

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:29 p.m. to discuss the contents of the City Manager's memo.

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

Staff present: Anderson, Boland, Briley, Freeman, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Rothenberg, Smith, Wong

Councilwoman Roe motioned to move to Executive Session at 7:32 p.m. Council to discuss appointment of a public official. The motion was seconded by Councilwoman Yasinow.

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

Staff present: Anderson, Boland, Briley, Freeman, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Rothenberg, Smith, Wong

Councilwoman Yasinow moved to end executive session. That was seconded by Councilwoman Dunbar.

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

Nays: None

Executive Session adjourned at 7:34 p.m.

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

Staff present: Boland, Briley, Freeman, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Rothenberg, Smith, Wong

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:41 p.m., Mayor Stephens presiding.

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

Staff present: Anderson, Briley, Freeman, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Rothenberg, Smith, Wong

Mayor Stephens stated, "Good evening. Welcome to Cleveland Heights City Council meeting. It's Monday, December 5, 2016. This is our regular City Council meeting. Mr. Raguz, would you call the roll please?"

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

Nays: None

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

Mayor Stephens stated, "Thank you. I'd like to ask my colleagues if they've had a chance, who are regular scribes, to take a look at the minutes from the previous meeting."

Councilwoman Dunbar stated, "Done."

Mayor Stephens stated, "Councilwoman Roe, did you have a chance too?"

Councilwoman Roe stated, "Yes, I did."

Mayor Stephens stated, "Thank you. And if you've provided them... both of you provided them to the Clerk? Thank you. Excellent. If there are no other changes to those minutes, I'd like to move on and they can be presented to me for signature. At this time I'd like to step outside of our regular agenda and there are two groups who will be making presentations to us this evening. First, I'd like to ask to come to the podium the representative or representatives of the Happy 5K, which is an event in Cleveland Heights started by merchants on Lee road working with the Western Reserve Running Group, and who's representing you tonight? Jim, if you come forward please. Adam. At the podium to your left, your right my left, if you like to say a few words to us."

Adam Fleischer stated, "Everybody, how are you? Good evening. My name is Adam Fleischer and I am joined tonight by representatives from Western Reserve Racing and our beloved North Coast Beer Runners. Thanks for joining us and thanks for having us. I have a cheat sheet, so bear with me. On behalf of the merchants of Cleveland Heights, we'd like to thank the City for embracing and so generously supporting The Cleveland Heights Happy 5K. I'd like to thank the community for coming out and so enthusiastically, joining us and supporting the race."

I'd like this specifically thank the North Coast Beer Runners who came up with the idea of having a run in Cleveland Heights; and Cleveland Heights to support our community, and pushing so hard to making sure that happened. I'd like to thank the growing number of merchants that continuously get on board to help us make the event so successful, and especially thank Western Reserve Racing for helping us put on really a world class event. We're all very proud to support such a great cause as a Cleveland Heights Youth Scholarship Fund. I'd like to introduce Jim Chris from the Western Reserve Racing."

Jim Chris stated, "Good evening. So, I was brought up about two years ago and met with the merchants in the North Coast Beer Runners with the idea to put on a running race in Cleveland Heights. In the end, they had two goals in mind. One was to bring people into the city and show them what a great city you have and the second goal was - do some community service oriented project and we're going to talk about accomplishing both of those goals with you tonight. One is - you've got a great group of merchants. They were very supportive, the Cedar Lee SID, great job. The City itself, Tanisha and Joe McRae and Dee. Even Mayor Stephens came out for the race. It was great and I recognize what it takes to put on a race. The Police Department was very supportive. It went off without any flaws at all. It was just a perfect day. And people came from all around Northeast Ohio to see your great city and to celebrate it."

The other thing I like to say is - we had two presenting sponsors – Motorcars, which is a business in Cleveland Heights as you know, and Cleveland Clinic along with a bunch of other sponsors that donated money for the Youth Scholarship Fund and we're here to present a check today for a total of \$8,660.35. Okay, I'd say goals were accomplished here. Looking forward to doing it again next year."

Mayor Stephens stated, "Thank you so much. If we could have Council take pictures with, just for a moment, if you don't step down to take a picture with the core organizers. This was great. This is the second year that Melissa and I fast walked the 5K and Mary did it with us the first year."

(Inaudible comments while pictures are being taken.)

Mayor Stephens stated, "This evening we also have the Patel family with us. Many of you remember that we had a very sad event happen in the community several months ago and we had a vigil and we were fortunate that folks really believed that this is a good community and bad things do happen to good people and unfortunately we couldn't protect every piece of this community, but we did learn about the commitment of people to this community. So, I'd like to invite one of the members of the Patel family, Mrs. Binta Patel to tell... to speak to us this evening."

Binta Patel stated, "Thank you all. Good evening. First, I want to start thanking Mayor Cheryl, Vice Mayor Stein, all the City members, and Police Chief and Fire Chief for the love and support that this City has shown us in this difficult time to my family. Thank you so much for everything you have done. Tonight my family is here to present this check to the Police Department and the Fire Chief for the hard work that they have done for this City. Special thanks to Police Chief for the outstanding work. I know you were out on the ground that night hunting for Sunny's killer and thank you. You got him. So, if you can please step forward."

Mayor Stephens stated, "These are Sunny's parents, Panal and Roger Patel and they'd like to present both of the Chiefs - to the Fire Chief a check for \$10,000 and to the Police Chief a check for \$10,000 - to provide additional trauma training for Fire, EMT, and a scholarship for young men and women who will go to the Police Academy.

We want to thank you for what you've done for us. It was our job to take care of you and we hope that you will always feel capable of calling us and asking us to help with anything. Thank you so much for giving back."

(Applause.)

Mayor Stephens stated, "The Patels have just returned from India where they placed Sunny's remains in the Ganges River so that his spirit has been released. Thank you for coming this evening. If you'd like to leave now, it's okay."

Councilwoman Dunbar stated, "Thank you."

Roger Patel stated, "Thank you."

Mayor Stephens stated, "Thank you."

Councilwoman Yasinow stated, "Thank you so much."

Vice Mayor Stein stated, "Thank you too."

Councilman Ungar stated, "Thank you."

Mayor Stephens stated, "At this time, we'll return to our regular calendar of events. I'd like to invite residents from the community who would like to speak to Council to come to the podium. Keep your comments brief - three to five minutes at the most and you're welcome to come to the podium. State your name and your address for the record and then speak to us. Is there anyone who would like to speak to Council this evening? Okay, thank you for coming. With that, we will now move to the report of the City Manager."

Report of the City Manager

Tanisha Briley stated, "Thank you, Your Honor. Tonight I have the pleasure of presenting the final 2017 Operating Capital Budget. I want to do it from the podium."

So, tonight is the culmination of several, several months for staff, about a little over half the year. Council has spent countless hours in budget workshops over the past couple of months finalizing our 2017 Operating Budget which we selected the theme this year of Planting Seeds of Progress going along with our Master Planning process and all of the other planning initiatives in place. We're looking forward to a bountiful harvest in 2017.

So first - just a picture of the total budget. Tonight we're just going to spend a little bit of time on some highlights from the final budget. So, I'm going to cover the General Fund, some of the detail from the General Fund and some few highlights from our Capital Budget, but just so you have some context, our total budget is \$78,600,000 and that includes all of the City's funds which I believe we have about 43 of them. We have seven major operating funds which make up the vast majority of that \$78,600,000. That number is actually substantially down from previous years because, as you know, we are completing a transition to Cleveland Water which was a substantial enterprise fund. So, the amount is no longer represented in the budget and also related to the Water Fund is the pass-through billing operation that we ran for the Sewer District. So, those two combined, just a little under \$20,000,000, Tom? So, our total budget is significantly less this year. So, I'm just going to spend a little time on some highlights for the General Fund which is the City's major operating fund, the main source of funds for most of our core services. This year's proposed budget is \$42,900,000 and that's just a slight increase over last year's General Fund budget. So, we're just up 0.7 % year over year. The good news is that 2017 is balanced. In fact, we're projecting a small surplus for 2017. As you can see, our revenues are estimated at \$43,900,000 and our expenses today are estimated at \$42,900,000, the details of which are outlined in the Appropriations Ordinance that Council will consider and adopt this evening.

A little about our revenue sources. Income tax remains to be the lion's share of where our revenue comes from. You can see the rest of the revenue sources really pale in comparison to what we bring in the General Fund from income tax. Property taxes, fine forfeitures, and State levy - to share taxes with the local government funds to be specific and the estate tax - are down and are decreasing. Most of our revenue sources in the General Fund are either remaining flat or decreasing. The exception is income tax and of course the passage of Issue 53 last year is the majority of the influence on why the income tax number is increasing. We expect that number to flatten out over the next few years as we fully realize that increase.

On the expense side, I thought I would show how we spend the money and how it lines up with our priorities which I'll conclude with this evening. As you'll see public safety is at 48%. So, we spend the majority of our General Fund dollars on public safety. Public Works is second at 19%. General Government includes the Law Department, City Manager, General Operations; City Council's budget is rolled up into general government. You can see that our health care costs, our hospitalization, is at 10%. It vacillates between 10 and 11% of the total General Fund; and then all the other departments and functions are slightly smaller. We also spend the vast majority of our dollars on personnel. So, about 80% of the dollars go towards personnel and benefits which is which is common for most local governments. So, I mentioned that the budget was balanced. We didn't start out that way we started this process several months ago with our initial baseline requests from departments. Once we accounted for all of positions we've been holding vacant as well as the requests that came from departments, we had an initial deficit of \$1,300,000 projected for 2017. So, we started to make some adjustments from there.

The major cost drivers for 2017 is the 27th pay. You've heard me talk about this for several years. The 27th payroll occurs every 12 years and in previous years, we had not planned for that expense, so for us, in the General Fund it's a little over \$1,000,000 of additional cost in 2017. Fortunately, we had some unbudgeted extra dollars come in in 2015 which allowed us to create the Budget Stabilization Fund. So, Council created the Budget Stabilization Fund. The biggest, well, there are several reasons for the fund. One of them, one of the major reasons, being to have money set aside for this 27th pay. So, that is covered by the Budget Stabilization Fund. There is also a 2% wage increase. That's a major cost driver contractual for the safety forces as we settled those wage agreements, those bargaining agreements for those unions and there are also some increases and other mandated costs or contractual costs. Health insurance being the largest at an increase of \$500,000 year over year. So, as you can see, we had some significant costs for 2017 that we needed to figure out how we were going to close that gap. We are still continuing some vacant position holds, so you've seen the list - the 2016 list; looks a lot like 2015 and a lot like 2014. In 2017, we are proposing that all of those positions remain held, but ten of those positions are still proposed to be held, which is a savings of just under \$535,000 for us.

The other way we close the gap was through prefunding major expenses. So, I'm going to talk a little bit tonight about our expected surplus for 2016, our current year, and how we used that temporary surplus to close the gap for 2017 so that we no longer had that \$1,300,000 deficit. So, some of our major expenses, as I mentioned - our health care costs went up \$500,000 year over year, so we are prefunding

the hospitalization fund \$1,000,000. Worker's Comp is also another large expense for the City and we're prefunding that account for \$790,000. Salt purchases at the bottom - we're utilizing a few things. One, we have great inventory left over from this past winter season and so we don't need to purchase as much salt. We also... Council acted earlier this year to shift assessment dollars from the Street Lighting Fund to the Forestry Fund which allows us to purchase more salt out of the Forestry Fund instead of depleting the General Fund. So, this preserves the General Fund and helps us avoid costs there. So those were a big part of how we closed that \$1,300,000 gap and in fact, we were able to do all of that and add to our reserve for 2017.

So, a little more about this short-term surplus. As I mentioned, we started with a little over \$1,000,000 deficit. We were estimating \$3,000,000 to \$3,500,000 in additional revenue over expenses for 2016. That was unbudgeted surplus that at the beginning of the year, we didn't anticipate. So, we were projected to break even as we started this process early 2016. The major reason for the increase is realizing more of the income tax in 2017 than was initially projected, not that we will receive more overall than what we projected. We're just realizing it earlier because you may recall that it was a three-year period to get to the expected increase from Issue 53. There's also substantial savings in the budget as departments really manage their budgets very closely and we went over a lot of those adjustments and variances in the meeting just before as we discussed the 2016 Appropriations Amendment. So, those are some major reasons why we are projecting this year in surplus that was not initially budgeted. So as I mentioned, we use that to pre-fund those major expenses which helped us close the gap for 2017. We are still holding 10 positions vacant and we're not out of the woods yet. The General Fund is obviously doing much better. We are healthier today than we were last year, than we were two years ago and certainly five years ago as we climb out of this economic recession. We are still forecasting a small deficit in 2018, so I can't emphasize enough the temporary nature of the surplus. It's a short-term thing and I think that we're making fiscally prudent decisions on how to use those savings in order to close our gap in 2017.

A little more context. This is the history of our General Fund. I want to show you, I want you to look at 2013. That was actually... I was with the City just a few months and as we closed out 2013. In that year, you'll see that the green bar is shorter than the gray bar that means that we ended the year actually drawing down our reserves because we spent more than revenue we brought in. That was the last year that we had that occur. So, in 2014, we added just a little bit to our reserve, the yellow bar going across, the yellow line, is our reserve and there's also numbers down at the bottom which shows our reserve as a percentage of expenses and that number is important to really put this surplus into context. At \$1,600,000 or \$1,200,000 reserve in 2013 - that's actually about the equivalent of a payroll for the City and if you, you know, follow the math that you do at home or at least recommendations from your own personal financial planning you know that having one paycheck saved is usually not what's recommended. It's usually a much higher percentage than that. So you see that orange line start to creep up a little bit from 2013 to \$1,200,000 to an estimated \$3,300,000 is where we're expecting to end 2016. It's substantial progress for us and I'm excited about that improvement. However, it's still just 7.5% of our General Fund expenditures. We have a long way to go.

Here's our reserve history so you can see the impact of the housing crisis in the economic recession on the city as we relied on our reserves to make it through without making substantial cuts to services. So back in 2001, we had over \$8,000,000 in reserve and you see that number fall all the way to \$1,200,000 in 2013 as we just discussed. So, yes, we're on the increase, but we are very far from the GFOA recommendation, so that's the Government Finance Officers Association. The association recommends that you have at least two months of regular General Fund Operating Revenues or about 16% in your reserve. So at 7.5%, we're headed in the right direction. We're definitely substantially improved over just a few years ago, but we still have a long way to go.

So, just a few highlights from the 2017 Capital Budget which is about \$11,900,000. That's up 4% year over year from last year's Capital Budget. By category, you see by far we spend the majority of our funds on streets which is what the community tells us that our top priority should be, so it's great to know that we are in line there. Public properties include things like our parks and some of the investments that will be made in 2017 and parks - that's actually the majority of the increase year over year. We are spending more to do things like repair our paths and tuck pointing at the community center and renovating the bathrooms in our parks restrooms, so lots of parks facility upgrades there. Fleet is always an expense for us. We still have a very old fleet that our staff does an amazing job of keeping up to speed. So, we'll be retiring several vehicles from the mid and late 90s in 2017 and staff is very excited about that. We will continue to do that little by little.

A few other, oh just really quick on our funding sources - this continues to be a theme for us which I'm proud of. Our staff does an amazing job of tracking down outside dollars. The majority of our Capital Improvement Program is funded by outside funding, so 61%, that number is pretty similar to last year and the year before and we hope to continue to secure those outside grants and programs through the county and NOACA and other sources that are really instrumental for us, especially for our major road resurfacing projects.

The street construction fund is our second largest funding source and, as we've said, is Alex's favorite fund. That's where we do our residential road program. So that continues and there is a dedicated funding source for our residential road program. Finance capital at \$1,200,000 is where things get a little tricky. Three years ago that number was \$3,000,000 and we continue to decrease that number. That's how we get everything else done. So, if it's not a street project, it's not eligible for NOACA or county or other ODOT funds, if it's our assets that we all own, our buildings, our equipment, those things that we are interested to keep in good repair, we are losing the revenue source to continue those kind of grades and repair investment in our infrastructure. So, a few highlights from the Finance Capital Projects in 2017. Again vehicle and major equipment replacements - we have lots of pieces of equipment that are actually... I think we have a few there are still late '80s. We're trying to get all of those pieces of equipment retired including vehicles as well. So, we have police vehicles. We will be replacing an ambulance and Public Works large equipment and trucks continue to be large expenses for the City in areas where we need to catch up on deferred maintenance. The police department will be getting dash cameras. I think we're really excited about that and also some upgraded radio equipment for the Police Officers and there are several facility improvements included as well that we talked about.

Just a quick note - there were \$2,400,000 more in requests for the Finance Capital portion of our CIP than we have available funding and that trend continues and in 2017, I'll be working on a plan with some recommendations on how we can find ways to invest in our deferred maintenance and capital needs.

So, in summary, a few selected highlights from the 2017 Operating Capital Budget. We're filling positions. So, this is my first year that I get to stand before you where we aren't talking about millions of dollars in cuts to the budget in order to close that gap, but we actually are able to fill positions in key areas where the community has told us and Council has expressed priorities. So, the Public Relations position is not only related to helping to tell our City's story and make sure that we are out front with our marketing efforts, but it's also very much tied to our economic development goals and so we're excited to have that position filled in '17. The Property Investigator position is going to give us some more capacity in the Housing Division in order to track down our problem property owners and hold them more accountable for code enforcement issues. Housing Rehab Specialist – oh, GIS should be on a separate line, so that's a whole separate position. That would be one long title and a special person to fill that position. So, the Housing Rehab Specialist we're adding. We already have one person in that role and we'll be adding a second which will help on the rehab side and our lead program and some of our other programs that we run on the... as people are trying to bring their home back into repair and the GIS position is another position that we're adding to the City that we're very excited about. It's going to be an enterprise resource that can help the City better track inventory and understand all of our assets as well as other special projects including some work for our Sewer Division.

Finding Efficiencies is the other theme, I think, of the 2017 budget. We'll be consolidating service so we'll have two fleet operations; one in Police Department and one in Public Works that we'll be consolidating thanks to a staff led, employee led initiative through Lean Six Sigma. We'll be regionalizing service through Joint Dispatch with three other communities, three of our surrounding communities. We'll continue the implementation of the strategic operations review or the efficiency study where we had 120 recommendations given to us a few years ago and we continue to chip away at that list. The energy efficiency project - if you were in City Hall earlier today, you're really excited about whenever this project kicks off because we don't have any heat today. So, we have issues like that with our facilities that are... our facilities our equipment and our systems that are dated in this project will help us not only operate better, but also do so very efficiently and hopefully save money in the process. We're also getting a new finance and payroll system which will save us tremendous time because our system is from the late 80s/early 90 and it's definitely time for a new system that will allow us to function much more efficiently.

I just want to tie all of this back to some of our priorities. So, this is an example of how we use what citizens tell us to make sure that we are doing the right thing and being good stewards of the funds they entrust us with. This slide comes from our citizens' survey, our resident survey. This is the results from the 2016 survey, so just finished a few months ago. This budget checks all of the boxes. There's either funding or initiatives planned in the 2017 budget that get at all of these, my favorite being improve water service. We've got that one. That's definitely a check. That's moving on to Cleveland

Water, so we won't have to consider that one any longer, but of course, you've seen by the pie charts that we review tonight, our investment in public safety and the maintenance of streets and buildings and facilities continues to be one of our highest areas of investment. The redevelopment of abandoned or underutilized properties, the other development/redevelopment priorities we have invested in economic development staff and I believe that we'll start to see, we're already starting to see the fruits of that investment. Again, public safety continues to be number one. Adding some capacity to the Housing Department so that we can get at those code enforcement priorities faster and more efficiently and we're looking forward to that in 2017 and, of course, down below the maintenance of City parks, so you see increased investment in bringing all of our park infrastructure up to repair. And then, I don't want to forget about the Financial Task Force recommendation. So the Financial Task Force came together in 2015 to make and review the City's finances, review our budget and make some recommendations on how we can improve. Three of those items are complete. They recommended that we pursue an income tax increase and thanks to the voters of Cleveland Heights, we did pursue that and it was passed. We continue that it's a checkmark for the second one, but we continue to look at ways, as you saw with the salt purchases for this budget, how do we relieve the pressure on the General Fund and make sure that we are aligning expenses in the right fund and that we're using other resources we have available to us to relieve that pressure on the General Fund? We continue to look for efficiencies through partnerships and regionalization which we talked about the Joint Dispatch tonight. We are building reserves across the General Fund slowly, but it's... but we're headed in the right direction. Advocating for policies at the state level, we continue to do that to be in touch with our lobbying connections through the Mayors and Managers groups. As you know, the Mayor just joined a new group that will help us have more of a voice at our State Capital to at least help those policies not do any harm to the City and we know that that doesn't always happen and continues to be a threat, that those policies can cost us money or take funds away from us that help us to provide the services our residents deserve. 'Continue to diversify revenue streams' through economic development is in progress and, of course, again I favor one – 'Eliminate the financial liability of the Water Fund' - and that has been complete. So, that's a brief overview of the very long process. I want to thank all of staff and especially Tom Raguz for leading our budget process and, of course, Council for your participation in really tough questions and ideas as we went through 2017 and pleased to present that and look forward to the Appropriations process passing tonight. I can answer any questions if you have any."

Mayor Stephens asked, "Anybody have any questions? I think we're good. Thank you."

Councilwoman Yasinow stated, "Thank you."

Councilwoman Dunbar stated, "Thank you."

Mayor Stephens stated, "Now we move to the report of the Director of Finance and Clerk of Council."

Report of the Director of Finance/Clerk of Council

Tom Raguz stated, "I need to notify Council that three resolutions of the Board of Zoning Appeals have been received pertaining to variances in the zoning code and are requested by the following.

- BZA Cal. No. 3409: Heights Medical Building, LLC, 2460 Fairmount Blvd., to permit up to six business identification signs inclusive of the existing Cube Workspace sign, each up to 33.19 square feet, on the building for business not on ground floor.
- BZA Cal. No. 3410: Mark and Melanie Biche, 2507 Fairmount Blvd., to permit a 1,031 square foot accessory dwelling unit to remain as the principal structure.
- BZA Cal. No. 3411: Tom Leneghan d.b.a. Barrio, 2466 Fairmount Blvd., to permit a business identification sign to project 5'6" from wall max. projection 4'.

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

Matter of Record

Mayor Stephens stated, "Thank you. These will be referred to the Planning and Development Committee of Council."

Tom Raguz stated, "Lastly, I also need to notify Council that a notice has been received from the Ohio Department of Liquor Control advising that an application has been made by the following: La Serena LLC, 2200 S. Taylor Rd. & Porch, Cleveland Heights, Ohio 44118, Transfer D5 permit from Deborah L Eckert dba Time Out Tavern, 705 W Main St, 1st Floor, Louisville, Ohio 44641. Your Honor, I would like to make this a Matter of Record."

Mayor Stephens stated, "Thank you. This will be referred to the Public Safety and Health Committee of Council, the City Manager and the Director of Law."

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

Mayor Stephens stated, "Thank you. Next we move to the committee reports of City Council. First is the Municipal Services Committee. Councilwoman Yasinow."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "I have no legislation this evening, Your Honor."

Mayor Stephens stated, "Do you have any other comments you'd like to share with us?"

Councilwoman Yasinow stated, "I just hope that everybody has a safe and happy and healthy holidays. Done."

Mayor Stephens stated, "Thank you. Next we move to Planning and Development Committee. Councilwoman Dunbar."

Report of the Planning and Development Committee

Councilwoman Dunbar stated, "I think you want to have Kahlil do the BZA things first."

Mayor Stephens stated, "If we will refer to Councilman Seren. If you will review the Board of Zoning Appeals legislation requests please."

Councilman Seren stated, "Thank you, Your Honor. I'd like to move that we approve Board of Zoning Appeals Calendar Number 3409, Heights Medical Building, 2460 Fairmount Blvd., in a C-2 local retail district, to permit up to 6 business identification signs inclusive of the existing Cube Workspace sign, each up to 33.19 square feet, on the building for business not on the ground floor."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Are there any comments? If not, Mr. Raguz, would you call the roll?"

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. This resolution passes. Next, we have another Calendar Number, Councilman Seren."

Councilman Seren stated, "Thank you, Your Honor, and I'd like to point out that there was an amendment submitted to the Council and I'd like to move that we approve Board of Zoning Appeals Calendar Number 3410 as amended. Mark and Melanie Biche, 2507 Fairmount Blvd., to permit a 1,031 square foot accessory dwelling unit to remain as the principal structure."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "If there are no further comments, Mr. Raguz, would you 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, "Mr. Seren, I believe there is yet another resolution."

Councilman Seren stated, "Lastly, I'd like to move that we approve Board of Zoning Appeals Calendar Number 3411 Tom Leneghan d.b.a. Barrio, 2466 Fairmount Blvd., to permit a business identification sign to project 5'6" from wall max. projection 4'."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

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

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

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes. Is there anything else you'd like to share with us before we move on on these BZA Resolutions?"

Councilman Seren stated, "No, thank you."

Mayor Stephens stated, "If not, return the microphone to Councilwoman Dunbar."

Councilwoman Dunbar stated, "Tonight I am pleased to move that we vote in favor of Resolution Number 108-2016. This is a resolution amending Resolution Number 129-2015 to extend the term of the Home Funds administered by the Home Repair Resource Center for the City's Downpayment Assistance Program through March 31, 2017 and declaring an emergency.

By way of history, in November of 2015, this Council authorized an agreement with the Home Repair Resource Center to administer up to \$88,000 in down payment assistance loans for qualifying Cleveland Heights residents to receive a loan of up to \$10,000 consisting of Home Funds issued by the US Department of Housing and Urban Development via Cuyahoga County. Then, in March 2016, this Council increased the amount of Home Funds available under this Downpayment Assistance Program by \$72,737 for a total contract budget of \$160,737. However, this agreement is set to expire on December 31, 2016 and the Home Funds are still available and the County has not yet proposed a 2016 contract concerning Home Funds. So, it would be in the best of it would be in the City's best interest to increase the term of the contract in the home territory center from December 31, 2016 to March 31, 2017. So, that's it. We're just authorizing an extension of this Downpayment Assistance Program and as previously stated, I move that we approve Resolution Number 108-2016."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Thank you. Is there any other comment? Mr. Raguz, would you call the roll please?"

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

Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes. Councilman Dunbar, do you have anything else to share with us this evening?"

Councilwoman Dunbar stated, "Of course. There are many holiday events happening in our City in especially the business districts. So, please check the City's Facebook page and website home page for a list of those and join in the fun. I would also like to thank all involved in the paving and renovations on Lee Road. This is... repaving any road in Cleveland Heights is a multi-year project. This one has involved the Cedar Lee SID, the City's Planning and Development and Public Works Departments and many others. It's not done as new street lights and traffic signals are being installed this week and then there's plantings and some facilities yet to come but I would like to thank everyone involved. I especially love the freshly painted sharrows right down the middle of each lane and the signs, "Bikes may take full lane," but hold on to your hats because Cedar Road, Cedar Fairmount and Noble Roads are next, coming next year, so we're not done with renovating our City's streets and districts. I would also like to invite anybody that would be so inclined to come tonight down on Wednesday, December 7 at 7:00 pm where we will be celebrating "Roll Models and Holidays." This is a Heights Bicycle Coalition activity and we have a number of role models telling us how they got into bicycling and what they like about it including Richard Wong, our Planning Director, who has been instrumental in all the bicycle progress we've made in the City. We're also having Greg Donnelly, who is a bike commuter down to the Art Museum, and Vince and Marcus, who participate in the after-school bike club at Fairmont Elementary School - they're going to tell us what they like about that. And finally there will be a sing-along to Jingle Bells adapted for bicycles led by Charlie Mosbrook who cycles around town on a three-wheeler and also participates in races and anyway, anybody that would like to come is very welcome and I look forward to seeing you."

Mayor Stephens stated, "Thank you, Councilman Dunbar. Next we move to the Public Safety and Health Committee. Councilman Seren."

Report of the Public Safety and Health Committee

Councilman Seren stated, "Thank you, Mayor. First thing, I'd like to move that we approve Resolution Number 109-2016 to suspend enforcement of Section 351.07 of Part 3 of the code of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2017 or at such earlier times Council may subsequently prescribe on the following described streets providing for on-street overnight permit parking on specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads; and declaring 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, Dunbar, Roe, Seren, Stein, Stephens

Nays: None

Tom Raguz stated, "Seven ayes, Your Honor. I had to double check that for a second."

Resolution Passed

Mayor Stephens stated, "Thank you. The resolution passes without any problems. Councilman Seren, is there anything else you'd like to share with us?"

Councilman Seren stated, "Yes, two more things. The first is - I'd like to encourage our residents to attend next week's work session where Council will be discussing I think some interesting topics, some of which will be related to Public Safety and Health. Notably we will be discussing the medical marijuana options that we have for limiting, or you know, through zoning laws and that sort of thing - medical marijuana in our City. Another topic that we will be discussing is a prohibition or a restriction on issuing occupancy permits for landlords who are delinquent on their property taxes and also potentially delinquent on paying for nuisance abatement costs that the City has incurred in abating nuisances for landlords. So, I encourage you all to come to our work session next week Monday, the 12th and we look forward to that probably lively discussion, I imagine.

And then the very last thing I'd like to say is that I just want to express my appreciation and my admiration for the people of Cleveland Heights and beyond for digging deep and contributing to the Patel family in their time of tragedy and also I'd like to express my admiration and appreciation to the Patel family for seeing through that grief and determining to give back in a way that can help the next person who needs help from our from our safety forces and are our emergency forces. So, I'd just like to express my gratitude for all of you and the Patel family for bringing some light back into a very dark situation. Thank you."

Mayor Stephens stated, "Thank you. Well said. If there's nothing else, we move next to the Administrative Services Committee. Councilwoman Roe."

Report of the Administrative Services Committee

Councilwoman Roe stated, "Thank you. I have a resolution and then I have some appointments and reappointments to vote on. First is Resolution Number 110-2016. This is a resolution authorizing the City Manager to enter into an agreement with Arthur J. Gallagher and Company for continuation of its protected liability self-insurance program for the City and providing compensation; and declaring it an emergency. I move this resolution."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Thank you. 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. This resolution passes. Councilwoman Roe."

Councilwoman Roe stated, "Next I have re-appointments to City boards and commissions. To the Architectural Review Board, a three-year term. Eric Lund was a term expiring December 31, 2019. To the Planning Commission, Jessica Cohen for a term ending December 31, 2022. Also to the Planning Commission, Craig Cobb for a term ending December 31, 2022. To the Landmark Commission, Mazie Adams for a term ending December 31, 2019 and Mark Souther for term ending December 31, 2019. Three members to be re-appointed to the Commission on Aging are Jeanne Diamond for a term ending June 30, 2018, Joan McKinstry for a term ending June 30, 2018, Shirley LeComptey for a term ending June 30, 2018. We have four members to re-appoint to the Transportation Advisory Committee - Howard Maier for a term ending December 31, 2018, Chris Cummings for a term ending December 31, 2018, Katie Petrie for a term ending December 31, 2018 and Sam Bell for a term ending December 31, 2018. And then the members of the Citizen Advisory Committee all of whom will have a term ending December 31, 2017. David Benson, Vitela Camper, Kim Deniro-Ackroyd, Douglas Dykes, Bradley Eckert, Don Ellis, Corey Farmer, Jonathan Goldman, Christine Henry, Robin Coslin, Gail Larson, Minaka Lubing, Allison McCallum, Marian Morton, T. Nadas, Dunleen Padusko, Amanda Shaffer, Katura Simmons, Steve Tischnel, Meg Vanderbilt, Sara West and Parker Zabell; all of these people I move for reappointment."

Councilwoman Dunbar stated, "Second."

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

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. Every one of these folks has been re-appointed or appointed."

Councilwoman Roe stated, "We have two new appointments. To the Parks and Recreation Advisory Committee - Judith Hauser for a term ending December 31, 2020 and to the Tax Review Board - Tom Cocora for a term ending December 31, 2018. I move the appointment of these individuals."

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. 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. Councilwoman Roe, is there something else you'd like to share this evening?"

Councilwoman Roe stated, "I would just like to echo Councilman Seren's comments about the Patel family and how it was so stimulating and exciting that they would be to be able to move through their grief as he mentioned."

Mayor Stephens stated, "Thank you. Next we move to the Community Relations and Recreation Committee. Vice Mayor Stein."

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, "This committee has no report tonight."

Mayor Stephens stated, "Thank you. Moving right along, we move to the Finance Committee. Councilman Ungar."

Report of the Finance Committee

Councilman Ungar stated, "We have a second reading of Ordinance Number 101-2016; an ordinance to amend certain sub paragraphs of Ordinance 136-2015 (F) relating to appropriations and other expenditures of the City of Cleveland Heights for the fiscal year ending December 31, 2016."

Mayor Stephens stated, "Is there a second?"

Councilwoman Roe stated, "Second."

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, "Seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes with no problems. That's excellent. Councilman Ungar."

Councilman Ungar stated, "The second is a second reading for an ordinance to make appropriations for the current expenses and other expenditures of Cleveland Heights for the period of January 1, 2017 through December 31, 2017 and I so move."

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. Councilman Ungar, is there anything else you'd like to say or share?"

Councilman Ungar stated, "No, thank you. So, tragically I'm going to just piggyback on very well stated words of Councilman Seren and Councilwoman Roe. I was struck when I saw it in the memo to Council from our City Manager that members of the Patel family would be here this evening. I just couldn't imagine how they would be able to muster the courage to be here. I now see, you know, how how they did it and it's just amazing that out of this, you know, enormous tragedy, you know, that we all shared and as a community, there's this bright light. I mean and you can see these folks. They're wonderful and they're classy people and the fact that that bright light coming out of this tragedy comes from the Patel family itself is really, really extraordinary; quite a tribute to them that they would manifest their gratitude towards our City is really, really something else and just speaks volumes of the way we handled it. Mayor, I know you handled it. You let us in and in a fantastic way. We're all very proud of the way you did it and I just I just can't imagine that, you know, what it what it took for those folks to come in here this evening and I'm going to stop now because I'll start crying if I talk any further."

Mayor Stephens, "The round of tears."

Councilman Ungar stated, "It's just incredible."

Mayor Stephens stated, "I mean, really, they are a very special family. You are correct, Councilman. When they realized what the community was raising for them they said to me that they had insurance and money saved and they didn't need to take other people's money to take care of their family. And so then they asked me what could they do for the community because they were very pleased by the police officers and the firefighters, the EMTs and I was so honored to represent our staff and how well they'd cared for the family so that the family felt like that was one of the things they do. So, Susanna and I sat down with them and then Susanna followed up with them and with Tom to make

sure that we could accept the funds and place them in such a way that both the Police and Fire Department could take care of them. It really has been a team effort, but because I knew them personally because of the relationship that State Representative Boyd's father had built with him over the years, so it was just easy to go and talk with them and to make time for them and they are just exemplar. It was not in visiting with them at their home. It was not, 'Oh, woe is our family.' There were tears and we all cried as we sat together, but these are people who see beyond the sadness to better days and I am proud to have represented the folks who made sure they felt like we cared in and a time of emergency."

Mayor's Report

Mayor Stephens stated, "And so, with that, it's the Mayor's report and I simply couldn't say it any better that we are fortunate to work in a community where people care. Not only does our staff, our team, care tremendously; the people who live here care a lot and so as we move toward the holidays, we will not have another official Council meeting. We will have a work session and that will close out our year because we are a community that does care about our individual and collective families and the last two weeks of this year and we who work every Monday night will be capable of caring for those people who care for us in our own family circles and we hope that everyone in this community believes that we are more than just us as individuals, but as a sum, we care dramatically about who and what this community represents and we try to move forward in better ways each and every time we step forward and as usual, I wish you a happy holiday and God bless America and God bless Cleveland Heights. Thank you and good night and our next meeting will be in January of 2017 on Tuesday, January 3. Thank you and God bless all. Good night."

Respectfully submitted,

Cheryl Stephens, Mayor

Tom Raguz, Clerk of Council

/jkw