

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:32 p.m. to discuss the contents of the City Manager's memo.

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

Staff present: Boland, Briley, Butler, Freeman, Juliano, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Wong

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:45 p.m., Mayor Stephens presiding.

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

Staff present: Boland, Briley, Butler, Freeman, Juliano, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Wong

Mayor Stephens stated, "Good evening and welcome to the Cleveland Heights City Council meeting. Today is Monday, November 7, 2016. We're running about fifteen minutes behind time this evening, but it was all for a good cause on behalf of our residents. Mr. Raguz, would you please call the roll?"

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

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

Mayor Stephens stated, "Thank you. We would like to excuse Mr. Ungar for business reasons and Ms. Roe because she has a critically ill member of her family. Next, we move to the minutes for our Council meeting on October 17. Ms. Councilman Dunbar, did you have time to review them for all of us?"

Councilwoman Dunbar stated, "I do have a few little changes."

Mayor Stephens stated, "Okay. Did you present them to him?"

Councilwoman Dunbar stated, "Not yet, but I will."

Mayor Stephens stated, "Okay. Thank you. At this time, as is the Cleveland Heights way, we welcome personal comments from residents or people interested in Cleveland Heights and I'd like to welcome anyone who would like to speak to the City Council and our staff to come to the podium and speak for three minutes if possible. Is there anyone who'd like to talk with us this evening? No one has anything to say to us this evening? Okay. That's the last chance. We're going to move on with their agenda. I suppose if you have something you'd like to say to an individual Council member after our Council meeting is over; you're welcome to step up and talk to us individually or ask questions of staff after we're done. At this point... Yes?"

Tanisha Briley stated, "You need to approve the minutes."

Mayor Stephens stated, "Oh, I said the minutes, but I didn't approve them did I? With the changes recommended by Councilwoman Dunbar, I'd like to approve those minutes and have them included. Do I need a vote on that?"

Tanisha Briley stated, "Yes."

Mayor Stephens stated, "I had both of you do two different things. I thought I just verbally approved them. How about we let the Law Director settle this?"

Jim Juliano stated, "We prefer a vote, Your Honor. We prefer a vote."

Mayor Stephens stated, "You'd prefer a vote? Okay. I'm going to do a voice vote on this as opposed to a roll call vote. All in favor of these minutes?"

All present Councilmembers stated, "Aye."

Mayor Stephens stated, "I believe these minutes were approved. Report of the City Manager."

Report of the City Manager

Tanisha Briley stated, "Thank you, Your Honor. This evening I have one item to report. Pursuant to Section 171.02(c) of the Cleveland Heights Codified Ordinances, it was determined that there was an emergency need to execute an agreement with VIEVU for the purchase of 80 body cams and related software, warranty, and equipment for the Police Department. The agreement was executed on October 26, 2016, and the expenditure totaled \$72,160. I would like to request a motion to approve the emergency purchase of the body cameras and related equipment."

Mayor Stephens stated, "Thank you. I'd like to refer this to Public Safety and Health Committee of Council, Councilman Seren."

Councilman Seren stated, "Thank you Mayor. All right. I move that Council approve the expenditure for the emergency purchase totaling \$72,160 to VIEVU for the purchase of 80 body cams of related software warranty and equipment for the Police Department."

Mayor Stephens stated, "Is there second?"

Vice Mayor Stein stated, "Second."

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

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

 Nays: None

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

Authority Granted

Mayor Stephens stated, "Thank you. This resolution passes. Thank you. Is there anything else, City Manager Briley?"

Tanisha Briley stated, "I just want to remind everyone that our final budget workshop for our 2017 budget preparation process will be next Monday. So, those interested in attending should do so."

Mayor Stephens stated, "Thank you. Mr. Raguz, it is now time for the Report of the Director of Finance/Clerk of Council."

Report of the Director of Finance/Clerk of Council

Tom Raguz stated, "I need to notify Council that two notices have been received from the Ohio Department of Liquor Control for devising the applications have been made by the following:

- Butter Hospitality, LLC, 2196 Lee Road, Cleveland Heights, Ohio 44118, Transfer D5 and D6 permits from Boys R Back, Inc. dba Lopez & Patio, 2196 Lee Road, Cleveland Heights, Ohio 44118; also
- Nevaeh Cuisine & Catering LLC dba The Fix Bistro & Patios, 2195-97 Lee Road, Cleveland Heights, Ohio 44118, Transfer D5 and D6 permits from 2195 Lee Road, Inc. dba The Fix Bistro & Patios, 2195-97 Lee Road, Cleveland Heights, Ohio 44118

Your Honor, I would like to make this a Matter of Record."

Matter of Record

Mayor Stephens stated, "And we simply refer this to the Public Safety and Health Committee of Council and the Law Director and City Manager for review, correct? Thank you. Is there anything else that you'd like to refer to Council this evening?"

Tom Raguz stated, "I also need to notify Council that a resolution of the Board of Zoning Appeals has been received pertaining to variances in the Zoning Code and is requested by the following: BZA Cal. No. 3408: Peter Wenczer and Barbara Ryan, 2643-45 Hampshire Road, to permit construction of a two car garage and allow 3.5 foot rear and side yard garage and setbacks. Your Honor, I would like to make this a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. We'll refer this to the Planning and Development Committee which will be later in our agenda this evening."

Tom Raguz stated, "That's all I have to report tonight, Your Honor."

Mayor Stephens stated, "Thank you. Now we move on to Committee reports. First is the Community Relations and Recreation Committee, Vice Mayor Stein.

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, "Thank you. This committee does not have a report tonight.

Mayor Stephens stated, "Any other comments from you this evening?"

Vice Mayor Stein stated, "Not this evening."

Mayor Stephens stated, "Thank you. Next we move to the Finance Committee and Councilman Ungar is not present this evening, so we need the Vice Chair of this Committee. Is that you? Councilman Yasinow. If you would take care of these for us."

Report of the Finance Committee

Councilwoman Yasinow stated, "I would be happy to, Your Honor. This is Resolution Number 96-2016 for consideration this evening. This is a resolution authorizing the City Manager to enter into an amended agreement with Tyler Technologies, Inc. formerly New World Systems Corporation for finance and payroll software upgrades and maintenance and providing compensation therefore; whereas in 1989, the City purchased and installed financial and payroll software systems from New World Systems Corporation and entered into subsequent upgrades for same, whereas on Nov 16, 2015, New World merged with and into Tyler Technologies, Inc., and where is Tyler Technologies, Inc. is the surviving entity has submitted an amendment agreement that offers upgraded finance software in payroll and human resources software and related installation training and maintenance. I hereby recommend that the City Manager be authorized to execute an amended agreement with Tyler Technologies for said software systems with the amended agreement being substantially similar to the proposed agreement on file with the Clerk of Council and shall be for a sum not to exceed \$334,800, and declaring an emergency this evening."

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: Stein, Stephens, Yasinow, Dunbar, Seren

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes and we move on to - is there anything else from the Finance Committee?"

Councilwoman Yasinow stated, "Nothing from Finance Committee, Your Honor."

Mayor Stephens stated, "Thank you. We move on to Municipal Services which I believe is still your show."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "You are correct. All right. We have, first up this evening; I have Resolution Number 97-2016. This is a resolution authorizing an agreement with Network Dynamics, Inc. for the purchase of network infrastructure equipment and providing compensation therefore and declaring an emergency; whereas the central components of the need a network of the needed network infrastructure equipment are available through Network Dynamics, Inc. for \$99,636 which is \$28,000 below the Ohio Department of Administrative Services Cooperative Purchasing Program price; whereas needed related equipment which does not require competitive been bidding under our local codes because the value is less than \$50,000 is also available through Network Dynamics, Inc. at below market prices. I hereby recommend the passage of Resolution 97-2016; wherein the City Manager be authorized to execute an agreement with Network Dynamics, Inc. for the purchase of installation of a network infrastructure specifically 28 Cisco catalyst managing switches, two Arista fiber switches fiber patch cables, fiber transceiver modules, and installation with the agreement not to exceed the sum of \$140,000, and declaring an emergency this evening."

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: Stephens, Yasinow, Dunbar, Seren, Stein

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes. Next, we have Resolution 98-2016, Councilwoman Yasinow."

Councilwoman Yasinow stated, "Thank you very much. I have a resolution authorizing the Ohio Department of Transportation, otherwise known as ODOT to conduct Bridge Inspection Program services within Cleveland Heights and authorizing the City Manager to enter into any contract with ODOT needed to complete said project; whereas ODOT recently launched a new program called The Bridge Inspection Program Services to assist municipalities to achieve full compliance with Federal Highway Administration's bridge metrics; whereas the Bridge Inspection Program Services shall include, but are not limited to bridge load rating calculations, scour assessment, bridge inspections and fracture critical plan development and is fully funded by ODOT; and whereas the City Manager in consultation

with the Director of Public Works has recommended that the City opt into its ODOT's Bridge Inspection Services Program. I hereby recommend the passage of this resolution this evening wherein the City Manager be authorized to opt into the program offered by the State of Ohio ODOT called The Bridge Inspection Services Program with the State of Ohio assuming and bearing 100% of all costs for the project requested by Cleveland Heights and agreed to by the State and declaring an emergency this evening."

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, Seren, Stein, Stephens

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes and is there anything else you'd like to share with us from Municipal Services?"

Councilwoman Yasinow stated, "No other resolutions or consideration this evening, but I believe when this program will be shown to residents on our cable channel - what time will that be available for citizens to view?"

Mayor Stephens stated, "It begins late tonight, first thing in the morning."

Councilwoman Yasinow stated, "Late tonight, so the election will not be over by the time you see this. I am sorry, but for those who are watching, if it is not too late, I recommend that you please go out and vote. The franchise is one our most prized rights, duties and responsibilities as American citizens. I urge my fellow residents of Cleveland Heights or anybody who is watching the Cleveland Heights City Council for fun to please go out and vote. Find your board. If you have any questions about your voting location, please visit the Cuyahoga County Board of Elections website, and for anybody watching who may be a resident of the Cleveland Heights or University High School System, please support Issue 109 tomorrow. Thank you very much and that is all that I have this evening, Your Honor."

Mayor Stephens stated, "Thank you. We then move on to the Planning and Development Committee of Council, Councilwoman Dunbar."

Report of the Planning and Development Committee

Councilwoman Dunbar stated, "I'm pleased to offer Resolution Number 93-2016 on second reading for approval tonight. This is a resolution authorizing the City Manager to submit the Community

Development Block Grant Entitlement Application for the year beginning January 1, 2017 and declaring an emergency. Since this is on second reading, I'm not going to say too much about it except that it funds a great deal of staff activity in the City of Cleveland Heights and also work of a number of non-profits in the City with two goals in mind. One is to ensure the availability and sustainability of decent housing and a suitable living environment for all Cleveland Heights residents and secondly, to expand opportunities for persons of low and moderate income. I recommend to my fellow Councilperson that we - I actually move that we adopt this or approve this resolution this evening."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Mr. Raguz, if you'd call the roll please."

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

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Before we move on, this Community Development Block Grant Entitlement that we receive every year - it exceeds \$1.4 million. It is a tremendous boost for this community and allows us to access other funds from the U.S. Department of Housing and Urban Development. I am so glad and proud of the fact that we've been able to maintain our entitlement status. It's very important to us and it helps us stretch our tax base dollars from local sources of revenue much further.

Let's move on to Public Safety and Health unless you have something else to say."

Councilwoman Dunbar stated, "Of course I do."

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

Councilwoman Dunbar stated, "On Saturday, November 19, people are encouraged to come to City Hall right here at 10:30 on their bicycles to participate in an event called Cranksgiving which has been going on since it was begun in 1989 by messengers in New York. There have been five, or excuse me, four Cranksgivings so far in the City of Cleveland and this year Bike Cleveland is bringing it to Cleveland Heights assisted by Heights Bicycle Coalition and the City of Cleveland Heights. What happens is people bicycle around to markets and make purchases as requested by a couple of our food centers and bring them back and then we distribute them and give them to two - this year it will be the Heights Emergency Food Center and the Start Right Food Center. So, it's actually a very good, nice way to kick off the Thanksgiving celebration and so I encourage anybody who would like to come to do so. You can even come and just walk over to Dave's if you'd like, if you don't want to ride your bike and participate that way."

Mayor Stephens stated, "Oh, that's cool. I could walk from my house, here, then walk over to Dave's and back."

Councilwoman Dunbar stated, "Yeah."

Mayor Stephens stated, "That works. I remember that I needed to move to Councilman Seren, but I forgot that we also needed to do a Board of Zoning Appeals resolution. So, if you would refer that to him."

Councilwoman Dunbar stated, "Okay, I would prefer the Board of Zoning Appeals issue to Kahlil Seren."

Councilman Seren stated, "A point of order. We have a request to amend this which needs to be in writing."

Mayor Stephens stated, "And we can just write it at the bottom and hand it to the Law Director."

Councilman Seren stated, "All right, then I would I would need the language of the... we need to amend it before we pass it. The language is a fifth... a fourth item, moving the item that is on the backside as to number five; that a landscaping plan be submitted to the Director of Planning and Development for review and approval."

Councilman Seren stated, "All right. Okay. Submit. So, submit a land..."

Mayor Stephens stated, "I got it. I wrote it down."

Councilman Seren stated, "I just - I'm going to read it out in my motion - submit a landscaping plan to the..."

Mayor Stephens stated, "Director of Planning and Development for review and approval."

Councilman Seren stated, "All right, then I move that we amend this Calendar Number 32408 from the Board of Zoning Appeals to add a fourth requirement to Section 3 reading, 'submit a landscaping plan to the Director of Planning and Development for review and approval.'"

Mayor Stephens stated, "Is there a second?"

Councilwomen Dunbar and Yasinow stated, "Second."

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

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

Nays: None

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

Resolution Passed

Mayor Stephens stated, "So, it's been amended. Now, the original resolution, please."

Councilman Seren stated, "Thank you, Mayor. I move that we approve Calendar Number - Board of Zoning Appeals Calendar Number 3408 as amended."

Mayor Stephens stated, "Okay, don't we even need to get the address on the record?"

Councilman Seren stated, "All right. I can do that. I move that we approved Board of Zoning Appeals Calendar Number 3408 for Peter Wenczer and Barbara Ryan, 2643-45 Hampshire Road, to permit construction of a two car garage and allow 3.5 foot rear and side yard garage and setbacks as amended."

Mayor Stephens stated, "Thank you. Mr. Raguz, oh, second?"

Vice Mayor Stein and Councilwoman Dunbar stated, "Second."

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

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

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Now we move on to Public Safety and Health Committee Mr. Councilman Seren."

Report of the Public Safety and Health Committee

Councilman Seren stated, "Thank you, Mayor. I move that we approve Ordinance Number 99-2016; an ordinance authorizing the renewal of an agreement with the Cuyahoga County General Health District for the provision of public health services to the City and its residents providing compensation therefore in declaring an emergency."

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: Stephens, Yasinow, Dunbar, Seren, Stein

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. We move on to Resolution Number 100-2016. Councilman Seren."

Councilman Seren stated, "Thank you, Mayor. I move that we approve Resolution Number 100-2016 declaring the property at 1019 Caledonia Avenue, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of that nuisance and declaring an emergency."

Mayor Stephens stated, "I there a second?"

Councilwoman Yasinow stated, "Second."

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

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

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes. Is there anything else you'd like to share with us this evening?"

Councilman Seren stated, "No more to report tonight, Your Honor."

Mayor Stephens stated, "Thank you. Administrative Services Committee. The vice chair of that - is that you, Councilwoman Dunbar?"

Councilwoman Dunbar stated, "That's a good question."

Mayor Stephens stated, "It's you and anyway, you're the only one member present this evening."

Report of the Administrative Services Committee

Councilwoman Dunbar stated, "In any case, there is nothing to report tonight."

Mayor's Report

Mayor Stephens stated, "Thank you. That brings us to the Mayor's report. I have nothing to report this evening. I would like to thank everyone for coming this evening."

I want to remind folks, as did my Council colleagues, that there's a vote tomorrow. You see that those of us who have a little circle with yellow and gold in it for the school issue - it is a nonpartisan issue - I wouldn't presume to you used the Mayor's Office for the partisan issues, but we want you to seriously consider supporting Issue 109 for our school system. Without further ado, remember to vote, and we hope that God will bless the United States of America tomorrow and God bless Cleveland Heights. Thank you for watching this evening."

The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Tom Raguz, Clerk of Council

/jkw