

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:30 p.m. to discuss the contents of the City Manager's memo.

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

Staff present: Briley, Butler, Freeman, Lambdin, Mannarino, McRae, Niermann O'Neil, Raguz

Councilwoman Yasinow moved to enter into Executive Session to discuss with an attorney for the public body, claims or disputes involving the public body that, in the judgment of such attorney, appear likely to be the subject of a future claim at 7:27 p.m. The motion was seconded by Councilwoman Roe. Mayor Stephens presiding.

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

Staff present: Briley, Butler, Freeman, Lambdin, Mannarino, McRae, Niermann O'Neil, Raguz

Councilwoman Yasinow moved to end the Executive Session. The motion was seconded by Councilman Ungar. Executive Session concluded at 7:46 p.m.

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

The Council of the City of Cleveland Heights, Ohio, met on the above date at 8:00 p.m., Mayor Stephens presiding.

Council Members present: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

Staff present: Briley, Butler, Freeman, Lambdin, Mannarino, McRae, Niermann O'Neil, Raguz

Mayor Stephens stated, "Good evening and welcome to the Cleveland Heights City Council meeting of Monday, July 20, 2016. We apologize for our slight delay in starting the meeting this evening. Mr. Clerk, would you call the roll please?"

Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

Tom Raguz stated, "All present, Your Honor."

Mayor Stephens stated, "Thank you. At this time, I would like to read into the record a kind of a proclamation/appreciation document. We had one of our long-term staff, someone who had been employed by the City of Cleveland Heights over 25 years, and I want to recognize him this evening, even though he wasn't [able to be] here. I was absent in the last week and so, I'd like this time to go on the record and indicate how grateful and appreciative this City Council's members are to Rick Wagner for his dedicated service to this community of Cleveland Heights. Rick led the City's challenge to maintain our housing stock and our neighborhoods so that we could continue to be competitive and vital with our primary product – housing. His creativity and problem solving, his energy to tackle whatever issue came along and his positive attitude about our community made an impression on all our residents and his colleagues. Rick had as a goal every day to work cooperatively with all of the components in this

community – the real estate agencies, the courts, the lenders, the construction companies, the non-profits. Everything he did, he focused on being good for our City. He was in so many ways the go-to guy on any housing issue. His impact on our community will be felt for many years into the future. On behalf of this City Council and the people of Cleveland Heights, we are grateful to you, Rick, for your years of services to our community. You made a difference on how our quality of housing stock existed and you helped make some programs work right. For that, we are extremely thankful and we wish you well in your new endeavors. On behalf of my colleagues on Council and the staff of the City of Cleveland Heights, thank you, Rick, wherever you are. May you enjoy your Monday nights with your family from here on out. Thank you.

So, next on our agenda is the approval of the regular minutes of City Council. Did we have any changes tonight?”

Councilwoman Dunbar stated, “Just very minor.”

Mayor Stephens stated, “Have you handed them to Mr. Raguz? Councilwoman Roe, did you have some as well?”

Councilwoman Roe stated, “I reviewed the June 6 minutes and I have no corrections.”

Mayor Stephens stated, “Excellent. So, we’ll just pass those along to Mr. Raguz. I can sign that at the appropriate time. Next we have personal communications from citizens. Is there anyone who would like to come to the podium and speak to City Council this evening? Yes, sir, if you’ll approach the podium over here to your right and my left. When you get to the podium, please adjust the microphone because we are recording this session. I need for you to give us your name and your address in Cleveland Heights.”

Mike Reilly stated, “Okay, Mike Reilly. Everybody can hear me?”

Mayor Stephens stated, “Your address?”

Mike Reilly stated, “223 Blackmore, Forest Hills. All good?”

Mayor Stephens stated, “All good. Remember to keep your comments under 5 minutes.”

Mike Reilly stated, “I’ll make them in two minutes. I have a general question about – we’re in the process of going through some changes with the Forest Hills Homeowners Association and I’ve been spending the last year or two trying to get myself up to speed. With the power of the Homeowners Association, HOAs as they’re called, it’s a unique situation in Forest Hills because it’s one of the only inner ring suburbs that has an HOA. I get out to Solon, Twinsburg and whatever; these are all mandated when they build the properties. Now we have at least, we’ve identified at least a dozen homes that are pretty blighted. There are some homes that we call it the church house next to the Forest Hill Church which I think, Madam Mayor, you’re familiar with.”

Mayor Stephens stated, “Very.”

Mike Reilly stated, "You've got the Hereford House. We've been tagging these with names with the walkaway investor in Egypt and so, we are going to be going around the community starting this week and we're going to be getting petitions from neighbors who unfortunately, this is not an existential argument. They actually have to live next to these, what I call toxic waste-dump houses which impact on their property values. Now, I've been in communication with Judge Russell Baron in terms of getting some ideas about how we can think outside the box in dealing with it and he's recommended that we pursue, in the worst case scenario, using covenants which are in the deeds of Forest Hill, to initiate a civil action against the homeowner because it's impacting on everybody's property values. That's not something we necessarily want to go, but I do want to ask one question and then I'm done, which is – we had a situation with a house on Newbury which I understand the Homeowners Association was given or asked to buy a house for \$500 next to Solani gas station and then, two months later, I find out that the Land Bank has picked that up. Now, it's my understanding that – and I may be wrong in this – that a Homeowners Association should be able to initiate action to seize a property working with the City that's vacant so that a Land Bank doesn't necessarily... they're not number two position. They wouldn't be number one. Homeowners would be number two now, or number one. Now, if the Homeowners Association is screwing around, endless meetings, not getting anywhere, something has got to be done with the house and I understand the Land Bank should step up to it, but there's a lot of questions going on within the Homeowners Association that the Land Bank just went ahead and took this house; where it is our position that, 'No, there was a lot of meetings going on,' and you guys decided you didn't know what to do. So, the Land Bank came in and picked it up."

Mayor Stephens stated, "I prefer not to comment on that. I'd like to ask that you work with City staff to follow up on that and let me say that if the Homeowners Association says to the Cuyahoga Land Bank is who I believe you're speaking of..."

Mike Reilly stated, "Right."

Mayor Stephens stated, "Since I have a potential conflict there, what I'm going to say is that – if the Homeowners Association wants to be a primary recipient of properties from the Land Bank, it needs to approach the Land Bank and tell it that. Blanket wise in Forest Hills, it wants to be... to have the first right of refusal or the first right of refusal goes to the City of Cleveland Heights."

Mike Reilly stated, "Okay. Thank you. Answered my question."

Mayor Stephens stated, "That was simple. If there are no other questions or anyone else who'd like to address Cleveland Heights City Council, we'll move along with our agenda. Next is the report of the City Manager. Mrs. Briley."

Report of the City Manager

Tanisha Briley stated, "I have nothing to report this evening, Your Honor. Just enjoying being a champion."

Tom Raguz stated, "Congratulations."

Mayor Stephens stated, "Okay. Report of the Director of Finance Clerk of Council. Mr. Raguz."

Report of the Director of Finance/Clerk of Council

Tom Raguz stated, "I do need to notify Council that three Resolutions of the Board of Zoning Appeals have been received pertaining to variances in the Zoning Code and is requested by the following:

- BZA Cal. No. 3399: John and Jenifer Coakley, 2521 Edgehill Road, to permit a 69% rear yard coverage.
- BZA Cal. No. 3401: New Kenilworth Partners LLC, 14 Kenilworth Mews, to permit a free form paver patio set back 10 to 15 feet from the rear property line.
- BZA Cal. No. 3402: New Kenilworth Partners LLC, 15 Kenilworth Mews to permit a free form paver patio set back 11.5 feet to 15 feet from the rear property line; and lastly
- BZA Cal. No. 3404: William and Debra Patterson, 2260 South Overlook Road, in an "A" single-family district, requesting variance from 1121.12(a)(1) to rebuild a garage 4 feet from the principal building.

Your Honor, I need to make these a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. This is made a Matter of Record and referred to the Planning and Development Committee of City Council and at such a time, as we move to them, their report, that will be part of that section. Is there anything else you'd like to share with us this evening?"

Tom Raguz stated, "I have nothing else tonight, Your Honor."

Mayor Stephens stated, "Thank you. The next committee report is Public Safety and Health. Councilman Seren."

Report of the Public Safety and Health Committee

Councilman Seren stated, "Thank you, Your Honor. I would like to move that we approve Resolution Number 40-2016; a Resolution authorizing the City Manager to enter into an agreement with Life Force Management, Inc., to provide billing, collection, and related services for all ambulance services rendered by the City; and declaring an emergency. This is a three-year term agreement with Life Force."

Vice Mayor Stein stated, "Second."

Mayor Stephens stated, "Thank you. Mr. Raguz, if you would call the roll please."

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Ungar, Yasinow, Dunbar

Nays: None

Tom Raguz stated, "That's seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Resolution Number 40-2016 passes. Next we move on to ... unless you have any comments or statements to make."

Councilman Seren stated, "I have no further comments to make. Thank you."

Mayor Stephens stated, "Thank you. Next we move to the Administrative Services Committee. Councilwoman Roe."

Report of the Administrative Services Committee

Councilwoman Roe stated, "No report, Your Honor."

Mayor Stephens stated, "Thank you. Following the Administrative Services is the Community Relations and Recreation Committee. Vice Mayor Stein."

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, "Thank you, Your Honor. I do have Resolution Number 50-2016; a resolution declaring the week of July 1-7 2016, "Independents Week." Independents Week provides a time to celebrate the independence of the members of the community of Cleveland Heights and the entrepreneurial spirit represented by its core of local independent businesses; and the individual decisions every community member makes today affect the future of Cleveland Heights; and Cleveland Heights' local independent businesses help preserve the uniqueness of the community and give the City a sense of place; and Cleveland Heights' core of independently owned businesses give back to the community in goods, services, time and talent; and the health of Cleveland Heights' economy depends on the support of businesses owned by the City's friends and residents; and Cleveland Heights' independent business owners and employees enrich community members' shopping experiences with their knowledge and passion. Therefore, this Council does hereby proclaim the week of July 1-7, 2016 as Independents Week and salutes our community members and locally owned independent businesses who are integral to the unique flavor of Cleveland Heights and honor their efforts to make Cleveland Heights a desired community to live and work in. I offer Resolution Number 50-2016 for passage."

Mayor Stephens stated, "Mr. Raguz, would you call the roll please?"

Roll Call: Ayes: Seren, Stein, Stephens, Ungar, Yasinow, Dunbar, Roe

Nays: None

Tom Raguz stated, "That's seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. Resolution Number 50-02016 passes. We have an Independents Business Week this week – the first week of July. Is there anything else you'd like to say this evening?"

Vice Mayor Stein stated, "For this committee, that is it."

Mayor Stephens stated, "Okay. Next we have the Finance Committee. Councilman Ungar."

Report of the Finance Committee

Councilman Ungar stated, "Mayor Stephens, I'm happy to move forward with all the resolutions except for the first one. As I advised Council previously, I would ask for permission to abstain on Resolution 44-2016(F) for the simple reason which affects a wonderful organization called Family Connections of Northeast Ohio. My reason is very simple. My wife is a very active member of the Family Connections Board and I don't think it would be appropriate for me to vote on this."

Mayor Stephens stated, "Okay, I'm going to ask Vice Mayor Stein to introduce this resolution please."

Vice Mayor Stein stated, "We first have to vote on that."

Mayor Stephens stated, "Oh, I'm sorry. Thank you."

Councilman Seren stated, "I would move to excuse Councilman Ungar from voting."

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Would you call the roll please?"

Roll Call: Ayes: Stein, Stephens, Ungar, Yasinow, Dunbar, Roe, Seren

 Nays: None

Tom Raguz stated, "Six ayes, Your Honor."

Motion Passed

Mayor Stephens stated, "Your ability to abstain has been approved, Councilman Ungar. Now, Vice Mayor Stein, if you would please."

Vice Mayor Stein stated, "Okay. I have Resolution Number 44-2016; a resolution authorizing the City Manager to enter into an agreement with Family Connections of Northeast Ohio a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Family School Connections Program. The Family Connections of Northeast Ohio is a non-profit corporation with the mission to strengthen families and promote the healthy development of children by providing parent educations, parent support, and activities for families with children from birth to age ten; and Family Connections of Northeast Ohio has established a Family School Connections

Program to provide support to parents and youth; and the amount of funding is to be set at \$20,000.00 and I offer Resolution Number 44-2016 for passage.”

Mayor Stephens stated, “Is there a second? Mr. Raguz, if you would call the roll.”

Roll Call: Ayes: Stephens, Ungar, Yasinow, Dunbar, Roe, Seren, Stein

Nays: None

Tom Raguz stated, “Six ayes, Your Honor.”

Resolution Passed

Mayor Stephens stated, “Resolution Number 44-2016 passes. The next resolution, Councilman Ungar.”

Councilman Ungar stated, “This is a request for a resolution authorizing the City Manager to enter into an agreement with Gesher, which is a non-profit corporation that offers a benefits referral program to help local families access much needed support they will be able to use Community Development Block Grant Funds for the payment of operating expenses, provide compensation therefor and declaring an emergency.”

Mayor Stephens stated, “Is there a second?”

Councilwoman Yasinow stated, “Second.”

Mayor Stephens stated, “Mr. Raguz, would you call the roll please?”

Roll Call: Ayes: Ungar, Yasinow, Roe, Seren, Stein, Stephens

Nays: Dunbar

Councilwoman Dunbar stated, “Against, and I would like to make a statement which is – as much as it pains me to disagree with my Council colleagues, I’m voting against this resolution for a couple of reasons. First, the Citizens Advisory Committee, also known as the CAC, reviewed all the proposals for Community Development Block Grants, also known as CDBG. Gesher requested \$35,000 to support its programs. The CAC voted 14 not to provide funds to Gesher with just one vote in favor. The City staff proposed giving \$5,000 to Gesher as a show of support for the Orthodox Jewish community. Since Council asked the CAC to evaluate proposals for CDBG funds and recommend what to do with our CDBG funds, I’m taking their advice. Secondly, a concern about Gesher is that it seems intended to serve just one ethnic or religious group, not the community as a whole. I found two website links for Gesher in Cleveland: geshercleveland.com, the website for the applicant, says that the purpose of Gesher is to provide Jewish Cleveland families access to benefits and government programs they’re eligible for, but seem to have difficulty accessing due to ‘cultural barriers.’ The other website accessjewishcleveland appears to be an offshoot of the Jewish Federation of Cleveland and provides a comprehensive list of Jewish organizations of all types. This website says that Gesher will serve any person, regardless of

religious affiliation. However, I am told that when CAC members suggest Gesher reach out to our community at large to market its services, Gesher staff seemed uncomprehending. As far as I can make out, all other CDBG funding is for members of the Cleveland Heights community at large, not any of our diverse components although they do end up sometimes being diverse components. So, these are the reasons I'm voting against this issue."

Mayor Stephens stated, "Would you continue the roll call please?"

Tom Raguz stated, "That's six ayes and one nay, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you and the motion passes. We move on to the next resolution please."

Councilman Ungar stated, "Thank you, Mayor Stephens. The next is Resolution 51-2016 to authorize our City Manager to enter into an agreement with the Heights Youth Club, Inc., a non-profit corporation, for the use of CDBG funds to provide funding for assistance with its Project Learn Initiative, also known as The Educational Enhancement Program; and providing compensation therefor; and declaring an emergency. As I'm sure most members of Council know, the Heights Youth Club is a local gem, a not for profit corporation with the mission to provide and safe and positive environment for youth to learn and develop skills related to education, interpersonal growth and community involvement."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Mr. Raguz, would you call the roll please?"

Roll Call: Ayes: Yasinow, Dunbar, Roe, Seren, Stein, Stephens, Ungar

 Nays: None

Tom Raguz stated, "That's seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you and with that, Resolution Number 51-2016 passes. Councilman Ungar, would you move to the next resolution please?"

Councilman Ungar stated, "Sure. This one is 52-2016, right? Lake Erie Ink. Hold on. This is a resolution authorizing the City Manager to enter into an agreement with Lake Erie Ink, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization's after school writing program at Noble School; and providing compensation

therefor; and declaring an emergency. Lake Erie Ink is a non-for-profit corporation with the mission to provide expression opportunities and academic support to youth in the community.”

Mayor Stephens stated, “Do I have a second?”

Councilwoman Yasinow stated, “Second.”

Mayor Stephens stated, “Mr. Raguz, would you call the roll please?”

Roll Call: Ayes: Yasinow, Dunbar, Roe, Seren, Stein, Stephens, Ungar

Nays: None

Tom Raguz stated, “That’s seven ayes, Your Honor.”

Resolution Passed

Mayor Stephens stated, “Resolution Number 52-2016 passes. Councilman Ungar, would you move to the next resolution please?”

Councilman Ungar stated, “Sure, next one is 53-2016. This is a resolution that authorizes City Manager Briley to enter into an agreement with Open Doors Academy, a non-profit corporation, for the use of CDBG funds to provide funding for assistance with the organization’s year-round enrichment program for youth living at risk; providing compensation therefor; and declaring an emergency.”

Councilman Seren stated, “Second.”

Mayor Stephens stated, “Mr. Raguz, would you call the roll please?”

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

Nays: None

Tom Raguz stated, “That’s seven ayes, Your Honor.”

Resolution Passed

Mayor Stephens stated, “And Mr. Ungar, would you move to the next resolution please.”

Councilman Ungar stated, “This is Number 54. This is a resolution authorizing the City Manager to enter into an agreement with the Start Right Community Development Corporation, a non-profit corporation, for the use of CDBG funds for the payment of operating expenses for their Food Bank Program; and providing compensation therefor; and declaring an emergency. For those that don’t know, Start Right Community Development Corp.’s Food Bank provides emergency food supplies to needy families and individuals in the area.”

Mayor Stephens stated, “Is there a second?”

Vice Mayor Stein stated, "Second."

Mayor Stephens stated, "Thank you. Mr. Raguz, would you please call the roll?"

Roll Call: Ayes: Seren, Stein, Stephens, Ungar, Yasinow, Dunbar, Roe

Nays: None

Tom Raguz stated, "Seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. Resolution 54-2016 passes. Councilman Ungar, is there anything else you'd like to share with us this evening?"

Councilman Ungar stated, "One more, but it doesn't have to do with CDBG funds. So, the last one is resolution 55-2016 which authorizes the City Manager to amend the Commercial Loan Agreement with B & W Management, LLC; and declaring an emergency."

Mayor Stephens stated, "Wait, wait, you're going in to Planning and Development."

Councilwoman Dunbar stated, "That's mine."

Councilman Ungar stated, "Oh, I'm sorry."

Mayor Stephens stated, "You're done."

Councilman Ungar stated, "Well, it was pink. I thought it was color coded. I'm the junior member of Council. I'm still trying to figure this out."

Mayor Stephens stated, "We just will ignore that and we'll just edit it mentally."

Councilman Ungar stated, "Sounded like Finance to me. I don't know. Withdrawn. Nothing further."

Mayor Stephens stated, "Okay. Thank you. We now move into Municipal Services. Councilwoman Yasinow."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "Thank you very much, Your Honor. I have no legislation this evening. However, I had the pleasure of talking with you about giving a brief statement about recent events that have impacted our country, our world and our community. We here in the City of Cleveland have a whole lot to be really happy about right now and I by no means wish to put a damper on it, but I would be remiss if this Council did not take a moment and acknowledge the events that have occurred recently in Orlando on the morning of Sunday, June 12, 2016. For those of you watching right now and as you probably know, we experienced the largest mass shooting in U.S. history eight days ago. There

[were] friends, family, brothers, sisters partying at a night club in Orlando. It was a gay night club. It was Latin night and there were people out having a good time at which point a – however you want to call him – a terrorist or domestic terrorist, a madman walked in with an assault rifle AR-15 that he purchase legally, despite being a convicted domestic abuser and twice being investigated by the FBI for terrorist links, came in and murdered 49 innocent souls. We as a community can't not acknowledge what has happened. We can't not acknowledge the sorrow amidst our otherwise joy.

The victims ranged in all shapes, sizes, colors, ethnicities, however, I do want to point out that of the 49 victims, 90% were Latino and 23 of the 49 were Puerto Rican. So, while we properly this is an attack upon Americans, it is also equally important to understand that this was an attack against people who were gay or perceived to be gay. It was an attack upon our Latin American community. It was an attack upon people of color and these victims – they were people who were people's mothers, wives, sons, daughters. The youngest was an 18 year-old girl Akyra Murray. She had just graduated from high school. She was set to go off to college on a full scholarship. She was visiting Orlando with family in celebration of her graduation. She wanted to go and study criminology and she actually escaped Pulse Nightclub, but went back to find her family at which point she did not survive. Another was Brenda McCool, 49 years old, a mother of 11 and a breast cancer survivor, she was dancing with her son. When the shooter came in, she threw herself in front of her son so that he would survive. He did, but she did not. Another victim, though I will not name all of them, actually has a tie to Cleveland. He was 20 years old. His name was Luis Omar Ocasio-Capo. He immigrated to Cleveland in 2003 from Puerto Rico where he was well known and loved in the artistic communities and the LGBT community of Cleveland. His grandmother flew from Cleveland to Florida to bury her grandchild and on that flight, a Jet Blue flight from Cleveland, every single person on that flight came up to her to give her their condolences.

I frankly could go on about the victims – a 22 year-old named Luis Vielma who was in college, who was working at the Harry Potter attraction and who received flowers from J.K. Rowling at his funeral just to say, 'To Luis who died for love.'

These were all people's friends and all people's family and it... I don't think that I as a person or we as a Council have an answer to what we could do to stop this, but I think that there are many wrongs where an individual can legally purchase an assault rifle who could legally do so after being on the terrorist... after being investigated for terrorism, after having domestic violence convictions. I think it's wrong personally that this was an act of terrorism, but it was also an act of hate crime; and the fact that a hate crime against people who are gay or perceived to be gay in the State of Ohio is not a hate crime. To me, that is wrong and the particularly heinous thing is that the majority of hate crimes in the United States according to the FBI are committed against persons who are LGBT or perceive to be LGBT and that when there is a death that results from a hate crime against a person who is LGBT, the majority of... 90% of all of those homicide victims are people of color.

I find the acts that have happened to be particularly egregious because they happened almost one year to the day of the murder of nine innocent souls that Mother Emmanuel AME Church. The epidemic of gun violence, of hate that has infected our country, our community, our state, our country – it comes for us all. It comes for those who are straight, who are gay, colored, black, Latino; it doesn't

matter and we need to love to overcome it. So, I'm not particularly certain what to say other than I believe when I speak for Council when I say that we stand strong. That we stand for love. That we are a community that takes pride in our diversity; that takes pride in the fact that we are the first municipality in the State of Ohio to have domestic partner registry; that we were the first community the State of Ohio to have truly comprehensive LGBT protections, for public accommodations for housing and education and we are a community that welcomes all; and for those who are out there, please let us know your thoughts.

Let us know what you want us to see done as a Council. Let your representatives, your Senators, your Governors – let them know what you want to see done because we can love each other only so much and now we need to bring action. So, thank you.”

Mayor Stephens stated, “Thank you, Councilwoman Yasinow. This is particularly egregious to me because, from my perspective as an African American woman, it was 45 years ago that they were still putting the dogs on my people and calls that allow people to use hate or religion to justify behavior against people, that kills them is wrong; and so as a community based on diversity and our willingness to continue to live in a society where we engage people, we may agree to disagree, but we don't use violence to disagree against people. This is wrong and as you can see, I'm teared up by this and that's why I asked Councilwoman Yasinow to address this issue. While we may not be able to take action, we call our residents to verbally let our federal and state legislators know their perspectives on these issues. Thank you. I'd like to move on now to Planning and Development.”

Councilman Ungar stated, “Could I make one comment before we do?”

Mayor Stephens stated, “Yes.”

Councilman Ungar stated, “Just, I want to thank you, Mayor Stephens. I want to thank you, Councilwoman Yasinow for what you just said. You do – it probably goes without saying – you do speak for me. You said it more eloquently and much more powerfully than I could have, but I really appreciate your comments, both as a citizen and as the most junior member of this Council. I really mean that, so thank you for doing what you just did. It took a lot of guts.”

Councilwoman Yasinow stated, “I hope we don't have to make any other statements to this effect going forward.”

Councilman Ungar stated, “Yeah.”

Mayor Stephens stated, “Thank you. Councilwoman Dunbar.”

Report of the Planning and Development Committee

Councilwoman Dunbar stated, “At this point, we will be going over the Board of Zoning Appeals Calendar Number issues I would like to move to amend the agenda to add Calendar Number 3404 to the cases that Kahlil Seren is going to present regarding the Board of Zoning Appeals.”

Mayor Stephens stated, "Okay, I need to have a vote on amending the agenda. Is that correct, Mr. Juliano?"

Jim Juliano stated, "Yes, Mayor."

Mayor Stephens stated, "I need a second."

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Would you call the roll, Mr. Raguz?"

Roll Call: Ayes: Stein, Stephens, Ungar, Yasinow, Dunbar, Roe, Seren

Nays: None

Tom Raguz stated, "That's seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. We have amended the agenda and I believe now we move to Councilman Seren."

Councilman Seren stated, "Thank you, Mayor, [Councilwoman] Dunbar. All right. First I'd like to move that this Council approve the Board of Zoning Appeals Resolution for Calendar Number 3399: John and Jenifer Coakley, 2521 Edgehill Road, to permit 69% rear yard coverage."

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "If, Mr. Raguz, would you call the roll for Calendar Number 3399?"

Roll Call: Ayes: Stephens, Ungar, Yasinow, Dunbar, Roe, Seren, Stein

Nays: None

Tom Raguz stated, "That's seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Calendar Number 3399 passes and we move on to the next Calendar Number, Council Seren."

Councilman Seren stated, "I move that we approve the Board of Zoning Appeals Resolution for Calendar Number 3401: New Kenilworth Partners LLC, 14 Kenilworth Mews, to permit a free form paver patio set back 10 to 15 feet from the rear property line."

Mayor Stephens stated, "Thank you. Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Mr. Raguz, would you call the roll please?"

Roll Call: Ayes: Ungar, Yasinow, Dunbar, Roe, Seren, Stein, Stephens

Nays: None

Tom Raguz stated, "That's seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. That Calendar Number passes as well. Councilman Seren, would you move on to the next one?"

Councilman Seren stated, "I move that we approve Board of Zoning Appeals Resolution for Calendar Number 3402: New Kenilworth Partners LLC, 15 Kenilworth Mews to permit a free form paver patio set back 11.5 feet to 15 feet from the rear property line."

Mayor Stephens stated, "Thank you. Is there a second?"

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Mr. Raguz, would you call the roll?"

Roll Call: Ayes: Yasinow, Dunbar, Roe, Seren, Stein, Stephens, Ungar

Nays: None

Tom Raguz stated, "Seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. Calendar Number 3402 passes. Councilman Seren, would you move on to the final Calendar Number this evening?"

Councilman Seren stated, "I move that we approve the Board of Zoning Appeals Resolution for Calendar Number 3404: William and Debra Patterson, 2260 South Overlook Road to permit a garage to be rebuilt 4 feet from the principal building."

Mayor Stephens stated, "Is there a second?"

Vice Mayor Stein stated, "Second?"

Mayor Stephens stated, "Thank you. Mr. Raguz, would you call the roll please?"

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow

Nays: None

Tom Raguz stated, "Seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. That completes our Calendar Numbers for the Board of Zoning Appeals this evening. Councilwoman Dunbar, I believe there's another item on your agenda."

Councilwoman Dunbar stated, "Yes. Yes, Your Honor. Tonight I have Resolution Number 55-2016; a resolution authorizing the City Manager to amend the Commercial Loan Agreement with B & W Management, LLC; and declaring an emergency. The City entered into a Commercial Loan Agreement with B & W Management, LLC, on March 2, 2004. Now the borrower has requested that the balloon payment currently due be converted into sixty (60) monthly payments. In addition, the borrower has informed the City that its composition has changed. The City has determined, the Council has determined, it would be in the City's best interest to amend the payment schedule as requested and to add a different guarantor. So, the bottom line is approving this resolution means the City Manager is authorized to amend the Commercial Loan Agreement to convert the remaining balance of \$115,957.98 from a balloon payment of 60 monthly payments, and that's the gist of it. I move that Council vote affirmatively on Resolution Number 55-2016."

Mayor Stephens stated, "Do I have a second?"

Councilman Ungar stated, "Since I prematurely moved it, I'll certainly second it. I make my apologies again to Councilwoman Dunbar."

Mayor Stephens stated, "Thank you. It's all right. It's a rookie mistake."

Councilman Ungar stated, "That's right."

Mayor Stephens stated, "Mr. Raguz, would you call the roll please?"

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Ungar, Yasinow, Dunbar

Nays: None

Tom Raguz stated, "Seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. Resolution Number 55-2016 passes. Councilwoman Dunbar, is there anything else you'd like to share with us this evening?"

Councilwoman Dunbar stated, "Of course. I'd like to cordially invite you all to the Slow Roll Cleveland Bike Ride in Cleveland Heights on Saturday, June 25 from 4:00 – 5:30 p.m. This is a free group bike ride and it normally meets every Monday evening at a different location in Cleveland, but at 4:00 p.m. on Saturday, June 25, Slow Roll will start from the Peace Park at the intersection of Coventry Road and Euclid Heights Boulevard for a 4 to 8 mile bike circuit lasting up to an hour and a half. It's a family friendly ride designed for all ages, skill levels and rider types and it goes slow enough so that just about anyone can ride along and feel comfortable cycling. Lights and helmets are encouraged. The ride will

end where it started at the Coventry Peace Park and from there, riders may join a group heading for one of the restaurants or bars on Coventry. There's an event page on Facebook for this if you Google it.

On another topic, as you probably know, sewer bills will be going out because the Northeast Ohio Regional Sewer District is investing in storm water management upgrades to our sewer system. If you are interested in having the lowest possible sewer rate or boosting your property's ability to absorb storm water, you can attend a program on these topics on Wednesday, June 29, 5:30 – 7:30 p.m. at Lyndhurst Community Center, 1341 Parkview Drive, Lyndhurst. They'll undoubtedly give you this booklet which contains an application and tells you what to do to reduce storm water runoff from your property and how to apply for a resulting credit to your sewer bill.

Finally, also on an environmental note, the Cuyahoga Soil and Water Conservation District will sell you native seed plants packets. These plants have long root systems to hold the soil, slow storm water runoff and provide vital food and habitat for birds, insects, pollinators and many other species. You could choose from plant packets that include packets for shady spots, rain gardens, eastern Great Lakes native pollinators, butterflies and hummingbirds, wildflowers or an annual seed mix. They cost \$15.00 except for the annual which are a bargain at only \$12.00 and they're available until October 15 by filling out a form on the group's website. By the way, this group's newsletter cited Cleveland Heights residents Susan Miller and Carla Routenberg for stenciling storm sewers on streets in the Grant-Deming neighborhood of Cleveland Heights with the message 'Lake Erie Starts Here.' The newsletter also notes that in its 2015 Annual Meeting, Cuyahoga Soil and Water Conservation District presented a conservation award as volunteers of the year to the Cleveland Heights Monitoring Gang which includes some people who are no longer with us such as David Smith, David Murthspa, David and Bobby Ferrell and Ted Woodridge. Excuse me. That's all."

Mayor's Report

Mayor Stephens stated, "Thank you. This evening we've come to the conclusion of our City Council meeting and it's time for the Mayor's Report. As you heard from Councilwoman Yasinow, we had some significant moments of despair beginning with the massacre in Orlando, but also on that same day, for those of us who have been involved in public service in Ohio for significant amounts of time, we lost a champion of good government, George Voinovich. There are several of us in the room who have worked with Mr. Voinovich who was first Mayor Voinovich, then Governor Voinovich, then Senator Voinovich and for me it was particularly important. I was a junior staff in the Department of Economic Development for the City of Cleveland when I first met the gentleman and I use the term gentleman with all due respect and honor. He was a great public servant and at a local level, he said that all politics were about our community, not about our political persuasions and I learned significantly from him. I had the pleasure of traveling as the staff person for him to D.C. to help him lobby for funding for a great Cleveland project. I was honored to serve him more than once and honored that at one point in time he selected me to lead a division of his staff at state government, but I turned it down to do something which I thought was more exciting at the time, but he still liked me and he still liked what I did for Greater Cleveland and my commitment to our community.

I believe that what we do as local servants is very, very important. Sometimes we don't respond as quickly as we can, but this Council and I are committed to serve in this community. We believe it with all our hearts; whether you all are a Democrat or a Republican or an Independent or none of the above because you're completely different because this is Cleveland Heights. We will support your issues and find answers to them and even if we make a different decision, we will still talk to you and we're committed to interact with you because that's why we serve here. We have had moments of joy, like the Cavaliers winning, the equivalent of a lottery ticket for us, but we also have had these moments of despair with the loss in Orlando and the loss of a great statesperson George Voinovich. With that, I know that this community will survive and once again, I close this meeting with God bless America, but God bless Cleveland Heights as well."

The meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Tom Raguz, Clerk of Council

/jkw