uses in existing buildings proposed to expand the gross floor area by twenty-five percent (25%) or less that would not result in a significant change of intensity relating to traffic and parking shall not be required to provide off-street parking.
- (3) The use of off-street parking for a Shared Space.

(b) The exceptions to the off-street parking requirements, as described in subsection (a) above, shall apply only to commercially zoned parcels.

...

CHAPTER 1165

Additional Regulations Governing Uses

...

(d) Additional Requirements for Yards. The following requirements for yards must be observed in all zoning districts:

(1) On lots fronting on two (2) nonintersecting streets, a front yard must be provided on both streets;

(2) Where a lot is occupied for a permitted use without any building or structure thereon, the front, side and rear yards required by this Zoning Code shall be provided and maintained between such use and the respective lot lines, except lots used for Shared Spaces, noncommercial gardens, or public playgrounds.

...

1165.07 EXTERIOR LIGHTING REQUIREMENTS.

...

(b) Unshielded Lighting. The use of unshielded lighting, including incandescent light bulbs hung or strung on poles, wires, or any other type of support, are prohibited, except on a temporary basis in areas where approved carnivals, fairs, approved outdoor dining or similar activities are held and only when such activities are taking place, or on a temporary basis for approved Shared Spaces.

CHAPTER 1166

Landscape Requirements

...

1166.015 SHARED SPACES.

Shared Spaces shall be exempt from the requirements of this Chapter, but shall follow the regulations set forth in the Shared Spaces Manual, as may be updated from time-to-time.

...



MEMORANDUM

To: Mayor Seren
CC: William Hanna, Law Director
From: Eric Zamft, Director of Planning & Development
Date: August 18, 2023
Subject: Legislation Related to the Cleveland Heights Community Improvement Corporation ("CIC")

Vacant and abandoned lots and buildings are a common feature of US cities, particularly post-industrial cities and cities located in the "Rust Belt". The City of Cleveland Heights is no stranger to this issue with currently over 300 City-owned lots, many of which are vacant. The City has utilized various approaches in the past to try to bring these vacant lots back to productive use, including recent infill housing attempts in the Caledonia and Desota areas of the City.

Chapter 110 (Property Disposition) of the Codified Ordinances of the City of Cleveland Heights Ohio was adopted in 2012 and provides the procedures for disposition of City property. Sections 110.01 and 110.06 deal specifically with City-owned real estate; Section 110.05 permits outdoor dining on public property; Sections 110.03 and 110.04 discuss additional disposition procedures.

There are a number of provisions in the Ohio Revised Code (ORC) that lay the groundwork for municipalities to deal with land. These include:

- ORC Chapter 1724 – Community Improvement Corporations
- ORC Chapter 5721 – Delinquent Lands
- ORC Chapter 5722 – Land Reutilization Program
- ORC Chapter 5723 – Forfeited Lands

The City's Community Improvement Corporation (CIC), was established by Council Ordinance No. 13-2019 in 2019 and updated by Council Ordinance No. 11-2022 in 2022. Ordinance No. 115-2019 designated the CHCIC as the agency of the City for industrial, commercial, distribution and research development; approved an agreement with CHCIC, confirmed the that the City's 2017 Master Plan was the CHCIC plan, and provided direction on the Board of Directors. More specifically, its powers include those powers set forth in Ohio Revised Code Section 1724.02. This includes the ability "[t]o purchase, receive, hold, manage, lease, lease-purchase, or otherwise acquire and to sell, convey, transfer, lease, sublease, or otherwise dispose of real and personal property..."

Earlier this year, the CIC adopted amended Articles of Incorporation and By-Laws, with the expressed goal being active in order to provide a more streamlined tool and process for infill

housing and development within the City. The CIC has met on a monthly basis to begin to lay this groundwork.

Over the last year, staff from the Departments of Planning & Development, Parks & Properties, Law reviewed all of the City-owned property to determine their current status and to, ultimately, recommend outcomes for the lots that are currently not used for a civic purpose.

In order to enable the CIC to begin to be the vehicle for a streamlined infill and development process, two (2) pieces of legislation are proposed:

- Amendments to Chapter 110, to create a process by which City land can be directly disposed of to the CIC
- Transferring City-owned properties determined to be appropriate for infill housing or as side lots to the CIC – the legislation contains a listing of these properties; they are also publicly available to view here:
<https://clevelandheights.maps.arcgis.com/apps/webappviewer/index.html?id=759972d358b74114a8073755cbd7f1a1>

The two (2) pieces of legislation provide a kick-start for the CIC to begin to fulfill its mission.

Proposed: 8/21/2023

ORDINANCE NO. 128-2023(PD),
First Reading

By Mayor Seren

An Ordinance amending Chapter 110, *City Property Disposition*, of the Codified Ordinances of Cleveland Heights to permit transfer of tax-foreclosed and donated-in-lieu-of-foreclosure properties to the Cleveland Heights Community Improvement Corporation.

WHEREAS, the City owns many abandoned and foreclosed properties; and

WHEREAS, last year the City commenced the re-activation of the Community Improvement Corporation ("CIC"), which was inactive during part of the pandemic, with the intent of furthering residential development in the City; and

WHEREAS, it would be in the best interest of the City and its residents to provide for a statutory simplified procedure by which the Mayor could transfer title to properties which have been received by the City after foreclosure or donated in lieu of foreclosure, subject to notice to City Council.

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

SECTION 1. Chapter 110, *City Property Disposition*, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to adopt and enact a new Section 110.07 to read as follows:

110.07 DISPOSITION OF REAL PROPERTY TO COMMUNITY IMPROVEMENT CORPORATION

The Mayor is hereby authorized to transfer title to real property acquired and received by the City pursuant to foreclosure or donation in lieu of foreclosure to the Cleveland Heights Community Improvement Corporation ("CIC") upon the following terms and conditions if the Mayor has determined that said lot is not needed for municipal purposes:

- (a) Within thirty (30) days after any transfer subject to this Section, the Mayor shall report the sale to the Council.
- (b) The Mayor and Director of Law may adopt rules, not inconsistent with this Section, for the implementation of this Section.

ORDINANCE NO. 128-2023(PD)

SECTION 2. Notice of 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 3. This Ordinance shall take effect and be in force from and after the earliest time permitted 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: 8/21/2023

ORDINANCE NO.129-2023(PD),
First Reading

By Mayor Seren

An Ordinance authorizing the Mayor to transfer title to specified City-owned properties to the Cleveland Heights Community Improvement Corporation.

WHEREAS, the City has acquired many vacant and abandoned properties through the foreclosure process or by donation in lieu of foreclosure; and

WHEREAS, last year the City commenced the re-activation of the Community Improvement Corporation ("CIC"), which was inactive during part of the pandemic, with the intent of furthering residential development in the City; and

WHEREAS, it would be in the best interest of the City and its residents to transfer title to properties owned by the Cleveland Heights Land Reutilization Corporation or otherwise by the City to the Cleveland Heights Community Improvement Corporation (CIC").

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

SECTION 1. The Mayor is authorized to sign deeds, upon forms approved by the Director of Law, and take all other steps necessary to transfer title to all of the real properties listed in Exhibit "A", a copy of which is attached hereto and incorporated herein, to the Cleveland Heights Community Improvement Corporation ("CIC"), which properties are hereby determined not to be needed for City purposes.

SECTION 2. Notice of 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 3. This Ordinance shall take effect and be in force from and after the earliest time permitted by law.

MELODY JOY HART
President of the Council

ORDINANCE NO.129-2023(PD)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor

ORDINANCE NO.129-2023(PD)

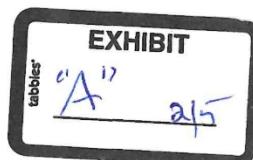
EXHIBIT A

PPN	Infill/Side Lot	Street #	Street Name	Street Suffix	Zoning	Acreage
68101007	Infill	2057	HANOVER	DR	A	0.40
68102010	Infill	850	HELMSDALE	RD	A	0.22
68102025	Infill	907	CALEDONIA	AVE	A	0.25
68102091	Infill	868	ELOISE	DR	A	0.30
68104006	Infill	954	DRESDEN	RD	A	0.27
68104010	Infill	940	DRESDEN	RD	A	0.27
68104019	Infill	920	DRESDEN	RD	A	0.19
68104030	Infill	923	BRUNSWICK	RD	A	0.20
68104036	Infill	945	BRUNSWICK	RD	A	0.26
68104043	Side Lot		BRUNSWICK	RD	A	0.01
68104075	Infill	932	BRUNSWICK	RD	A	0.23
68105014	Infill	1019	CALEDONIA	AVE	A	0.30
68105041	Infill	1030	NELAVIEW	RD	A	0.24
68105070	Infill	1049	HELMSDALE	RD	A	0.33
68106031	Infill	889	HELMSDALE	RD	A	0.19
68106045	Infill	866	NELAVIEW	RD	A	0.20
68106063	Infill	851	NELAVIEW	RD	A	0.20
68106065	Infill	859	NELAVIEW	RD	A	0.20
68106104	Infill	869	GREYTON	RD	A	0.21
68106118	Infill	870	SELWYN	RD	A	0.15
68107035	Infill	924	SELWYN	RD	A	0.16
68107036	Infill	920	SELWYN	RD	A	0.16
68107053	Infill	949	WHITBY	RD	A	0.20
68107083	Infill	943	GREYTON	RD	A	0.19
68107084	Infill	945	GREYTON	RD	A	0.19
68107089	Infill	963	GREYTON	RD	A	0.21
68107091	Infill	971	GREYTON	RD	A	0.22
68107116	Infill	927	NELAVIEW	RD	A	0.20
68107117	Infill	931	NELAVIEW	RD	A	0.20
68107127	Infill	965	NELAVIEW	RD	A	0.20
68107137	Infill	950	NELAVIEW	RD	A	0.20
68107161	Infill	945	HELMSDALE	RD	A	0.20
68108008	Infill	1013	NELA VIEW	RD	A	0.20
68108023	Infill	1063	NELAVIEW	RD	A	0.24
68108065	Infill	1031	GREYTON	RD	A	0.75
68108105	Infill	1020	GREYTON	RD	A	0.20
68108106	Infill	1016	GREYTON	RD	A	0.20
68108107	Infill	1014	GREYTON	RD	A	0.20
68109109	Infill	3427	SPANGLER	RD	A	0.20
68109110	Infill	3423	SPANGLER	RD	A	0.20
68109114	Infill	3409	SPANGLER	RD	A	0.20
68110082	Infill	3366	HENDERSON	RD	A	0.21
68120025	Infill		MAYFIELD	RD	MF1	0.58
68125024	Infill*	3124	EASTWICK	RD	A	0.77
68134012	Infill	3506	MONTICELLO	BLVD	A	0.32
68134125	Infill	3580	MONTICELLO	BLVD	A	0.32

EXHIBIT

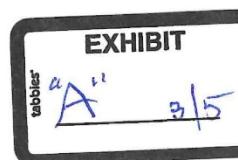
"A" *115*

68136066 Infill	1083	PEMBROOK	RD	A	0.24
68136091 Infill	1075	ELBON	RD	A	0.21
68137012 Infill	990	WOODVIEW	RD	A	0.39
68137109 Infill	966	PEMBROOK	RD	A	0.26
68137123 Infill	997	PEMBROOK	RD	A	0.21
68137125 Infill	1005	PEMBROOK	RD	A	0.24
68137130 Infill	1029	PEMBROOK	RD	A	0.24
68137140 Infill	1020	RUSHLEIGH	RD	A	0.31
68137161 Side Lot		WOODVIEW	RD	A	0.01
68138041 Infill	907	ELBON	RD	A	0.21
68204061 Infill	3649	BRINKMORE	RD	A	0.35
68209050 Infill	846	LECONA	DR	A	0.20
68210016 Infill	3596	RANDOLPH	RD	A	0.17
68210035 Infill	875	LECONA	DR	A	0.20
68210036 Infill	879	LECONA	DR	A	0.20
68210039 Infill	891	LECONA	DR	A	0.20
68210082 Infill	892	CLARENCE	RD	A	0.20
68211007 Infill	3655	RANDOLPH	RD	A	0.26
68211008 Infill	3657	RANDOLPH	RD	A	0.22
68211014 Infill	3671	RANDOLPH	RD	A	0.22
68211016 Infill	3683	RANDOLPH	RD	A	0.33
68211021 Infill	3695	RANDOLPH	RD	A	0.22
68211027 Infill		RANDOLPH	DR	A	0.24
68211028 Infill					0.22
68211061 Infill	923	YELLOWSTONE	RD	A	0.21
68211066 Infill	903	YELLOWSTONE	RD	A	0.20
68211084 Infill	947	VINESHIRE	RD	A	0.24
68213063 Infill	982	OXFORD	RD	A	0.29
68217001 Infill	911	MONTFORD	RD	A	0.44
68218037 Infill	846	QUARRY	DR	A	0.26
68220021 Infill	1030	RENFIELD	DR	A	0.33
68222062 Infill	3872	MONTICELLO	BLVD	A	0.25
68223027 Infill	1103	HILLSTONE	RD	A	0.30
68223053 Infill	3986	DELMORE	RD	A	0.29
68223083 Infill	3997	BLUESTONE	RD	A	0.29
68228040 Infill	1227	CLEVELAND HEIGHTS	BLVD	A	0.29
68230068 Side Lot		ROANOKE	RD	A	0.21
68231031 Infill	1175	QUILLIAMS	RD	A	0.18
68231106 Infill	3822	DELMORE	RD	A	0.24
68231109 Infill	3812	DELMORE	RD	A	0.22
68231112 Infill	3800	DELMORE	RD	A	0.24
68231116 Infill	3784	DELMORE	RD	A	0.29
68233065 Infill	1137	YELLOWSTONE	RD	A	0.24
68234030 Side Lot		RUSHLEIGH	RD	A	0.03
68234051 Side Lot		MONTICELLO	BLVD	A	0.09
68234059 Infill	1125	YELLOWSTONE	RD	A	0.24
68235011 Infill	989	RUSHLEIGH	RD	A	0.25



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68235028 Infill	2406	NOBLE	RD	MF2	0.38
68235031 Infill		NOBLE	RD	MF2	0.28
68235035 Infill	996	QUILLIAMS	RD	A	0.22
68235073 Side Lot	983	YELLOWSTONE	RD	MF2	0.34
68235079 Infill	980	YELLOWSTONE	RD	A	0.28
68306002 Infill	3865	MAYFIELD	RD	A	0.22
68310030 Infill	1680	MAPLE	RD	A	0.25
68318048 Infill	3599	ANTISDALE	RD	A	0.27
68318111 Side Lot		HARVEY & STAUNTON		A	0.08
68318112 Side Lot		HARVEY & STAUNTON		A	0.10
68319027 Infill		ANTISDALE & REVERE		A	0.32
68323022 Infill	3629	GROSVENOR	RD	A	0.18
68324032 Infill	2037	STAUNTON	RD	A	0.23
68324055 Infill	3643	GROSVENOR	RD	A	0.18
68401003 Infill	1622	COVENTRY	RD	B	0.28
68401006 Infill	1632	COVENTRY	RD	B	0.25
68401007 Infill	1634	COVENTRY	RD	B	0.25
68401008 Infill	1640	COVENTRY	RD	B	0.25
68401026 Infill	1720	COVENTRY	RD	B	0.34
68401027 Infill	1724	COVENTRY	RD	B	0.36
68401037 Infill	1697	COVENTRY	RD	B	0.23
68401039 Infill	1691	COVENTRY	RD	B	0.22
68401047 Infill	1661	COVENTRY	RD	B	0.23
68401048 Infill	1655	COVENTRY	RD	B	0.23
68401060 Infill	2807	AVONDALE	AVE	B	0.22
68401069 Infill	1638	GLENMONT	RD	B	0.29
68401095 Infill	1681	GLENMONT	RD	B	0.26
68402001 Infill	2855	AVONDALE	AVE	B	0.28
68402045 Infill	1667	EDDINGTON	RD	B	0.23
68402055 Infill	1648	HILLCREST	RD	B	0.20
68409012 Side Lot		EUCLID HEIGHTS	BLVD	P	0.03
68410025 Infill	1770	LEE	RD	B	0.43
68410031 Infill	1748	LEE	RD	A	0.39
68411012 Infill	1840	LEE	RD	B	0.19
68411013 Infill	1836	LEE	RD	B	0.18
68422054 Infill	3123	EAST DERBYSHIRE	RD	B	0.31
68422081 Infill	3100	EAST DERBYSHIRE	RD	B	0.31
68424050 Infill	1841	LEE	RD	A	0.30
68424051 Infill	1837	LEE	RD	A	0.33
68425034 Infill	3227	REDWOOD	RD	A	0.26
68425059 Infill	14514	SUPERIOR	RD	A	0.25
68426067 Infill	3402	BERKELEY	RD	A	0.26
68428042 Infill		BEECHWOOD	AVE	A	0.31
68428092 Infill	3321	DESOTA	AVE	B	0.25
68428094 Infill	3317	DESOTA	AVE	B	0.20
68428099 Infill	3308	DESOTA	AVE	B	0.16
68428102 Infill	3320	DESOTA	AVE	B	0.18



68428103 Infill	3324	DESOTA	AVE	B	0.23
68428104 Infill	3328	DESOTA	AVE	B	0.25
68428105 Infill	3332	DESOTA	AVE	B	0.23
68428109 Infill	3354	DESOTA	AVE	B	0.23
68429051 Infill	3396	DESOTA	AVE	B	0.29
68429056 Infill	3420	DESOTA	AVE	B	0.23
68429066 Infill	3427	DESOTA	AVE	B	0.18
68429067 Infill	3421	DESOTA	AVE	B	0.25
68429068 Infill	3417	DESOTA	AVE	B	0.25
68429069 Infill	3413	DESOTA	AVE	B	0.25
68429089 Infill	3432	ALTAMONT	AVE	B	0.23
68429092 Infill	3444	ALTAMONT	AVE	B	0.12
68429102 Infill	3411	ALTAMONT	AVE	B	0.22
68430008 Infill	3201	EUCLID HEIGHTS	BLVD	MF2	0.28
68430009 Infill	3205	EUCLID HEIGHTS	BLVD	MF2	0.25
68430040 Infill		LEE	RD	MF2	0.05
68431032 Infill	3294	DESOTA	AVE	B	0.16
68431034 Infill	3286	DESOTA	AVE	B	0.16
68431039 Infill	3266	DESOTA	AVE	B	0.21
68431073 Infill	3281	ALTAMONT	AVE	A	0.29
68432035 Infill	3211	SYCAMORE	RD	B	0.30
68432037 Infill	3223	SYCAMORE	RD	B	0.30
68432049 Infill	3190	WHITETHORN	RD	A	0.30
68432056 Infill	3160	WHITETHORN	RD	A	0.30
68433004 Infill	3228	SYCAMORE	RD	B	0.30
68433007 Infill	3212	SYCAMORE	RD	B	0.30
68433008 Infill	3206	SYCAMORE	RD	B	0.30
68433026 Infill	1689	LEE	RD	A	0.36
68433034 Infill	3171	OAK	RD	A	0.30
68433052 Infill	3247	OAK	RD	B	0.20
68433053 Infill	3249	OAK	RD	B	0.21
68433064 Infill	1687	COLONIAL	DR	B	0.19
68433072 Infill		IVYDALE	RD	B	0.17
68436028 Infill	1481	RYDALMOUNT	RD	A	0.38
68437031 Infill	1535	RYDALMOUNT	RD	A	0.38
68503003 Side Lot		OVERLOOK	RD	A	0.04
68609010 Infill	13074	CEDAR	RD	B	0.30
68701081 Infill	3250	EAST OVERLOOK	RD	A	0.28
68705024 Infill	2107	GOODNOR	RD	A	0.21
68705036 Infill	13367	CEDAR	RD	A	0.26
68706036 Infill	3285	KILDARE	RD	A	0.22
68707060 Infill	13358	CEDAR	RD	A	0.19
68707078 Infill	3377	KILDARE	RD	A	0.22
68707090 Side Lot	3425	KILDARE	RD	A	0.30
68707107 Infill	3364	KILDARE	RD	A	0.20
68710025 Infill	2260	TAYLOR	RD	A	0.20
68710093 Infill	3384	SILSBY	RD	A	0.20

EXHIBIT

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68710105 Infill	3421	SILSBY	RD	A	0.21
68715117 Infill	3520	SILSBY	RD	A	0.22
68715124 Infill	3452	SILSBY	RD	A	0.16
68718020 Infill	3417	EAST FAIRFAX	RD	A	0.39



Proposed: 8/21/2023

RESOLUTION NO. 130-2023(MSES),
First Reading

Introduced by Mayor Seren

A Resolution authorizing the Mayor to execute a contract with Nutter Consulting for professional services for the preparation of a Climate Action and Resiliency Plan; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights (the "City") has identified taking action and building resiliency to climate change and its impacts as important for the future of the City and its residents; and

WHEREAS, there is a consensus among leading climate scientists that the emissions of greenhouse gases generated from human activities causes global warming, which has led to a changing climate and its negative impacts to human health and resources; and

WHEREAS, global climate change has led to an increased incidence of extreme weather events and its negative impacts on socio-economic activities; and

WHEREAS, the City recognizes that embarking on efforts aimed at reducing greenhouse gases will have several co-benefits such as improved air quality and public health, energy security, social equity, vibrant natural environment, and enhanced quality of life; and

WHEREAS, developing a well-thought-out response to climate change positions the City to be a leader in a green economy; developing goods and services required to transition to a climate-resilient future; and

WHEREAS, the City is committed to enhancing quality of life and meeting the needs of the present generation without compromising the ability of future generations to meet their needs; and

WHEREAS, the City will review and analyze the City's existing climate-related policies, plans, programs, and governance structure, as well as any regional planning documents and resources, that will provide the foundation for the climate action and resiliency planning; and

WHEREAS, the City will analyze the emissions of greenhouse gases in the City and develop an emissions reduction pathway and specific science-based targets; and

RESOLUTION NO. 130-2023(MSES)

WHEREAS, the City will analyze its vehicle fleet, develop specific recommendations and determine a method for conducting periodic updates to the analysis; and

WHEREAS, the City will conduct an assessment to determine how vulnerable its residents, infrastructure, and resources are to the impacts of a changing climate; and

WHEREAS, the City will analyze how local demographic groups have been underrepresented in building resilience to climate change and its impacts and pursue strategies to ensure environmental justice; and

WHEREAS, the City will conduct a visioning and goal-setting process with stakeholders to establish clear objectives the City seeks to achieve by preparing a climate action and resilience plan and define commitments; and

WHEREAS, the City will engage a broad array of stakeholders and the entire community to frame the issues, identify the challenges, develop ideas for solutions, present the draft findings, refine ideas and present final recommendations, launching the plan, and identify roles and responsibilities; and

WHEREAS, the City will focus on Materials and Waste, Energy Use, Natural Areas/Land Use, Food Systems, Water and Wastewater, Transportation, Air Quality, and Public Health and Climate Equity but may also provide other co-benefits, as core areas for strategy development based on carbon mitigation recommendations; and

WHEREAS, the City will prepare a draft Climate Action and Resilience Plan which will be reviewed by stakeholders and staff, posted on the city's website for public comments, and presented at a public forum; and

WHEREAS, the City will revise the plan to reflect public, stakeholder and staff comments, and make it ready to publish and present it at a public meeting or at a City Council meeting; and

WHEREAS, the City will craft a "climate-focused" annual and long-term capital plan and budget which addresses recommendations to facilitate the implementation of priority projects, identification of key metrics and tools to track progress on carbon mitigation and adaptation to climate impacts, and funding opportunities and partnerships to aid in implementation; and

WHEREAS, the City solicited bids for the preparation of climate action and resilience services through an RFP process; and

WHEREAS, the City received seven (9) responses, which were all deemed complete; and

RESOLUTION NO. 130-2023(MSES)

WHEREAS, each of the responses were first reviewed by the Department of Planning and Development; and

WHEREAS, after evaluating responses, Planning & Development staff recommended to the Mayor that Nutter Consulting, with offices located at 3145 Geary Blvd, #464, San Francisco, CA 94118, would provide the best service to the City; and

WHEREAS, the cost of the services to be provided by Nutter Consulting is not to exceed Ninety-nine Thousand, One Hundred Dollars (\$99,100.00) and is already budgeted for this fiscal year through the City's Management Consultant Contracts line; and

WHEREAS, the Mayor has recommended that the services offered by Nutter Consulting best meet the City's needs; and

WHEREAS, this Council wishes to authorize a contract with Nutter Consulting, for the preparation of a Climate Action and Resiliency Plan.

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 a contract with Nutter Consulting to prepare a Climate Action and Resiliency Plan. The contract shall be in accordance with the terms and conditions set forth in the proposed agreement for professional services submitted by Nutter Consulting, a copy of which is on file with the Clerk of Council and Finance Department. Compensation for the services detailed therein shall not exceed the sum of Ninety-nine Thousand, One Hundred Dollars (\$99,100.00). 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 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 inhabitants of the City of Cleveland Heights, such emergency being the need to prepare the Climate Action and Resilience Plan 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.

RESOLUTION NO. 130-2023(MSES)

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved by Mayor: _____

KAHLIL SEREN
Mayor

Proposed: 8/07/2023

RESOLUTION NO. 122-2023(COTW),
Second Reading

By Councilmember Cuda

A Resolution allocating Five Thousand Dollars (\$5,000.00) to Future Heights by City Council to serve as a co-sponsor of the 2023 Heights Music Hop; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Future Heights Music Hop has been a successful yearly event held in September for the past 10 years; and

WHEREAS, the Music Hop sponsorships rely heavily on businesses coming up with a sizeable portion of the money necessary to pay for the event; and

WHEREAS, our business districts are still struggling to recover from the economic effects of Covid; and

WHEREAS, the budget for the Music Hop is in excess of Thirty-two Thousand Dollars (\$32,000.00) and would put a heavy burden on the businesses involved in the event; and

WHEREAS, Future Heights has been a reliable partner working closely with the City on a number of projects including the Future Homes initiative; and

WHEREAS, the City of Cleveland Heights is known as "Home to The Arts".

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

SECTION 1. This Council hereby allocates the sum of Five Thousand Dollars (\$5,000.00) from unencumbered general funds to Future Heights for the partial operating costs, and to be a sponsor of the Heights Music Hop to be held on September 23, 2023.

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 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 make the contribution on a timely basis. Wherefore, provided it receives the affirmative

RESOLUTION NO. 122-2023(COTW)

vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and become immediately effective 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: 8/7/2023

RESOLUTION NO. 124-2023(AS),
Second Reading

By Mayor Seren

A Resolution confirming the Mayor's appointment of Danny R. Williams as City Administrator for the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, pursuant to Article IV of the Charter of the City of Cleveland Heights, the City Administrator shall be appointed by the Mayor, subject to confirmation by Council; and

WHEREAS, the Mayor has appointed Danny R. Williams to the position of City Administrator on the basis of his executive and administrative training and experience; and

WHEREAS, the Council elects to confirm the Mayor's appointment of Danny R. Williams to the position of City Administrator; and

WHEREAS, it is necessary that this Resolution become immediately effective in order to comply with Charter requirements and to provide for the uninterrupted, efficient provision of critical services by the City of Cleveland Heights and the effective daily operation of city government.

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, Ohio hereby confirms the Mayor's appointment of Danny R. Williams to serve as the City Administrator upon his taking the oath of office.

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.

RESOLUTION NO. 124-2023(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 to fill the vacancy in the position of City Administrator at the earliest possible date. 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 8/21/2023

RESOLUTION NO. 131-2023(CRR),
First Reading

By Mayor Seren

A Resolution joining communities throughout the nation in proclaiming September 2023, *Prostate Cancer Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer-related deaths among men; and

WHEREAS, this year, approximately 268,490 men will be diagnosed with prostate cancer in the United States and roughly 34,500 men will die this year from the disease, which is one man every 15 minutes; and

WHEREAS, 1 in 8 men are diagnosed with prostate cancer; and

WHEREAS, African American men are at the highest risk for the disease with a rate of 1 in 6 men and are more than twice as likely to die from prostate cancer; and

WHEREAS, prostate cancer can be a serious disease, but most men diagnosed with prostate cancer do not die from it; and

WHEREAS, more than 3.1 million men in the United States who have been diagnosed with prostate cancer at some point are still alive today; and

WHEREAS, early detection offers the best hope for living cancer free for a long time; if caught early, prostate cancer has a five-year survival rate of nearly 100%; and

WHEREAS, all men are at risk for prostate cancer; and

WHEREAS, this Council encourages all the residents of Cleveland Heights to help increase awareness of the importance of prostate screenings.

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

SECTION 1. This Council hereby proclaims September 2023 *Prostate Cancer Awareness Month* and urges the community to join in activities to increase the awareness and prevention of prostate cancer.

RESOLUTION NO. 131-2023(CRR)

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 the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to pass this Resolution on a timely basis. Wherefore, provided it receives the affirmative vote of five 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 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: 8/21/2023

RESOLUTION NO. 132-2023(MSES), *First Reading*

By Mayor Seren

A Resolution proclaiming September 2023, *National Preparedness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Department of Homeland Security established the month of September as National Preparedness Month to remind us that we all must prepare ourselves and our families now and throughout the year; and

WHEREAS, in February 2003, the Department of Homeland Security launched “Ready,” a national public service campaign, to educate and empower the American people to prepare for, respond to and mitigate emergencies, including man-made and natural disasters; and

WHEREAS, in light of the devastating hurricanes and wildfires of late “Ready” encourages Americans to prepare for disasters and consider the associated costs; and

WHEREAS, the City of Cleveland Heights is honored to take part in the annual observance of *National Preparedness Month* in the hopes that it will lead to a better understanding of the importance of preparedness for disasters.

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

SECTION 1. This Council hereby proclaims the month of September 2023 *National Preparedness Awareness Month* in the City of Cleveland Heights, to encourage public involvement in being prepared and educated about disasters and the aftermath of such events.

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. This Resolution 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 recognize *National Preparedness Month* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more 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. 132-2023(MSES)

MELODY JOY HART
President of the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor:

Approved:

KAHLIL SEREN
Mayor

Proposed: 8/21/2023

RESOLUTION NO. 133-2023(CRR), *First
Reading*

By Mayor Seren

A Resolution proclaiming September 8 – 17, 2023, *Welcoming Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the week of September 8 – 17, 2023 will be a special week with a series of events hosted by Global Cleveland that will bring communities together to celebrate their unity and strong connection with each other, and applaud the benefits of welcoming newcomers to our community; and

WHEREAS, it is important to recognize the efforts of newcomers in Ohio because it is part of our present and an important part of our past; and

WHEREAS, Ohio has thrived because of international newcomers, and the population decline of Northeast Ohio from 1970-2013 has been mitigated by the continuous influx of foreign-born persons who have helped Ohio to grow and develop; and

WHEREAS, most international newcomers are well educated, with a bachelor's degree or higher; and

WHEREAS, according to the New American Economy, immigrant households in Cleveland have \$3.9 billion in spending power which contribute to our federal, state, and local tax bases each year; and

WHEREAS, the economic benefit of international students is very clear: In 2020, international students contributed over \$1.2 billion to the Ohio's economy, making Ohio the 8th most benefited state by foreign students; and helped support over 12,646 Ohio jobs, and the state was able to retain about one-third of international students after graduation; and

WHEREAS, the economic benefit of international students is very clear and these students also help support jobs which require their unique skills and higher education degrees; and

RESOLUTION NO. 133-2023(CRR)

WHEREAS, the greater Cleveland area has a plethora of institutions, organizations, and companies that work together to integrate newcomers; and

WHEREAS, with ample support from the City of Cleveland and other institutions, Cleveland now has 33 cultural gardens and more in development – designed and cultivated by distinct cultural or nationality groups; and

WHEREAS, Cleveland Cultural Gardens represent the diversity and multiculturalism in Cleveland and the greater Cleveland area and holds mission of “peace through mutual understanding,” which has helped people living in Cleveland and the greater Cleveland area become interculturally competent, unprejudiced and more welcoming towards international newcomers and in turn benefits the city and the state through the impact these newcomers have socially, economically and culturally; and

WHEREAS, as we continue with these efforts, we can continue to transform the greater Cleveland area into an international hub of innovation, we can embrace and cultivate a culture of inclusion and shared prosperity, and we can create a platform for internationalization and economic growth; and

WHEREAS, Global Cleveland’s “Welcoming the World” Campaign plays a huge part in continuing the momentum built around shared prosperity in our society, community, city and state; and

WHEREAS, through these efforts Global Cleveland proceeds with its mission to attract, welcome, and connect international newcomers to economic and social opportunities in the greater Cleveland area and Cuyahoga County; and

WHEREAS, Global Cleveland is ‘Strengthening Our City – By Welcoming Our World.’

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

SECTION 1. This Council hereby proclaims September 8, 2023 through September 17, 2023 as *Welcoming Week* in the City of Cleveland Heights and encourages all residents to attend *Welcoming Week* programs and events.

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. 133-2023(CRR)

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 recognize *Welcoming Week* on a timely basis. Wherefore, provided it receives the affirmative vote of five 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 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