
MEMORANDUM

TO: Members of Council
FROM: Tanisha R. Briley, City Manager
DATE: September 2, 2016
RE: September 6, 2016

MEETINGS & REMINDERS

Tuesday, September 6 - 6:15 p.m. - Committee of the Whole
- 7:30 p.m. - City Council

LEGISLATION

Legislation has been prepared for the following:

1. NEORSD Stormwater Management
2. GPD Group
3. OPWC Application for Coventry Road
4. Silverlode
5. SAFER Grant
6. Suspension of Off-Street Parking Regulations
7. Codified Ordinances
8. Special Assessment Board – Forestry
9. Special Assessment Board – Lighting
10. Special Assessment – Forestry
11. Special Assessment – Lighting
12. Budget Commission Tax Levy Certification
13. Tax Advance Request

GENERAL INFORMATION

1. Enclosed are the Council Update and Agenda.
2. Enclosed is a letter regarding the Assessment Equalization Board from the Finance Director.
3. Enclosed is a Community Outreach update from the Vice City Manager.
4. Enclosed is an update from the Public Works Director.
5. Enclosed is the weekly water report from the Utilities Commissioner.
6. Enclosed is an update from the Housing Director.
7. Enclosed is the weekly activity report from the Police Chief.
8. Enclosed are the weekly and monthly activity reports from the Fire Chief.
9. Enclosed are actions and resolutions for the Board of Zoning Appeals.
10. Enclosed are minutes and an agenda for the Architectural Board of Review.
11. Enclosed are minutes and agendas for the Citizens Advisory Committee.
12. Enclosed is the agenda for the Landmark Commission.

13. Enclosed is a list of local history programs to be held this Fall.
14. Enclosed is the agenda for Planning Commission.

TRB/jkw
Enclosures



COUNCIL UPDATE

SEPTEMBER 2, 2016

1. LEGISLATION

- NEORSD Stormwater Management Agreement. This legislation authorizes the City Manager to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District.
- GPD Group Agreement. This legislation authorizes the City Manager to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc. ("GPD Group") for engineering services for the Final Design and Right-of-Way Acquisition Phase of the Mayfield Road Traffic Signal Upgrade Project.
- OPWC Application for Coventry Road. This legislation authorizes the City Manager to apply to the State of Ohio, through the Office of the District One Public Works Integrating Committee, for Ohio Public Works Commission funds to be used for the Coventry Road Pavement Rehabilitation Project (North Corporate Limit to South Corporate Limit).
- Silverlode Agreement. This legislation authorizes the City Manager to enter into an agreement with the Silverlode Consulting Corp., to provide consulting services relating to the Top of the Hill development.
- SAFER Grant. This legislation ratifies the City Manager's acceptance on behalf of the City of Cleveland Heights Fire Department a Staffing for Adequate Fire and Emergency Response ("SAFER") grant from the Department of Homeland Security/Federal Emergency Management Agency.
- Suspend Off-Street Parking Regulations. This legislation amends Resolution No. 137-2015 to add on-street overnight permit parking on specified portions of Hampshire Road.

- Codified Ordinances. This legislation approves current replacement pages to the Cleveland Heights Codified Ordinances.
- Special Assessment Board – Forestry. This legislation approves the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City of Cleveland Heights.
- Special Assessment Board – Lighting. This legislation approves the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights.
- Special Assessment – Forestry. This legislation permits procedure with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose.
- Special Assessment – Lighting. This legislation permits procedure with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose.
- Budget Commission Tax Levy Certification. This resolution accepts the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer. This routine legislation is reviewed annually.
- Tax Advance Request. This resolution requests the County Fiscal Officer to advance taxes from the proceeds of the 2016 tax year collection pursuant to Section 321.34 of the Ohio Revised Code. This legislation is reviewed annually and is required in order for the County to advance property tax proceeds for the 2016 tax year that the City is to receive in 2017.

2. REGIONAL DISPATCH CENTER - UPDATE

- The Heights-Hillcrest Communications Center (HHCC) Board of Directors voted last week to locate the dispatch center at the MetroHealth Cleveland Heights facility. As previously reported, HHCC received final approval from the County Council for a \$1 million grant to assist with the build out of the new regional dispatch center. Once the funds are received the build out can officially begin. The Board is currently exploring options for project management and oversight for the build out as well as management of operations once the new center is up and running. The build out can take up to a year or longer as we carefully plan and construct this critical public safety operation. I will continue to update Council along the way.
- At a previous meeting Mayor Stephens asked about the procedure governing tie votes for the HHCC Board since there are four members. The adopted agreement states: *“If there is a tie vote as to any matter, the position of the side whose members provide the higher annual contribution pursuant to the annual operational expense formula calculated pursuant to Section VIII. F.2. herein shall prevail.”* In other words, the side representing the greatest collective financial contribution to the center’s operation will carry the vote in the event of a tie.

3. ECONOMIC DEVELOPMENT UPDATE

- The City’s new Economic Development Director (Tim Boland) and Business Development Manager (Brian Anderson) have been on the job for just about four weeks. They will attend Tuesday’s Committee of the Whole meeting for brief introductions. A more comprehensive presentation of their respective roles and their plans for the remainder of the year will occur at the September 12, 2016 Committee of the Whole meeting
- Staff will also present findings from the due diligence process conducted in August for the Top of the Hill project at the September 12th meeting.
- A presentation of the National Resource Network’s proposal was also contemplated for the September 12th meeting; however, additional discussion is needed with the Network representatives and a conference call was not able to be scheduled prior the 9/12/16 meeting date.

4. PARKING MOBILE APP PILOT PROJECT – UPDATE

- Please review the enclosed memo from Assistant City Manager O’Neil regarding the current status of the parking mobile app pilot project.

5. HUMAN RESOURCES DIRECTOR

- Charisse Sayles left her position as the City's Human Resources Director in mid-July after a planned transition. We were fortunate to have a strong pool of candidates during the last search for HR Director and one of the finalists from that process, Anna Smith, was invited to participate in a robust selection process last month. Anna successfully completed the process and began as the City's new Human Resources Director on August 29, 2016. Anna brings 15 years of professional human resources management expertise including public sector experience. She most recently served as Director for Total Rewards, a position that oversaw the design, development, and implementation of benefits, compensation, recognition, and rewards, for the Centers for Families and Children. Prior to joining the Centers team, she served as HR Director for the City of East Cleveland and she held several HR management positions with the Cleveland Metropolitan School District. We are pleased to welcome Anna to the executive team which is now complete with a full slate of dedicated and talented public service professionals.

6. RECOGNITIONS

- I recently received two recognitions that, more than my own work, reflect the great work of Department Directors and their teams. OpenGov, the financial transparency platform the City uses to communicate financial information to the community, designated me their "LocalGov Hero" for the month August. More info can be found here: <http://opengov.com/blog/localgov-hero-tanisha-briley/>. I also made #39 on Engaging Local Government Leader's (ELGL) Top 100 Local Government Influencers list, more info here: <http://elgl.org/2016/08/01/the-chris-traeger-list-top-100-local-government-influencers/>. Kudos to a great team that helps me to look good each day through their amazing service to this City!

7. CHECKS BETWEEN \$10,000 - \$50,000 (including all of August)

- AT & T - \$12,866.66: Communication Usage for various city accounts
- The Illuminating Company - \$24,919.42: Electrical Usage for various city accounts
- Harris, Trevor - \$11,486.40: Tuition Reimbursement
- Home Repair Resource Center - \$10,500.00: Down Payment Assistance Program - 894 Greyton Road
- CMRS – POC - \$15,000.00: Postage
- Tyler Technologies, Inc. - \$43,747.60: New World Cad SSMA - 40% FD Share (5/2016 - 4/2017) Eastcom
- Bridgestone Americas, Inc. - \$15,284.52: Billing Services for July, 2016 (Water/Sewer)
- C.T. Consultants, Inc. - \$14,255.63: 2016 Road Resurfacing, EPA Sewer Study/Reports
- The Illuminating Company - \$14,885.92: Electrical Usage for various city accounts

- Lykins Oil Company - \$12,741.40: Eco Supreme Clear Diesel 15 Ppm/#9 No Lead Gas w/Ethanol 87
- Michael P. Maly Co & Rita Perkis - \$16,000.00: Law Claim - Personal injury damages (Claim #14-0812 Cumberland Park)
- The Illuminating Company - \$31,666.18: Electrical Usage for various city accounts
- Lykins Oil Company - \$22,984.15: 9# No Lead Gas w/Ethanol 87, ECO Supreme Clear Diesel 15 Ppm and Uls Diesel Clear 15 Ppm
- Montlack Realty Company - \$14,505.99: 2nd Half of 2015 Property Taxes - Coventry Rd (Marc's Parking Lot)
- Rumpke - \$12,985.15: Solid Waste Disposal Bid Doc 13-02 (3yr Contract)
- Safebuilt Ohio, LLC - \$18,234.00: Building Department Inspections - June, 2016
- Stephen Campbell & Associates - \$11,695.00: Installation of NICE NRX Inform Essential Recording System and Application Software
- AAA Flexible Pipe Cleaning - \$11,250.00: Installation of Grinder Pump w/Guide Rail and Brackets @Forest Hill Pump Station
- Badger Meter, Inc. - \$11,999.06: M25 ADE w/Transponder
- C.T. Consultants, Inc. - \$17,600.30: 2016 Surface Treatment Program, 2016 Road Resurfacing and July, 2016 Retainer Fee
- Fabrizi Trucking & Paving - \$12,917.85: Labor/Materials to replace water line @ 12526 Cedar Road
- Glaus, Pyle, Schomer, Burns - \$37,099.57: Lee Road Streetscape Inspection and Admin Fees (CIP #265)
- Hez Enterprise, LLC - \$21,485.00: Demolition of 2342 Noble Road
- Lykins Oil Company - \$10,671.31: ECO Supreme Clear Diesel 15 Ppm and 9# No Lead Gas w/Ethanol 87
- Rumpke - \$10,295.59: Solid Waste Disposal Bid Doc 13-02 (3yr Contract)
- Wade Trim, Inc. - \$12,762.18: Sanitary Sewer Overflow Control Project
- AT & T - \$13,012.09: Communication Usage for various city accounts
- C.B. Mullins Construction - \$13,045.00: Lead Hazard Control and Healthy Home - 2600 Lee Road
- City of Cleveland Heights - \$13,396.82: Water usage for various city accounts
- Clemans, Nelson & Assoc. - \$11,122.33: Legal Services - June, 2016
- Lykins Oil Company - \$23,311.58: ECO Supreme Clear Diesel 15 Ppm and 9# No Lead Gas w/Ethanol 87, Uls Diesel Clear 15 Ppm

TO: TANISHA R. BRILEY, CITY MANAGER

FROM: SUSANNA NIERMANN O'NEIL, ASSISTANT CITY MANAGER

RE: PARKING APP UPDATE

DATE: SEPTEMBER 2, 2016

This is where we are with the Passport Parking App that will be operational this month in our 3 parking garages.

Signage: The signage (metal signs, decals) prepared by Passport has arrived per the contract.

- **Metal Signs: Passport prepared metal signs to be affixed at the entrances of the 3 garages and also going up to the higher levels in Coventry and Cedar Lee garages. These signs with an addition that says *Coming Soon* will go up this coming week.**
- **Decals: Each garage meter will have a decal that notes the Overall Garage number and the space number. These will be affixed to each meter according to the grid that has been prepared for the enforcement piece. (The terrific advisory members have volunteered to be part of the team that puts on the decals in their respective garages)**
- **Banners: Banners will be over the entrances to the garages that say “ PARKING: QUARTERS OR APP”**

Marketing:

- **Staff and the Advisory Committee came up with language explaining the app for a palm card and a flyer that will be available to all the merchants to distribute and to post. The Metal sign language will be digitally put in to poster format and be available for posting.**
- **Staff prepared a “How to” video that will be available on You Tube, the homepage and referenced in all materials. The video will also be on the 3 SID websites.**
- **Press releases will go out to the media and nonprofits. An ad announcing the app will be in the Heights Music Hop program.**

Merchant Outreach: The Advisory Committee recommended a special meeting for merchants with a Passport representative so that business owners could be informed of special features that they could offer their customers. This meeting is tentatively scheduled for September 14th.

Processing: The financial processing is in place. The app will take Visa and Master Card.



CLEVELAND HEIGHTS

Committee of the Whole

September 6, 2016

Agenda

1. Mayor's Update
2. Staff Updates
3. Legislation Overview
4. Joint School Board Meeting Planning

CITY OF
CLEVELAND
HEIGHTS 

August 16, 2016

To the Council of the City of Cleveland Heights, Ohio

Ladies and Gentlemen:

This is to report that a meeting of the Assessment Equalization Board, appointed pursuant to Resolution Nos. 59-2016(F) and 60-2016(F), was held on Tuesday, August 16, 2016 at 11:30 a.m at City Hall.

The meeting was held to consider the equalization of assessments requested in all objections, timely filed against Resolution No. 9-2016(F) entitled,

“A Resolution declaring the necessity of assessing a portion of the expense of street lighting; and declaring an emergency.”

and Resolution No. 10-2016(F) entitled,

“A Resolution declaring the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon; and declaring an emergency.”

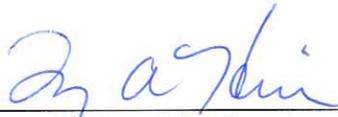
The Board approved the assessments as calculated and on file with the Clerk of Council including the adjustment for corner lots and found that such assessments are in compliance with the standards set forth in Resolution Nos. 9-2016(F) and 10-2016 (F) and proportionate to the benefits received. The Board voted to overrule the three (3) objections.

The Board therefore recommends to Council that the assessment lists prepared pursuant to Resolution Nos. 9-2016(F) and 10-2016(F) and heretofore filed with the Clerk of Council and advertised pursuant to law be filed with the adjustments recommended above and so certified to the County Fiscal Officer.

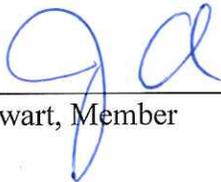
Respectfully submitted,



Tom Raguz, Secretary
Assessment Equalization Board



Larry Heiser, Member



Jason Stewart, Member



Jennifer Demmerle, Member

TO: TANISHA R. BRILEY , CITY MANAGER

FROM: SUSANNA NIERMANN O'NEIL, ASSISTANT CITY MANAGER

RE: COMMUNITY OUTREACH UPDATE

DATE: SEPTEMBER 2 , 2016

PUBLIC RELATIONS:

- **Shredding Day is Sunday September 18th from 9:00am to noon in the City Hall Parking lot. The event is being promoted in the Sun Press, the homepage , Facebook and email blast. (There are 2 shredding days each year one is held on a Saturday morning and one on a Sunday morning. Both are extremely well attended).**
- **The Fall/Winter combined Focus and Rec Book was very well received. Copies were provided to Real Estate Offices and personnel offices.**
- **Ads have been prepared for the Jewish News , Cleveland Magazine, University Circle winter magazine and City Guide. The City ad is also in the Heights Community Congress home tour book.**

SOCIAL MEDIA/CHANNEL20:

- **August website stats: Total page views: 56, 707. Top five pages: Homepage , City Hall and Staff Directory, Employment Opportunities, Pay your water bill and Refuse.**
- **Facebook had a variety of stories including Throwback Thursday photos, Zagara's cash mob, storm debris pickup status, the ribbon cutting at the Fix Bistro and updates. A number of notices were also sent out on Twitter.**

COMMUNITY RELATIONS:

- **Nominations for the Community Improvement Awards must be in by Friday September 9th. Commercial and Residential are both accepted. The ceremony is on Thursday October 6th at 7:00am in the Atrium.**
- **Labor Day weekend block parties : Saturday : Hyde Park , Stillman (Cedar to Corydon) ,Delamere Sunday: Middlehurst, Coleridge ,Lincoln, N St. James, Oakdale , Chatfield.**
- **Relocation packets were prepared for Chestnut Hills Realty , Howard Hanna and Keller Williams. All agents who called said they had clients looking to buy in Cleveland Heights . Packets are also placed in open houses.**



MEMORANDUM

TO: Tanisha Briley-City Manager
FROM: Alex Mannarino-Director of Public Works
DATE: September 2, 2016
RE: Weekly Update

Legislation Requests

Legislation has been prepared for the following items:

Mayfield Signals

The legislation authorizes the City Manager to enter into an agreement with GPD Group for the final design and right-of-way acquisition phase of the project. This is a federally funded project. The maximum allowable contract amount is \$133,932, of which the city will be responsible for 10%.

Coventry Road Resurfacing

The legislation authorizes the City Manager to apply to the State of Ohio, through the Office of the District One Public Works Integrating Committee, for Ohio Public Works Commission funds for the resurfacing of Coventry Road. The application will be a joint application with the city of Shaker Heights.

Lee Road Streetscape

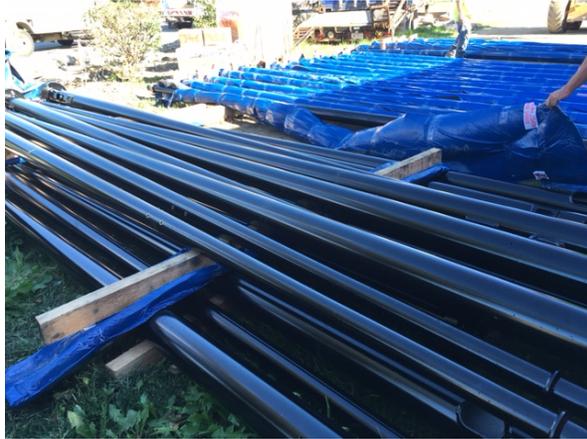
Work has been completed on the west side of the roadway, except for the Permeable brick pavement at the intersection of Meadowbrook and Lee. The contractor is waiting for the bricks to be delivered.

All of the foundations have been poured for the Traffic Signals, and crews have been working on forming and pouring of the pedestrian light pole foundations on the East Side of the Roadway.

S.E.T. Crews are working on prepping for concrete work to begin next week on the east side of the roadway.



Crews removing concrete in front of the new "Fix" Restaurant



Pedestrian Street Lamps being delivered to the job site

Construction Project Updates

2016 Road Resurfacing

No new progress. Ronyak Paving is the sub-contractor for the road resurfacing phase of Lee Road. They plan on finishing the remaining city paving work when they mobilize to pave Lee Road.

2016 Surface Treating

All of the Chip Sealed streets have been completed with exception to Derbyshire Road. Specialized Construction is coordinating their work with Dominion East Ohio.



Completed Cottage Grove looking north from Washington Blvd.



Kensington Road looking west at Stratford Road

Mayfield Signalization

Legislation is being proposed for the final design phase.

Dominion East Ohio

Work continues on PIR 1464 Lee Road from Euclid Heights Blvd. north to Mayfield Road.

Restoration work continues on projects 1589, 1270, and 1271.

Service Department

Street maintenance crews have been out working diligently on storm clean-up of brush on tree lawns since the microburst wind storm that occurred on August 9th.

The Forestry Department has been performing follow-up tree work on storm damaged trees.

All other operations continued as normal.

Date: September 2, 2016

To: Tanisha Briley, City Manager

From: Collette Clinkscale, Utilities Commissioner

Subject: Water and Sewer Department Weekly Update

Water

- Repaired water main break at 14174 Superior (water running in sewer)
- Repaired curb box at 14416 Superior
- Repaired fire hydrant at 3585/3591 Fairmount
- Repaired fire hydrant at Cottage Grove @ East Derbyshire
- Repaired emergency water main break at 3286 Redwood
- Repaired curb box at 1351 Oakridge
- Repaired curb box at 3982 Orchard
- Repaired curb box at 3488 Blanche
- Repaired fire hydrant at 3319 Desota
- Turned off 103 delinquent accounts
- Continuing transponder update program
- Marked water lines for in the Fairmount/Shelburne area in connection with the NEORSF Fairmount Blvd Relief Sewer Project
- Backfilled misc. street holes

Sewer

- Ran sewer machine on Nelaview, Compton, Monticello, Seaton and Forest View
- Prepped and cemented holes on Severn, Shannon, E. Overlook, S. Overlook, Elbon, Vineshire, Greyton and Winsford
- Removed belly in sewer lateral at 2378 Euclid Heights Blvd
- Jetted sanitary main on S. Taylor between Superior and Antisdale
- Completed catch basin at 3509 Severn
- Checked Overflows

Other

- Catch basin cleaning in process by Cuyahoga County Public Works
- On-going coordination on Cleveland Water requests
- Misc. meetings on Cleveland Water Transition
- Coordinating with County Public Works on a proposed sewer project
- Attended other sewer related meetings

MEMORANDUM

To: Tanisha Briley, City Manager
From: Allan Butler, Housing Director
Date: 9/2/2016
Re: Housing Update

- Recently submitted Special Assessment tax liens to county
 1. Grass-166 parcels-\$60,400
 2. Demolition-22 full -7 partial- \$363,843
 3. Board Ups- 18- \$4,152
 4. Police Nuis. 2 -\$512
 5. Special Yard Cleanup 15- \$11,000Total \$439,907
- Tax lien sale warning letters were mailed 8/15/16 to 148 property owners.
- County demo bond fund application was submitted requesting \$347,000 for 26 nuisance demo properties.
- Will be bringing Nuisance abatement legislation for 4 properties soon including
 1. 3380 Beechwood- fire
 2. 1610 S. Taylor- fire
 3. 1617 Eddington
 4. 950 Nelaview

CITY OF
CLEVELAND
HEIGHTS 

DEPARTMENT OF POLICE

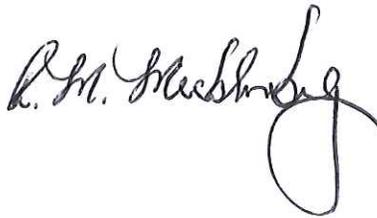
ANNETTE M. MECKLENBURG, CHIEF

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 – Telephone 216-291-4974

MEMORANDUM

To: Tanisha R. Briley, City Manager

From: Annette Mecklenburg, Chief of Police



Date: September 2, 2016

Subject: Weekly Update

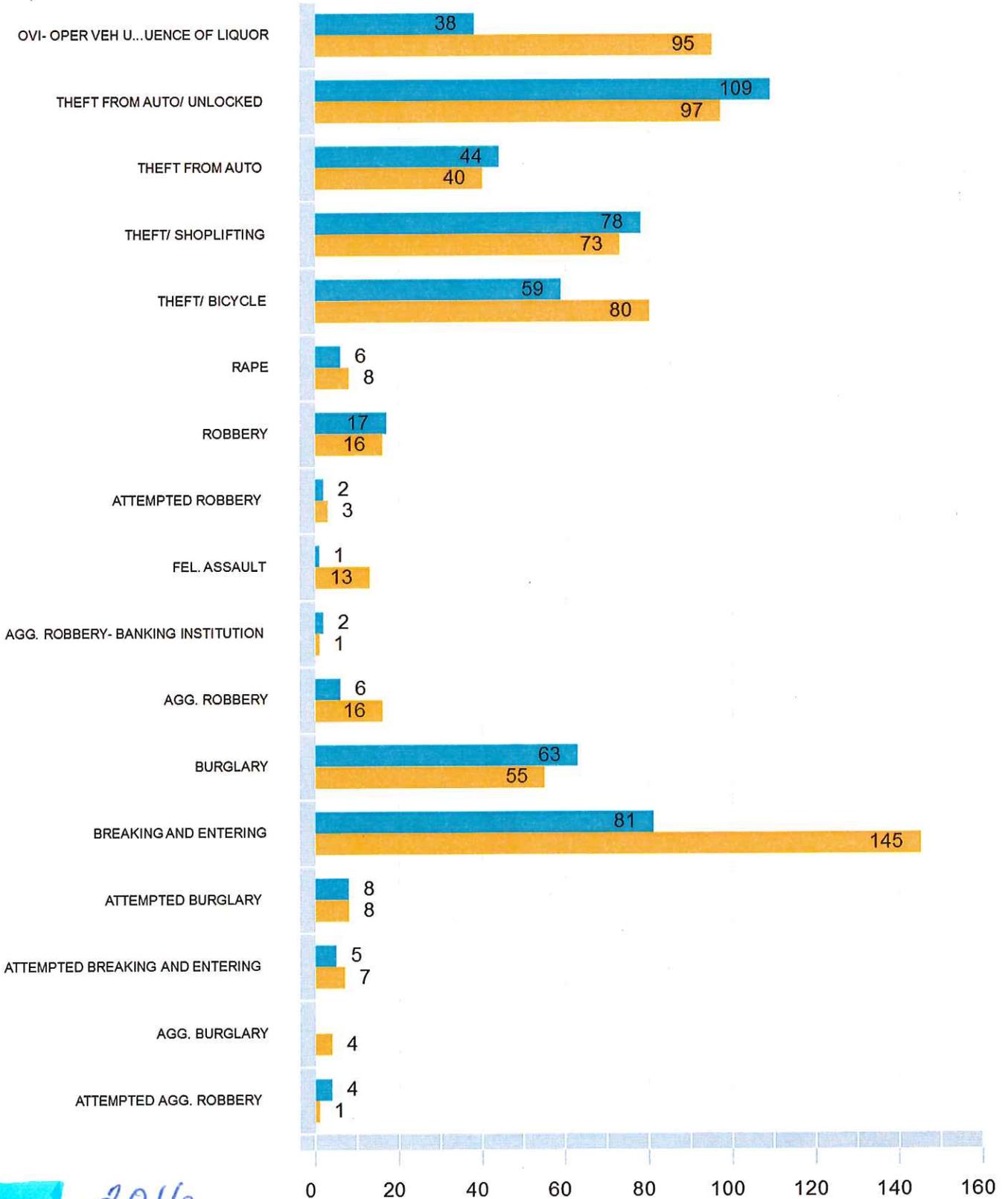
On Thursday, September 8, 2016, a ceremony will be held at dusk to remember fallen Police Captain Edward Connolly who was shot and killed in 1920 while responding to a call of a burglary in progress. The ceremony will be held in front of City Hall at the Police Memorial.

The Community Response Team will be participating in a full ALICE Drill at Beaumont School on Friday, September 9, 2016. The drill will take place from 8:00 am to 10:00 am and over 300 students and staff members from the school we be participating.

Last week 45 year old Paul Gist was arrested and charged with 8 counts of Attempted Felonious Assault for shooting a b.b. gun at passing vehicles in the area of Noble Rd. and Quilliams. Mr. Gist has been turned over to the custody of the Cuyahoga County Jail where he is currently being held on a bond of \$50,000 cash/surety.

Dashboard Tab

Crime Type



2016
2015

Friday, January 01, 2016 to Thursday, September 01, 2016 COMPARED TO Thursday, January 01, 2015 to Tuesday, September 01, 2015



Cleveland Heights Fire Department

Weekly Activity Report

Total Emergency Calls Year To Date 4,354

Total Emergency Calls for Period 724

Report Date Period: 08/01/2016 - 09/01/2016

Fire Data

	<u>Current Period</u>	<u>Year to Date</u>	<u>Last Year to Date</u>	<u>Current Year % of Run Count</u>
Emergency Fire Run Count	231	894	231	21.07 %
Emergency Structure Fire Count	12	49	12	
Emergency Non Structure Fire Count	219	835	219	
Emergency Vehicle Fire Count		10		

Emergency Medical Data

Total Emergency Run Count	493	3,460	493	78.93 %
Emergency Medical Run Count	480	3,341	480	
Automobile Accident Run Count	13	119	13	
Advanced Life Support Run Count	136	927	136	
Basic Life Support Run Count	355	2,516	355	
Total EMS Transports	317	2,241	317	
Total EMS Non Transports	160	1,054	160	

Mutual Aid Run Count to Date

Mutual aid received	SEFD A - 41 SHFD A - 36 ECFD A - 17 UHFD A - 30
Mutual aid given	SEFD A - 21 SHFD A - 26 ECFD A - 22 UHFD A - 13
Automatic aid received	SEFD A - 2 SHFD A - 9 ECFD A - 0 UHFD A - 3
Automatic aid given	SEFD A - 0 SHFD A - 8 ECFD A - 0 UHFD A - 8

Fire Prevention Bureau

	<u>Current</u> <u>Period</u>	<u>Year to</u> <u>Date</u>
Total Completed Fire Inspections	331	745
Company Fire Inspections	208	345
Fire Prevention Fire Inspections	10	47
Fire Alarm Test Inspections		1
Kitchen Supression Test Inspections		8
Sprinkler Test Inspections		2
Other Inspections	113	342
Smoke Detectors Distributed	15	91



Cleveland Heights Fire Department

Weekly Activity Report

Total Emergency Calls Year To Date	4,351
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Total Emergency Calls for Period	772
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Report Date Period: 07/29/2016 - 09/02/2016

Fire Data

	<u>Current Period</u>	<u>Year to Date</u>	<u>Last Year to Date</u>	<u>Current Year % of Run Count</u>
Emergency Fire Run Count	239	893	843	21.08 %
Emergency Structure Fire Count	12	49	39	
Emergency Non Structure Fire Count	227	834	795	
Emergency Vehicle Fire Count		10	9	

Emergency Medical Data

Total Emergency Run Count	533	3,458	3,285	78.92 %
Emergency Medical Run Count	520	3,339	3,160	
Automobile Accident Run Count	13	119	125	
Advanced Life Support Run Count	143	927	994	
Basic Life Support Run Count	388	2,514	2,264	
Total EMS Transports	340	2,240	2,155	
Total EMS Non Transports	176	1,054	1,016	

Mutual Aid Run Count to Date

Mutual aid received	SEFD A - 41 SHFD A - 36 ECFD A - 17 UHFD A - 30
Mutual aid given	SEFD A - 21 SHFD A - 26 ECFD A - 22 UHFD A - 13
Automatic aid received	SEFD A - 2 SHFD A - 9 ECFD A - 0 UHFD A - 3
Automatic aid given	SEFD A - 0 SHFD A - 8 ECFD A - 0 UHFD A - 8

<u>Fire Prevention Bureau</u>	<u>Current Period</u>	<u>Year to Date</u>
Total Completed Fire Inspections	355	745
Company Fire Inspections	230	345
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Kitchen Supression Test Inspections		8
Sprinkler Test Inspections		2
Other Inspections	115	342
Smoke Detectors Distributed	15	91

Fire Prevention Public Education

Date of Activity

Hours of Activity

08/02/2016

1.25

A summer camp at Noble Elementary requested a fire safety presentation. The students were nepalese and had little fire safety knowledge. The group was split into two groups. The older group was taught about smoke detectors, having a meeting place outside, the "never- evers" of fire safety and cooking safety. There was a question and answer session at the end of the presentation. The groups then switched and were able to tour the ladder truck and see a firefighter in full turn out gear. The second group were younger than the first and were taught about smoke detectors, the "never-evers" of fire safety. We also talked about getting outside and having a meeting place. 911 and knowing their address and phone number were discussed. The students were then taught how to crawl low under smoke and stop, drop and roll. At the end, the younger students were given a coloring book.

08/02/2016

3.50

The fire department attended CHPD's public event. At the event, the public was able to tour and view equipment from the engine and ladder truck. There was also a table set up with fire safety information for children and adults. Also provided was a CPR station where anyone could learn how to do "hands only" CPR and use the AED trainer. Promotional items provided by University Hospitals were given out. Items included, CPR barrier devices, pill boxes and chapstick. Children were given a fire safety coloring book, pencil and stickers.

**City of Cleveland Heights
Board of Zoning Appeals**

CALENDAR NO. 3406

Upon the motion being made and seconded, the following resolution was adopted:

RESOLUTION

WHEREAS, Steven B. Stone, 2350 Ardleigh Drive, in an 'A' single-family district, hereinafter referred to as the "applicant," has made formal application requesting a variance from the minimum yard requirements for accessory uses regulations of the Zoning Code, to permit a driveway to be set back 0 feet from the side property line; and

WHEREAS, the applicable provision of the Zoning Code is contained in Subsection 1121.12(a)(8), which requires a minimum setback of 3 feet from the side property line; and

WHEREAS, the public hearing to consider this application was held on Wednesday, August 17, 2016, at 7:00 p.m., pursuant to the requirements outlined in Sections 1109.06 and 1115.07 of the Zoning Code; and

WHEREAS, in the opinion of the Board of Zoning Appeals, the applicant clearly demonstrated that there were special conditions and circumstances resulting in a practical difficulty in complying with the requirements of the Zoning Code; the variance was in harmony with the general purpose and intent of the Zoning Code; and the public health, safety, and general welfare were safeguarded and substantial justice was done.

NOW, THEREFORE, be it resolved by the Board of Zoning Appeals of the City of Cleveland Heights, Ohio, that:

- (1) The applicant will suffer a practical difficulty if the variance is not granted because experience has shown that the siting and location of the driveway invites and causes damage to the property given the unusual angle in which vehicles have to go in and out; the proposed driveway location is common on Ardleigh Drive and will not detract from the neighborhood; the proposed driveway alignment results in a more even green spacing for the property in keeping with the normal front lawn; and the applicant's predicament cannot be resolved without a variance.
- (2) The issuance of a special permit is hereby authorized to permit a driveway to be set back 0-feet from the side property line, as shown in the plan submitted to the Board.
- (3) The applicant is required to:
 1. Obtain applicable Building Department permits; and

2. Complete construction within 18 months of City Council's approval of this resolution.

(4) The Secretary is directed to forward to the Clerk of Council a copy of this resolution as required under Subsection 1115.07(i) of the Zoning Code for final disposition by City Council.

ROLL CALL:

Ayes: Bromley
Gilliam
Hoen
Wolf
Zych

Nays: None

Motion carried
adopted

I hereby certify that the above is a true and correct copy of the resolution passed by the Board of Zoning Appeals at its meeting held on Wednesday, August 17, 2016.



Vesta A. Gates, Secretary

A copy of this resolution was filed with the Clerk of Council on Friday, September 2, 2016.



Tom Raguz, Clerk of Council

**City of Cleveland Heights
Board of Zoning Appeals**

CALENDAR NO. 3407

Upon the motion being made and seconded, the following resolution was adopted:

RESOLUTION

WHEREAS, Lana Radl and Mithan Rajan, 3500 Fenley Road, in an 'A' single-family district, hereinafter referred to as the "applicants," have made formal application requesting a variance from the chicken coop and chicken run regulations of the Zoning Code, to permit a chicken coop to be set back 0 feet from the principal structure; and

WHEREAS, the applicable provision of the Zoning Code is contained in Subsection 1153.05(gg)(4)B which requires a setback of 10 feet from the principal structure; and

WHEREAS, the public hearing to consider this application was held on Wednesday, August 17, 2016, at 7:00 p.m., pursuant to the requirements outlined in Sections 1109.06 and 1115.07 of the Zoning Code; and

WHEREAS, in the opinion of the Board of Zoning Appeals, the applicant clearly demonstrated that there were special conditions and circumstances resulting in a practical difficulty in complying with the requirements of the Zoning Code; the variance was in harmony with the general purpose and intent of the Zoning Code; and the public health, safety, and general welfare were safeguarded and substantial justice was done.

NOW, THEREFORE, be it resolved by the Board of Zoning Appeals of the City of Cleveland Heights, Ohio, that:

- (1) The applicant will suffer a practical difficulty if the variance is not granted because the applicants are requesting to use an existing structure and not construct a separate chicken coop; this large property as unique characteristics including is size and wooded rear yard; information from the Board of Health indicated that there is no health or safety concerns about this location; due to the wooded nature of this area, there are substantial reasons why this location could protect the chickens better than a coop built 10 feet from the principal structure; and the applicant's predicament cannot be resolved without a variance.
- (2) The issuance of a special permit is hereby authorized to permit a chicken coop to be set back 0 feet from the principal structure, as shown in the plan submitted to the Board.
- (3) The applicant is required to:

1. Adhere to all Building Code regulations;
2. Understand that the variance shall expire at such time that the applicant sells or otherwise conveys ownership of the property at 3500 Fenley Road (PPNs 682-02-016 and 682-02-017).
3. Maintain the required conditional use permit for chicken coops.

(4) The Secretary is directed to forward to the Clerk of Council a copy of this resolution as required under Subsection 1115.07(i) of the Zoning Code for final disposition by City Council.

ROLL CALL:

Ayes: Bromley
Gilliam
Hoen
Wolf
Zych

Nays: None

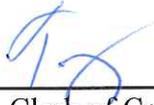
Motion carried
adopted

I hereby certify that the above is a true and correct copy of the resolution passed by the Board of Zoning Appeals at its meeting held on Wednesday, August 17, 2016.



Vesta A. Gates, Secretary

A copy of this resolution was filed with the Clerk of Council on Friday, September 2, 2016.



Tom Raguz, Clerk of Council

CALENDAR NO. 3406:

Steven B. Stone, 2350 Ardleigh Dr, 'A' single-family district, requests a variance to Section 1121.12(a)(8) to construct a driveway 0' setback from side property line (min. 3' setback req'd.).

Action: Granted 5-0 with the following conditions:

1. Receipt of applicable Building Department Permits; and
2. Complete construction within 18 months of City Council's approval of this resolution.

CALENDAR NO. 3407:

Lana Radl & Mithun Rajan, 3500 Fenley Rd, 'A' single-family district, request a variance to Section 1153.05(gg)(4)B to permit a chicken coop 0' setback from principal structure (min10' setback req'd.).

Action: Granted 5-0 with the following conditions:

1. The applicants shall adhere to all Building Code regulations;
2. The variance shall expire at such time that the applicant sells or otherwise conveys ownership of the property at 3500 Fenley (PPNs 682-02-016 and 682-02-017)
3. The owner shall be required to maintain the required conditional use permit for chicken coops.

CITY OF CLEVELAND HEIGHTS
ARCHITECTURAL BOARD OF REVIEW
MINUTES OF THE MEETING
AUGUST 16, 2016

MEMBERS PRESENT: Melissa Fliegel Acting Chair
 Michael Wellman

STAFF PRESENT: Richard Wong Planning Director
 Elizabeth Rothenberg Assistant Law Director

CALL TO ORDER

Mr. Wong called the meeting to order at 7:05 p.m. at which time two of three members were present.

APPROVAL OF THE MINUTES OF THE AUGUST 2, 2016 AND AUGUST 5, 2016 PUBLIC HEARINGS

ABR members had no corrections or comments so the minutes were approved as submitted and signed by Ms. Fliegel.

**PUBLIC HEARING
AUGUST 16, 2016**

ABR 2016-101: Request of Eyton Senders, 2573 South Taylor Road, to construct detached 2-car garage.

Mr. Wong, who had been sworn-in, showed slides of the context and asked the applicant to narrate.

Architect Eli Mahler, 3947 West Ash Lane, 44122, who had been sworn-in, described the replacement garage— 20' by 20', white vinyl sided with stamped overhead and side-hinged doors.

Ms. Fliegel said that members usually ask that the garage roof slope match the home or be at least 6:12 but the house has less steep roof pitches on the front and side porches, so this 4:12 roof pitch would be fine.

ACTION: Ms. Fliegel moved to approve as submitted the 2-car detached garage as shown on the plans by architect Eli Mahler, received July 29, 2016. Seconded by Mr. Wellman, the motion unanimously passed.

ABR 2016-083 (continued case): Request of Crotty Industries LLC, 2681 Euclid Heights Boulevard, to install 4.3 square foot sign on building.

Northcoast Signworks' Bill Hamilton, 23196 Miles Road, 44128, who had been sworn-in, said the revised proposal would place the sign onto a white sheet of Azek that would be installed on top of the "Desimons" existing name on the door trim adjacent to—and above-- the front door.

ACTION: Mr. Wellman moved to approve as submitted the Pillars sign as shown on the illustration by Northcoast Signworks, submitted August 16, 2016. Seconded by Ms. Fliegel, the motion unanimously passed.

ABR 2016-088: Request of Heights Medical Building LLC, 2460 Fairmount Boulevard, to install 17.5' x 2' CLE Heights Dental sign above second floor windows.

Ms. Rothenberg said this approval involved two actions.

Mr. Wong said that this building was three stories and that the Zoning Code did not allow signs for upper floor tenants. In 2015, the applicant received approval from the Board of Zoning Appeals, City Council and the Architectural Board of Review for a sign for a second floor tenant, the Cube.

Ms. Rothenberg said one of the variance's conditions was the ABR's approval of a sign plan. A picture was submitted in addition to a written sign plan of 14 points. The illustration showed one sign that was to be the Cube's sign.

Mr. Wong said over the past couple months the latest proposed second floor tenant's sign caused ABR to ask about the extent of the landlord's intentions for upper floor signs. Building owner Sal Russo submitted information to address this question which would be one of two actions of the ABR—an updated review of the full extent of signs for the building.

The Heights Medical Building's owner, Sal Russo, and tenant Jeff Rosenthal, 2460 Fairmount Boulevard, and Graphic Expressions Signs & More Inc's Ron Burns, 8548 Ohio 14, Streetsboro, 44241, all of whom had been sworn-in, elaborated about the signs. Sal Russo said no room existed on the building for third floor signs. A band on the second floor was suitable for four signs and three of those are shown on the illustrations as rectangular placeholders in addition to the Cube's sign. Another illustration showed two more second floor signs on the south end facing the Fairmount Boulevard sidewalk and Luna's patio.

Ms. Rothenberg said ABR's sentiments about the complete sign plan would be worked out before the sign request was heard by Board of Zoning Appeals. The 14 points from the 2015 standards could also be subject to ABR revisions. The second matter was the review of the dentist's sign.

Mr. Russo said he did not need the additional signs as much as the dentist's sign.

Mr. Wellman said that ABR needed to agree on a scheme for the entire elevation, regardless of the tenants since tenants are subject to change.

Mr. Russo said that no third floor tenant would receive a sign.

Ms. Fliegel said she was fine with signs on the band above the second floor windows being for any upper floor tenant not exclusive to second floor tenants. She also asked about the size of the signs.

Mr. Wong said that the first floor tenants were afforded one square foot of sign for every foot of frontage.

Ms. Fliegel said she wanted a margin on the top and bottom of any sign on the stone band above the second floor.

Mr. Burns said a 24"-high space was between the two trim pieces of this stone band.

Ms. Fliegel said it would help if a line drawing existed for prospective upper floor tenants showing exactly where the sign would be. She counted six spots for upper floor signs.

Mr. Rosenthal explained that the sign between the main building entrance and his proposed sign was just an option for his space. Two signs would not be on the stone band between the arched main building entrance and the north end of the building.

Ms. Fliegel said that the Heights Dental's 18" height resulted in a 3" margin on the top and bottom that looked right.

Mr. Wellman said the dental sign's size looked good and was approvable.

Ms. Rothenberg said last time, a comprehensive sign plan was needed. City staff believed that an ABR-approved comprehensive sign plan was needed along with the dentist's sign.

Ms. Fliegel asked Mr. Russo to consider the possibility of more signs if the building's upper floor was subdivided into more tenants than now exist.

Ms. Rothenberg said Mr. Russo would be requesting one variance for multiple potential upper floor signs to avoid separate requests for each sign.

Mr. Wong said he was not aware of verification of the 24" dimension that was shown on the applicant's illustration. It was decided to only specify that signs on the stone band above the second floor needed at least 3" to the protruding trim above and below.

ACTION #1: Mr. Wellman moved to approve the CLE Heights Dental sign as shown on the illustrations by Laad Sign, received 7-19-16 and 8-15-16, subject to the conditions that a Board of Zoning Appeals variance be received, it be centered left-to-right on the adjacent third floor windows, it be centered vertically in the stone band and that a margin of no less than 3" be provided above and below the sign to the nearest protruding trim. Seconded by Ms. Fliegel, the motion unanimously passed.

ACTION #2: Mr. Wellman moved to continue for 30 days a review of the overall building sign plan. Seconded by Ms. Fliegel, the motion unanimously passed.

ABR 2016-102: Request of Zelos Enterprises, LLC, 3973 Navahoe Road, to replace front window.

Mr. Wong showed slides of the property and of the applicant's illustrations.

Zelos Enterprises' Ed Kwiecien, 10724 State Road, 44133, who had been sworn-in, narrated as the slides were shown. Noting that the existing window's wood was rotted, a replacement window was badly needed. The existing leaded glass could not be duplicated but would be replaced by a wood window painted to match the home's trim color. Two casement windows would flank one picture window.

Ms. Fliegel asked if the casement windows could be divided into five sections to match the home's other windows' five sections.

Mr. Kwiecien said he would check with the manufacturer. If five divisions were possible, the casement windows will have five.

ACTION: Ms. Fliegel moved to approve as submitted the windows as shown on the illustration by Zelos Enterprises, LLC, received August 2, 2016. It was understood that the casement windows would have five divisions instead of four if five divisions were available. Seconded by Mr. Wellman, the motion unanimously passed.

ABR 2016-96: (continued case) Request of James & Julie Love, 3185 Oak Road, to construct 2-car, detached garage.

James Love, who had been sworn-in, provided supplemental information that staff and ABR had requested including a photo of his home and a photo illustrating a garage similar to the one proposed.

Ms. Fliegel asked if lap siding was available.

Mr. Wellman said the garage's siding should match the home's.

Mr. Love said the metal siding would resemble the home's and would be hardly visible from the public street. The photo indicated ribbed metal siding.

Ms. Fliegel said ABR typically struggles with a 4:12 garage roof pitch.

Mr. Love said that his front porch roof had a similarly flat pitch as the proposed garage's roof pitch. A photo showed that the home's front porch roof was a similarly flat pitch.

Ms. Fliegel said, based on the front porch, the garage's 3:12 pitch could be approved.

Mr. Wellman said the siding still looked too industrial. He wanted the siding to be closer to a lap siding material.

Ms. Fliegel said the metal siding on the roof was acceptable but the metal sided walls needed to look more like the home's siding. She asked if the garage could be sheathed in plywood and sided with traditional siding. The metal siding was not acceptable.

ACTION: Ms. Fliegel moved to continue the request to construct this 2-car, detached garage. Seconded by Mr. Wellman, the motion unanimously passed.

ABR 2016-103: Request of Disclosure Builder, LLC, 2936 Hampshire Road, to construct 2-car detached garage.

Mr. Wong showed slides of the context and submitted drawings.

Chris Golden, 2936 Hampshire Road, who had been sworn-in, said the garage would replace the garage that he had demolished. He narrated the slides.

Mr. Wellman noted the proposed cedar wood siding and trim.

ACTION: Mr. Wellman moved to approve as submitted the detached, 2-car garage as shown on the plans by Chris Golden, received August 2, 2016. Seconded by Ms. Fliegel, the motion unanimously passed.

ABR 2016-104: Request of Daniel Levin, 3421 Bradford Road, to install two skylights on east-facing roof.

Mr. Wong showed slides of the context and submitted drawings.

TPA Builders' architect John Payne, 2208 Bellfield Road, 44106, who had been sworn-in, narrated as the slides were shown. He said the skylights were manual, operable Velux skylights with integral blinds. The location on the roof avoids the home's collar ties and the roof's valley while allowing sunlight deep into the attic.

ACTION: Ms. Fliegel moved to approve as submitted the skylights as shown on the plans by John Payne, received August 2, 2016. Seconded by Mr. Wellman, the motion unanimously passed.

ABR 2016-105: Request of Jesse Bassett, 3050 East Overlook Road, to construct 2-car detached garage.

Mr. Wong showed slides of the context and submitted plans.

Jesse Bassett narrated the slides. The replacement garage would have code conforming 3' setbacks but would be the same style and size as the original garage.

Ms. Fliegel asked about the garage's height. She said the garage would need to be 9' or 10' to fit a 7'-high overhead door.

Mr. Bassett agreed.

ACTION: Ms. Fliegel moved to approve the detached, 2-car garage as shown on the plans by Jesse Bassett, received August 2, 2016, marked by ABR to increase the height to 10'. Seconded by Mr. Wellman, the motion unanimously passed.

ABR 2016-106: Request of Robert Seher, 3030 Berkshire Road, to construct 2-car, detached garage.

Mr. Wong showed slides of the context and submitted plans.

Robert Seher and architect Greg Goss, 2216 Lee Road, 44118, who had both been sworn-in, narrated the slides. Mr. Seher said a 45-degree angle was designed on the garage's floor plan to reflect a similar angle of his deck. Neighbors signed a letter saying that they had no objections to the new garage. An eyebrow dormer

was proposed on the roof facing the house. The garage's height complied with the 15' height of the Zoning Code.

Mr. Wellman said the front looked very nice. He questioned the look from the sides.

Mr. Seher said the front was originally proposed to have the same gambrel shape as the back, but was changed. The siding will be Hardie siding.

Ms. Fliegel noted that the neighbor's home had a Dutch Colonial gambrel roof.

ACTION: Mr. Wellman moved to approve as submitted the detached, 2-car garage as shown on the plans by Greg Goss, received August 2, 2016. Seconded by Ms. Fliegel, the motion unanimously passed.

ABR 2016-107: Request of Bill Lockwood, 3318 Yorkshire Road, to construct 2-car, detached garage.

Mr. Wong showed slides of the context and submitted plans.

Bill Lockwood and New Creation Builders' Diane Bija, 5309 Barkwill Avenue, 44127, who was sworn-in, narrated as slides were shown. The vinyl siding will match the home's almond colored trim and cypress green siding. A 4:12 pitch is proposed.

ACTION: Ms. Fliegel moved to approve the detached, 2-car garage as shown on the plans by New Creation Builders, received July 25, 2016. Seconded by Mr. Wellman, the motion unanimously passed.

ABR 2016-108: Request of City of Cleveland Heights at right-of-way at Burlington and Mayfield Roads, to install freestanding entry sign identifying the Forest Hill neighborhood.

Mike Reilly, 1899 South Taylor Road, 44118, said he, his wife, and others launched The Campaign for Forest Hill. His company is acquiring and repairing homes in Forest Hill. With the Greek Festival coming up, he wanted to install a sign at Burlington and Mayfield to identify Forest Hill. The sign would be temporary; designed by his son, Travis.

Ms. Fliegel liked the idea and would look forward to review of a permanent sign. Mr. Reilly explained that the Home Owners Association supported the temporary sign. He was open to input from the City and wanted to return with a master plan for Forest Hill's signage.

ACTION: Mr. Wellman moved to approve as submitted the temporary sign as shown on the plans by Mike Reilly, received August 16, 2016. Seconded by Ms. Fliegel, the motion unanimously passed.

OLD BUSINESS

No old business was brought before the ABR.

NEW BUSINESS

No new business was brought before the ABR.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 8:37 p.m.

Respectfully Submitted,

Melissa Fliegel, Acting Chair

date

Richard Wong, Secretary

date

City of Cleveland Heights

Architectural Board of Review

Per Cleveland Heights Building Code Chapter 1313, the Architectural Board of Review will review the following at a public hearing on **Wednesday, September 7, 2016 at 7:00 PM in Executive Conference Room**, 2nd floor of City Hall, 40 Severance Circle, Cleveland Heights, Ohio 44118. For questions, please call Kara Hamley O'Donnell, City Planner, Department of Planning and Development, at 216-291-4885 or email kodonnell@clvhts.com.

AGENDA

- 1. Roll Call**
- 2. Approval of August 16, 2016 meeting minutes.**
- 3. CASES:**
 - 3.1 ABR 2016-96, continued: Request of James & Julie Love, 3185 Oak Road**, to alter existing garage & add new metal roof.
 - 3.2 ABR 2016-088, continued: Request of Heights Medical Building LLC, 2460 Fairmount Boulevard**, to review building signage plan.
 - 3.3 ABR 2016-108: Request of Legacy Health Service, dba Cedarwood Plaza, 12504 Cedar Road**, to enclose a third floor porch to create a smoking lounge.
 - 3.4 ABR 2016-109: Elihana LLC II, 3628 Harvey**, to replace 2-car, detached garage in same location.
 - 3.5 ABR 2016-110: Uri Schulgasser, 1853 S. Compton**, to construct 2 1/2 -car garage with upper floor.
 - 3.6 ABR 2016-111: 13450 Cedar LLC, 13450 Cedar Road**, to install mural on west building façade.
 - 3.7 ABR 2016-112: Rozita Davis, 2378 N. Taylor Road**, to replace windows with grid patterns different than original windows.
 - 3.8 ABR 2016-113: Great Expressions Dental Centers, 3636 Mayfield Road**, to install 30.15 s.f. sign on building.
 - 3.9 ABR 2016-114: Alvin Copeland, 2069 Staunton Road**, to replace windows with grid patterns different than original windows.
 - 3.10 ABR 2016-115: Debbie Jenkins, 1078 Allston Road**, to replace two windows with sliding patio door.

(more information on back of page)

- 3.11 ABR 2016-116: Dean Sieck, 2547 Bolton Road**, to install roof-mounted solar panels on front of house.
- 3.12 ABR 2016-117: Troy McCarty, 2855 North Park Boulevard**, to install roof-mounted solar panels on front of house.
- 3.13 ABR 2016-118: Yulia Lyublinski, 3600 Bendemeer Road**, to replace 2-car, detached garage in same location.
- 3.14 ABR 2016-119: Claude Carson, 926 Englewood Drive**, to replace 2-car, detached garage in same location.
- 3.15 ABR 2016-120: Daleo Freeman, 3468 Edison Road**, to change windows and roofline of the existing three-season room; change second floor door to window.
- 3.16 ABR 2016-121: Mark & Roxanne Bain, 1820 Chestnut Hills Drive**, to construct outdoor fireplace in rear yard.
- 3.17 ABR 2016-122: Tom Easton, 2730 Colchester**, to add new railings and pergola to deck above garage.
- 3.18 ABR 2016-123: Ellary Oliver, 1247 Quilliams**, to replace two front windows with bay window.
- 3.19 ABR 2016-124: Brendan Ring, dba Nighttown, 12383 Cedar**, to replace existing retractable awning with new fixed awning.

4. Old Business

5. New Business

6. Adjournment

REVIEW PURPOSES (Code Section 1313.05): *The Architectural Board of Review protects properties on which buildings are constructed or altered, maintains the high character of community development, and protects real estate from impairment or destruction of value by regulating according to proper architectural principles the design, use of materials, finished grade lines and orientation of the reviewed projects.*

NOTE: *If your property is adjacent to one of these cases, you received the notice as an invitation to learn about and to comment on the project prior to the meeting or at the Architectural Board of Review meeting. For questions and more information, please contact Kara Hamley O'Donnell at kodonnell@clvhts.com or 216-291-4885.*

City of Cleveland Heights
Citizens Advisory Committee
August 9, 2016
Council Chambers, Cleveland Heights City Hall

MEMBERS PRESENT

David Benson	Allison McCallum
Vetella Camper	Marian Morton
Kim DeNero-Ackroyd	T. Nadas
Douglas Dykes	Donalene Poduska
Bradley Eckert	Amanda Shaffer
Cory Farmer	Steve Titchenal
Christine Henry	Meg Vanderbilt
Robin Koslen	Sarah West
Gail Larson	Parker Zabell
Menachem Lubling	

MEMBERS ABSENT

Dawn Ellis (exc.)	Katura Simmons (exc.)
Jonathan Goldman (exc.)	

STAFF PRESENT

Nancy McLaughlin

GUESTS PRESENT

Tanisha Briley, Cleveland Heights	Kara O'Donnell, Cleveland Heights
Karen Knittel, Cleveland Heights	Tim Boland, Cleveland Heights
Allan Butler, Cleveland Heights	Joanne Federman, Family Connections
Deanna Bremer Fisher, FutureHeights	Charniece Holmes, Family Connections
Amy Rosenbluth, Lake Erie Ink	Hannah Van Jura
Avrohom Adler, Gesher	Keesha Allen, HRRC
RoxSana Ballard, Triple Threat	Lynda Hicks, Start Right Food Pantry
Rev. Jimmie Hicks Jr., Start Right Food Pantry	

CALL TO ORDER

Allison McCallum, Chair, called Public Hearing to order. She opened the public hearing by welcoming everyone and giving a brief statement of the order of the meeting. She stated that this was the first of two public hearings and that the second would be held at 7:00 p.m. on Tuesday, August 16, 2016 in Council Chambers at Cleveland Heights City Hall.

Allison stated that Cleveland Heights is an Entitlement Community receiving Community Development Block Grant funds directly from the Department of Housing and Urban Development (HUD). The funds enable the city to develop a viable community by providing decent housing and a suitable living environment and by expanding economic opportunities. She explained that a final allocation for 2017 has not yet been made by Congress, but that the

City is estimating that we will receive slightly less than 2016, which was about \$1.46 million. She explained that CDBG is a federal program and that all applicable regulations must be followed including an environmental review of each project that includes a Section 106 Historic Preservation Review.

Members of the audience not affiliated with an applicant agency were invited to speak regarding the CDBG program or community issues that could be addressed by a CDBG-funded activity. No comments were received.

Allison reminded each applicant to limit their prepared remarks to five minutes if they were applying for one activity and to eight minutes if they were applying for more than one activity. She stated that CAC members could ask questions after their comments. Presenters were reminded that CAC had received a copy of their written application and that a CAC Subcommittee would be contacting them after the public hearing.

ROLL CALL

Secretary Amanda Shaffer called the roll. A quorum was present.

APPLICATION HEARING FOR CDBG

Economic Development – Total Request \$355,094

Economic Development Program Administration - \$90,094

Storefront Renovation Program - \$265,000 (\$125,000 rebates, \$100,000 loan, \$40,000 consultants)

Tanisha Briley, City Manager, presented the request for administrative costs for the Economic Development program. The City recently hired an Economic Development Director, Tim Boland, and a Business Development Manager, Brian Anderson. The request is for personnel and operating expenses for the ED program. The salaries for these positions are 50% CDBG funded. Economic Development is a priority for the City and Tim and Brian will be working closely with local businesses and promoting the City to potential developers. They will also work on community development needs.

Kara O'Donnell, City Planner, presented the request for additional funding for the Storefront Renovation Program. There are two projects that are being designed and others in the pipeline that will use the majority of the funds remaining in the program. The consultants continue to be invaluable to the success of the program.

GIS Program – Total Request \$76,700

Karen Knittel presented the City's request for funding for a GIS Analyst/Manager (50% salary) and the acquisition of ESRI GIS software. The information that GIS provides is invaluable to departments throughout the city and is especially valuable for CDBG programming. Other entitlement cities have used GIS with great success, including Euclid and Lakewood. It would also allow the City to provide a wealth of information to our residents.

FutureHeights – Total Request \$96,000

Deanna Bremer Fisher, Director, presented their request for funding to continue the community capacity building program for Cleveland Heights as well as the request for start-up funding for a new economic development program. FutureHeights is looking to become a CDC for the City of Cleveland. The community capacity program is continuing from April 2015. The organization currently has two full-time employees and is working with volunteers to facilitate activities within the City.

Home Repair Resource Center - Total Request \$229,251

Housing Counselor (public service) -\$55,678

Housing Rehabilitation Programs - \$173,573

Keesha Allen, Executive Director, presented the agency's 2017 requests and reviewed the organization's activities. HRRRC continues its mission to keep Cleveland Heights houses in good repair. They have a good relationship with the City and work closely with Housing and HPO staff. In the 45 years of HRRRC's existence, their programs have enabled more than \$14 million in repairs to Cleveland Heights homes. They continue to offer classes, resource library, tool lending program and financial assistance programs which assist low/moderate income families and seniors on very tight budgets. HRRRC funds leverage a large dollar amount of private dollars.

HRRRC's Housing Counselor continues to offer a wide variety of classes. Many lenders require that people attend these sessions, including Cleveland Heights which requires it of those using our down payment assistance program. In 2015, HRRRC entered into a contract with the City to take over the management of the Down Payment Assistance Program. They would like to expand the counseling program in 2017.

HRRRC continues to work to create programs to meet the needs of the community. They have refined where, when and to whom they offer these programs.

Start Right Food Program – Total Request \$10,000

Rev. Jimmie Hicks, Jr., Executive Director of the Start Right Development Corporation presented the request for administrative expenses for their food pantry. The food pantry has now evolved into more of a hunger center as need continues to increase. 2864 people were served in 2015. CDBG funding has allowed the center to increase their ability to access more food items from the Food Bank and therefore provide higher quality meals to the families in need of them. The new freezer and refrigerators have allowed them to receive a larger amount of perishable food and meats from the Food Bank when it is available and provide it to the clients. Start Right is providing lunches over the summer and over the winter holidays (in partnership with the Jewish Federation) for children and their families. The Food Bank provides the food for this service as well.

Gesher – Total Request \$25,000

Avrohom Adler, founder of Gesher and director of the board, presented their request for funding. This organization works to connect families and individuals in need with the various social and human service organizations that can assist them. They will serve anyone who approaches their organization, but specifically targets the underserved Jewish community of

Cleveland. Gesher was created to fill the void in that community that is created by their lack of access to normal outreach efforts. They serviced more than 500 clients last year, including approximately 200 Cleveland Heights residents. They have partnered with CEOGC, JFSA and WIC in the past year on many projects. They recently opened an office on South Taylor in the former Vanderbrook building which has been particularly helpful for the elderly and disabled. They have facilitated the opening of a WIC office to service our neighborhood. In its first 6-8 weeks of operation this office has served more than 200 clients. This is the first WIC office outside of downtown Cleveland.

Lake Erie Ink- Total Request \$8,872

Amy Rosenbluth, Executive Director, presented this organization's request for CDBG funding, including playing a rap song written and performed by the kids about the power of words. They are an afterschool writing space for youth in the Cleveland Heights/University Heights schools. The funding request is for the Ink Spot program at Noble School which just completed its first year. The Ink Spot program works with 4 – 5th graders, four days per week. They plan to open it up to 3rd graders this school year. The students receive homework help as well as daily creative expression sessions.

Family Connections – Total Request \$30,000

Joanne Federman and Charniece Holmes presented the request for funding for Family Connections' Family-School Connection program. This program focuses on working with parents with children about to enter kindergarten to help them learn what is needed to perform well in school. This is especially important for children who may not have had a preschool experience and will find themselves behind the peers when they enter kindergarten. This program provides long term benefits as children are more likely to succeed throughout their school years. Also, Family Connections' liaisons go into the homes of kindergarten students to work with the families before and during the school year to work on their areas of need upon the recommendation of the teacher. They act as "coaches" to the parents who may not understand how to navigate the system schools.

Triple Threat Kingdom Sorority – Total Request \$78,000

RoxSana Ballard presented the request for funding for this new program that will offer life skills training for young women aged 18-24 including healthy shopping, cleaning and eating and housekeeping skills. Classes would be taught by a chef and nutritionist and will be offered for up to 20 young women per 16 week semester. There will be a housemother that will work closely with each of the girls as they go through the program.

The girls will be expected to pay a membership fee of \$15 per month for the organization and will pay an additional \$5 per month for this program. RoxSana is funding it out of her own pocket at this time. This is her first time applying for grant money and, to date, her board members have not pursued grants for the organization. CAC members offered advice and encouragement to her.

CDBG Administration – Total Request \$157,900

Nancy McLaughlin, Development Officer, presented the CDBG administration request. Nancy

reminded CAC that CDBG administration is responsible for all of the reporting and for assuring that regulations and procedures are being followed. She stated that the request includes \$35,000 for indirect costs and administrative costs for the management of the CDBG program. The funds include Nancy's personnel costs as well as a portion of the personnel costs for the Finance person who prepares and monitors the financial information for HUD as well as a small amount for clerical coverage and for Karen Knittel's time spent on HOME activities. The request also includes \$8,500 for Fair Housing Sales/Rental Audits. This would cover 10 audits in Cleveland Heights.

Allison McCallum stated that this was the last applicant to present their 2017 request this evening. The public hearing portion of the meeting was closed.

MINUTES

Minutes from the June 21, 2016 meeting were approved as presented.

STAFF REPORTS

Nancy McLaughlin reviewed the financial report. She was happy to report that the 2016 grant agreement has been received from HUD and signed and returned to them. Funds should be available in our line of credit very soon. A sewer line project in the Randolph neighborhood is being planned for September in place of the water line replacement on Coventry Road originally slated for 2016. It was cancelled due to the merger with Cleveland Water.

Nancy will send out the subcommittee template to all chairs and vice chairs. Subcommittee reports will be due to Nancy on Friday, September 2.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

With no further business to discuss, the meeting was adjourned at 9:15.

Allison McCallum, Chair

Amanda Shaffer, Secretary

City of Cleveland Heights
Citizens Advisory Committee
August 16, 2016
Council Chambers, Cleveland Heights City Hall

MEMBERS PRESENT

David Benson
Kim DeNero-Ackroyd
Douglas Dykes
Bradley Eckert
Dawn Ellis
Cory Farmer
Christine Henry
Robin Koslen
Gail Larson
Menachem Lubling

Allison McCallum
Marian Morton
T. Nadas
Donalene Poduska
Amanda Shaffer
Katura Simmons
Steve Titchenal
Meg Vanderbilt
Sarah West
Parker Zabell

MEMBERS ABSENT

Vetella Camper

Jonathan Goldman (exc.)

STAFF PRESENT

Nancy McLaughlin

GUESTS PRESENT

Allan Butler, City of Cleveland Heights
Alex Mannarino, City of Cleveland Heights
Kevin Smith, Cedar Taylor Development Assn.
Martha Goble, Heights Community Congress
Pat Joy, CH/UH Library
Angela Shuckahosee, Cleveland Tenants Org.
Judith Mansour, Open Doors
Ronnie Schoenberg

Karen Knittel, City of Cleveland Heights
Bob Norton, Heights Emergency Food Ctr.
Roscoe Morgan, Heights Youth Club
Tim Boland, City of Cleveland Heights
Amy Jenkins, City of Cleveland Heights
Ania Wheatley, CH/UH Library
Heavenly Berkley, Open Doors

CALL TO ORDER

Allison McCallum, Chair, called Public Hearing to order. She opened the public hearing by welcoming everyone and giving a brief statement of the order of the meeting. Allison stated that this was the first of two public hearings and that the first was held on Tuesday, August 6, 2016.

Allison stated that Cleveland Heights is an Entitlement Community receiving Community Development Block Grant funds directly from the Department of Housing and Urban Development (HUD). The funds enable the city to develop a viable community by providing decent housing and a suitable living environment and by expanding economic opportunities. She explained that a final allocation for 2017 has not yet been made by Congress, but that the

City is estimating that we will receive slightly less than 2016, which was about \$1.46 million. She explained that CDBG is a federal program and that all applicable regulations must be followed including an environmental review of each project that includes a Section 106 Historic Preservation Review.

Members of the audience not affiliated with an applicant agency were invited to speak regarding the CDBG program or community issues that could be addressed by a CDBG-funded activity.

Karen Knittel, City of Cleveland Heights Planner, informed those present that the County will be offering a new competitive grant program, the Community Development Supplemental Grant (CDSG) beginning in 2017. Grants of up to \$50,000 will be available to all communities in Cuyahoga County as well as community development corporations within the county which meet certain criteria. Activities that meet CDBG requirements will be eligible, but they do not need to meet the Low-Mod or Slum Blight objectives allowing much more flexibility in our scope. The City is currently discussing various projects for which we may apply.

Allison reminded each applicant to limit their prepared remarks to five minutes if they were applying for one activity and to eight minutes if they were applying for more than one activity. She stated that CAC members could ask questions after their comments. Presenters were reminded that CAC had received a copy of their written application and that a CAC Subcommittee would be contacting them after the public hearing.

ROLL CALL

Secretary Amanda Shaffer called the roll. A quorum was present.

APPLICATION HEARING FOR CDBG

Street Improvement Program - Total Request \$250,000

Alex Mannarino, Director of Public Works, reviewed the current year's activities and presented the request for FY 2017. The City is requesting funds to repave Coventry Road from the East Cleveland border to the Shaker Heights border. We applied for OPWC funds for this project but scored too low to qualify for funding. CDBG funds along with a joint application with Shaker will help us to meet the match requirement to increase our score and secure funding.

Cedar Taylor Development Association – Total Request \$30,000

Kevin Smith, president of the Cedar Taylor Development Association, presented the request for funding to continue to implement improvements suggested by the streetscape study. Planters, signage, custom bike racks and benches have been installed. Fundraising efforts have been successful and they hope to continue to grow the organization. A mural will be installed on the building at the southwest corner of Cedar and Taylor which will be visible to drivers heading east on Cedar.

Heights Community Congress – Total Request \$13,000

Executive Director Martha Goble presented Heights Community Congress's request for Diversity programming for 2017. HCC feels that it is important to continue ongoing efforts in the area of diversity programming. HCC continued to self-fund a number of diversity programs in the past

year. They have been well attended by a large number of people of various ages and racial groups. Educational red-lining was a large focus in the past year and they work will continue their work on that subject. HCC continues to partner with the Heights Library, the CH/UH BOE, Ensemble Theatre, Dobama Theatre, the City of South Euclid and Noble Neighbors. They sponsored a film at the Cleveland International Film Festival that focused on ways to dismantle the Ku Klux Klan. The viewing and discussion were so successful that two additional sessions were added. In addition, HCC is working with the Oxford Community Garden and the Permaculture Project to provide courses on gardening as well as just bringing all types of people together working toward a singular goal. All of these activities support HCC's commitment to promote inclusive communities through individual and group activities.

Cleveland Tenants Organization – Total Request \$7,000

Angela Shuckahosee, Executive Director of CTO, presented the organization's request for 2017 funding to continue their Rental Information Center program for Cleveland Heights tenants and landlords. CTO continues to work with both tenants and landlords to help answer questions and resolve issues. They receive more than 10,000 calls each year from throughout Cuyahoga County. Cleveland Heights was the fourth highest community in the count for number of calls. The most frequent calls from tenants relates to the lack of repairs in rental units. The agency's main focus is to stabilize housing and they work closely with Cleveland Heights court to assist tenants facing evictions.

Heights Emergency Food Center – Total Request \$19,645

Heights Emergency Food Center Treasurer Bob Norton presented the agency's request. HEFC continues as an all-volunteer organization. The reason for the increase in the request for 2017 is that Disciples Church began charging rent to the organization for the first time in more than 30 years. HEFC's reserve funds continue to dwindle as they have had use approximately \$10,000 per year recently. They major donors to HEFC are 15 local churches who give an average of \$1000 per year. They also receive bequests from estates.

Office on Aging – Total Request \$25,000

Amy Jenkins, Office on Aging Supervisor presented their request for funding for 2016. The office continues to employ two part-time master level social workers who assist seniors throughout the city to be safe and secure in their homes or to help them transition to other circumstances. In 2016 one of the social workers faced a medical issue that resulted in an extended period of time off. She has returned to work, but at reduced hours. This time off resulted in the larger rollover amount available. The second long time social worker retired in May. A new social worker was hired at that time. The social workers assess needs for services and help the seniors access those services, with work being done in person and/or on the phone. Amy explained that their office refers seniors to many programs, including Meals on Wheels etc. Seniors are referred by the Police and Fire Departments, friends, neighbors and relatives. The Senior Center now holds group discussions with seniors where they are able to discuss issues and problems they face with one of the social workers. Amy noted that the Senior Center has been the recipient of two unique grants in the past year.

Heights Youth Club - Total Request \$68,145

Heights Youth Club Director Roscoe Morgan presented their request for 2017 funding for the Project Learn program. Roscoe was happy to announce that the club has a 100% rate of high school graduation among its members and a 100% success rate of members moving on to the next grade. More than 60% of the youth in the program who come four days a week have earned Merit or Honor Roll status. The club has worked closely with the school system during the school renovation. Boys and Girls Club has provided a van and the district provided a short bus to transport students to the center. This summer they averaged 108 members per day.

Open Doors Academy – Total Request \$15,000

Judith Mansour, Chief of Advancement, presented their request for funding for their year-round enrichment and character development programming at the St. Paul's site for Roxboro Middle School and the center at Monticello Middle School. Open Doors has grown rapidly and now has twelve sites throughout Greater Cleveland and serves more than 500 students, the bulk of which are in Cleveland Heights. They anticipate approximately 120 Cleveland Heights students in the upcoming school year. They have maintained a 100% graduation rate of their alums for the past 5 years with 97% of those going on to college. Their summer camps focus on Open Doors' four core values. A STEM camp was added this summer.

Housing Preservation Office - Total Request \$575,600

Housing Preservation - \$455,600

Code Enforcement - \$60,000

Neighborhood Relations Program (public service) - \$60,000

Allan Butler, Housing Programs Manager, presented the HPO applications for funding for fiscal year 2017. The Code Enforcement program is now in its eighth year and continues to do the majority of inspections in low moderate areas. One thousand seventy one inspections were completed in 2015.

The Neighborhood Relations Program request is to pay a portion of the salary for a city representative to work in low/moderate areas to work on protecting the quality of life in our neighborhoods. The program coordinator attempts to prevent issues from bubbling up to where they become a problem to the entire block or neighborhood. He also works closely with the Police Department. This position was formerly held by Allan. David Harris has taken over the duties. In 2015, 5,242 persons were affected by the work of Neighborhood Relations.

Basic HPO activities have not changed from previous years. Funds are requested for operating costs for HPO as well as for the Exterior Paint, Violation Repair and Nuisance Abatement programs. Staff continues to be responsible for implementing the Deferred Loan and No-Interest Loan programs which are funded through HOME dollars as well as the County Lead Remediation and Demolition programs. These are in addition to the CDBG-funded programs - Exterior Paint, Violation Repair for Seniors, Short Term Deferred Loan and Nuisance Abatement. Allan is requesting funding for a new position to assist our Rehab Specialist with the duties associated with all of the programs named above. The management of these construction projects has become unwieldy for a single person to manage due to the number of programs involved, certifications required and clerical work along with the actual supervision of numerous

construction jobs.

Allison McCallum stated that this was the last applicant to present their 2017 requests. The public hearing portion of the meeting was closed.

UNFINISHED BUSINESS

Nancy McLaughlin reminded the subcommittee chairs to verify which applications fall to their committees. She will send out the list of questions that can be used as a guide for members when meeting with applicants. Nancy alerted CAC to the fact that the requests exceed HUD caps in both Public Service activities (15%) and Planning and Admin (20%). This is the first time in memory that this has occurred with the Admin requests.

Nancy reminded the committee of the upcoming schedule for meetings. Subcommittee recommendations will be made at the September 6 meeting which will begin at 7:30. On September 13, at 7:00 p.m., CAC will make final recommendations. CAC will present these recommendations to City Council in late September, most probably on September 26.

With no further business to discuss, the meeting was adjourned at 9:10.

Allison McCallum, Chair

Amanda Shaffer, Secretary

MEMORANDUM

TO: CITIZENS ADVISORY COMMITTEE (CAC) & OTHER INTERESTED PARTIES

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: August 26, 2016

SUBJECT: PUBLIC MEETING NOTICE AND AGENDA

A scheduled meeting of the CAC will be held **Tuesday, September 6, 2016 at 7:30 p.m. in the Executive Conference Room of City Hall, 40 Severance Circle.** If you are unable to attend please call Nancy McLaughlin at 291-4845 or email nmclaughlin@clvhts.com in advance of the meeting so that your absence can be recorded as being excused.

A G E N D A

1. CALL TO ORDER/ROLL CALL
2. APPROVAL OF MINUTES
 - August 9, 2016
 - August 16, 2016
3. STAFF REPORTS
 - Financial Report
4. UNFINISHED BUSINESS
5. NEW BUSINESS
 - Subcommittee Reports
 - Finance & Other
 - Commercial Areas
 - Neighborhood Activities
 - Preservation & Housing
6. ADJOURNMENT

MEMORANDUM

TO: CITIZENS ADVISORY COMMITTEE (CAC) & OTHER INTERESTED PARTIES

FROM: PLANNING & DEVELOPMENT DEPARTMENT

DATE: August 26, 2016

SUBJECT: MEETING NOTICE AND AGENDA

A scheduled meeting of the CAC will be held **Tuesday, September 13, 2016 at 7:00 p.m.** in the **Executive Conference Room of City Hall, 40 Severance Circle**. If you are unable to attend please call Nancy McLaughlin at 291-4845 or email nmclaughlin@clvhts.com in advance of the meeting so that your absence can be recorded as being excused.

A G E N D A

1. CALL TO ORDER/ROLL CALL
2. STAFF REPORTS
3. UNFINISHED BUSINESS
4. NEW BUSINESS
-Recommendations for FY 2017
5. ADJOURNMENT

MEMORANDUM

TO: Landmark Commission Members, Staff and Interested Parties
FROM: Kara Hamley O'Donnell, Historic Preservation Planner
DATE: September 2, 2016
RE: Notification for September meeting

A regular meeting of the Cleveland Heights Landmark Commission is scheduled for:

WEDNESDAY, September 7, 2016

5:30 p.m.

**Executive Conference Room, Cleveland Heights City Hall
40 Severance Circle, Cleveland Heights**

A G E N D A

1. Call to order
2. Minutes of the July 6, 2016 Regular Meeting
3. Staff report
4. Old Business
 - *Potential Landmarks*
 - 952 Woodview Road
 - *Landmark properties update*
 - *Preservation activities & lectures*
 - *CH-UH Archives group/Cleveland Memory/Cleveland Historical*
 - *National Register of Historic Places, district updates*
 - *Development updates*
 - *Landmark Commission research/write-up on Landmarks/historic districts*
 - *CLG/Preservation Ordinance*
 - *City Building Inventory*
5. New Business
6. Adjournment



Local History Lectures *Fall 2016*

Alcazar Open House (Part of Ohio Open Doors)

TIME: September 9–18, 6 and 7 p.m.
LOCATION: 2450 Derbyshire Road

Open house and tours begin with a 15-minute presentation on the building's history. The Alcazar Hotel, listed on the National Register of Historic Places and as a Cleveland Heights Landmark, was constructed in 1923, designed by H.T. Jeffery and Son, with sculptures by Fischer and Jirouch. This eclectic Spanish-Moorish hotel with an irregular pentagon plan is designed around a central courtyard and based on a hotel with the same name in St. Augustine, Florida. The Alcazar recalls a day when apartment hotels served as restful oases for weary travelers, as well as elegant gathering places for the local elite. The exterior of this brick building is accented with concrete and a red tile roof. The splendidly detailed two-story lobby boasts wrought iron and intricate glazed tiles with Moorish designs. The exquisitely landscaped courtyard's centerpiece is a whimsical circular fountain with a tall finial and spouting frogs and turtles. The Alcazar serves as the Heights area's monument to Mediterranean tilework and the Spanish Baroque style.

Cleveland Heights Rocks & Waters 2016: Nine Mile Creek

TIME: Saturday, September 24,
10 a.m.–Around Noon (rain or shine)

LOCATION: Meet at Oxford Elementary School,
939 Quilliams Road

Join Roy Larick, Korbi Roberts and Jim Miller for this tour. On sidewalks and forest paths, the hike follows Quilliams Creek on its course to join Nine Mile Creek. Learn the local geology, ecology and history. Discuss how best to conserve this unique bluestone landscape. **There's limited availability and reservations are required. Call (216) 291-4878 after August 24.**

Cycle Through Time: History of CH-UH Libraries Lecture & Bike Tour

TIME: Sunday, October 2, 1 p.m.
(Rain date is Sunday, October 9, 1 p.m.)

LOCATION: Coventry Library

Join Nancy Levin and Mary Dunbar on this tour. Gain an historical slant on our library system through a lecture and bicycle tour. A 30 minute lecture will be followed by a bike ride encompassing the Coventry, Noble and Lee Road libraries. Along the way, we'll get inside our libraries and restock a Little Free Library.

History of the Shaker Freeway Fight

TIME: Thursday, October 20, 7 p.m.
LOCATION: Lee Road Library

In 1966, plans were underway to build two freeways that would have destroyed 300 acres of wildlife habitat, wiped out hundreds of neighboring homes and drastically changed our community. Kay Carlson, ED of the Shaker Lakes Nature Center, will explore and celebrate the tireless efforts of the "ladies in tennis shoes" and many others who helped save the Shaker Parklands and founded the Nature Center 50 years

Cosponsored by Cleveland Heights Historical Society, Cleveland Heights Landmark Commission, Heights Libraries, Heights Bike Coalition and Noble Neighbors.



Opening Doors,
Opening Minds
www.heightslibrary.org

Planning Commission
City of Cleveland Heights, Ohio

There will be a meeting of the Planning Commission of the City of Cleveland Heights at **7:00 p.m. on Wednesday, September 14, 2016**, in Council Chambers, located on the second floor of City Hall, 40 Severance Circle.

Richard Wong
Director of Planning and Development

A G E N D A

1. Roll Call
2. Approval of Minutes for August 10th, 2016's meeting

Project 16-22: Cedar Taylor Development Assoc./Cedar Road 13450, LLC, 13442-13450 Cedar, C2 Local Retail, requests Conditional Use permit for mural on west side of building, per Code chapters 1111, 1115, 1131, 1151, and 1153.

Project 15-31: Hebrew Academy of Cleveland, 1516 Warrensville Ctr, 'AA' single-family, requests conditional use permit for new school (early childhood, elementary, jr. high) with parking and playfields at former Oakwood Club per Code chapters 1111, 1115, 1121, 1151, 1153, 1161, 1163, and 1166.

3. Old Business
4. New Business
5. Adjournment



CLEVELAND HEIGHTS

AGENDA (tentative) – CLEVELAND HEIGHTS CITY COUNCIL MEETING COUNCIL CHAMBERS

Tuesday, September 6, 2016
Regular Meeting
7:30 p.m.

Cleveland Heights City Hall
40 Severance Circle
Cleveland Heights, Ohio

- 1) **Roll Call**
- 2) **Excuse absent members**
- 3) **Approval of the minutes of the regular Council meetings held on Monday, August 1, 2016**
- 4) **Personal communications from citizens**
- 5) **Report of the City Manager**
- 6) **Report of the Director of Finance/Clerk of Council**

Notify Council that two 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. 3406: Stephen B. Stone, 2350 Ardleigh Drive, to permit a driveway to be set back 0 feet from the side property line.
- BZA Cal. No. 3407: Lana Radl and Mithan Rajan, 3500 Fenley Road, to permit a chicken coop to be set back 0 feet from the principal structure.

Matter of Record

Refer to: Planning and Development Committee of Council

Notify Council that a notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Walgreen Co. DBA Walgreens 04130, 3020 Mayfield Road, 44118, C1 and C2 permits

Matter of Record

Refer to: Public Safety and Health Committee of Council, the City Manager, and the Director of Law

- 7) **Committee Reports**

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
TUESDAY, SEPTEMBER 6, 2016**

a.) MUNICIPAL SERVICES COMMITTEE

RESOLUTION NO. 68-2016 (MS). A Resolution authorizing the City Manager to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 69-2016 (MS). A Resolution authorizing the City Manager to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc. (“GPD Group”) for engineering services for the Final Design and Right-of-Way Acquisition Phase of the Mayfield Road Traffic Signal Upgrade Project

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 70-2016 (MS). A Resolution authorizing the City Manager to apply to the State of Ohio, through the Office of the District One Public Works Integrating Committee, for Ohio Public Works Commission funds to be used for the Coventry Road Pavement Rehabilitation Project (North Corporate Limit to South Corporate Limit)

Introduced by Council Member _____

Vote _____
For Against No. Reading

b.) PLANNING AND DEVELOPMENT COMMITTEE

RESOLUTION NO. 71-2016 (PD). A Resolution authorizing the City Manager to enter into an agreement with the Silverlode Consulting Corp., to provide additional consulting services relating to the Top of the Hill development

Introduced by Council Member _____

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
TUESDAY, SEPTEMBER 6, 2016**

Vote _____
For Against No. Reading

c.) PUBLIC SAFETY AND HEALTH COMMITTEE

RESOLUTION NO. 72-2016 (PSH). A Resolution ratifying the City Manager's acceptance on behalf of the City of Cleveland Heights Fire Department a Staffing for Adequate Fire and Emergency Response ("SAFER") grant from the Department of Homeland Security/Federal Emergency Management Agency

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION 73-2016 (PSH). A Resolution amending Resolution No. 137-2015 to add on-street overnight permit parking on specified portions of Hampshire Road

Introduced by Council Member _____

Vote _____
For Against No. Reading

d.) ADMINISTRATIVE SERVICES COMMITTEE

ORDINANCE NO. 74-2016 (AS). An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances

Introduced by Council Member _____

Vote _____
For Against No. Reading

e.) COMMUNITY RELATIONS AND RECREATION COMMITTEE

f.) FINANCE COMMITTEE

RESOLUTION NO. 75-2016 (F). A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
TUESDAY, SEPTEMBER 6, 2016**

cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City of Cleveland Heights

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 76-2016 (F). A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights

Introduced by Council Member _____

Vote _____
For Against No. Reading

ORDINANCE NO. 77-2016 (F). An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose

Introduced by Council Member _____

Vote _____
For Against No. Reading

ORDINANCE NO. 78-2016 (F). An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 79-2016 (F). A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
TUESDAY, SEPTEMBER 6, 2016**

Introduced by Council Member _____

Vote _____

For Against No. Reading

RESOLUTION NO. 80-2016 (F). A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2016 tax year collection pursuant to Section 321.34 of the Ohio Revised Code

Introduced by Council Member _____

Vote _____

For Against No. Reading

8) Mayor's Report

9) Adjournment

(Council members and staff will stay following adjournment to discuss questions informally with citizens.)

NEXT MEETING OF COUNCIL: MONDAY, SEPTEMBER 19, 2016

Proposed: 9/6/2016

RESOLUTION NO. 68-2016 (MS)

By Council Member

A Resolution authorizing the City Manager to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District; and declaring an emergency.

WHEREAS, the Northeast Ohio Regional Sewer District (“NEORS”) has been established as a regional governmental entity mandated to operate and maintain a regional stormwater system, which includes the area encompassing Cleveland Heights; and

WHEREAS, NEORS has determined that a Stormwater Service Agreement between itself and each participating municipality is required to ensure the consistent and coordinated delivery of the NEORS Stormwater Management Program; and

WHEREAS, NEORS requires execution of its Stormwater Service Agreement before a municipality may participate in its Stormwater Community Cost Share Program; and

WHEREAS, this Council has determined that participation in the NEORS Stormwater Management Program including its Community Cost Share Program is in the best interests of the City and its residents.

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

SECTION 1. The City Manager be, and she is hereby, authorized to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District (“NEORS”) for implementation of its Regional Stormwater Management Program. The City Manager additionally is authorized to enter into any and all related agreements associated with the Stormwater Management Program Services Agreement including, but not limited to, making applications and accepting funds from NEORS under its Community Cost Share Program.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to the need to participate in the Community Share Program as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall

RESOLUTION NO. 68-2016 (MS)

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

CHERYL L. STEPHENS, Mayor
President of Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 69-2016 (MS)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc. ("GPD Group") for engineering services for the Final Design and Right-of-Way Acquisition Phase of the Mayfield Road Traffic Signal Upgrade Project; and declaring an emergency.

WHEREAS, pursuant to Resolution No. 17-2014, this Council authorized the City Manager to enter into an agreement with the Ohio Department of Transportation ("ODOT") for the acceptance of federal safety funds for engineering and right of way costs related to the Mayfield Road Traffic Signal Upgrade Project; and

WHEREAS, said funding will pay for Ninety Percent (90%) of the engineering costs for the Final Design and Right-of-Way Acquisition Phase of said Project; and

WHEREAS, pursuant to Resolution No. 127-2014, Glaus, Pyle, Schomer, Burns and DeHaven, Inc. ("GPD Group") provided engineering services for the Project Development Phase of said Project; and

WHEREAS, GPD Group performed said services and is well qualified to provide the necessary professional services for the Final Design and Right-of-Way Acquisition Phase at a cost which is reasonable and competitive; and

WHEREAS, entering into an agreement with GPD Group for said services would be in the best interests of the City and its residents.

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

SECTION 1. The City Manager be, and she is hereby, authorized to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc. ("GPD Group") for engineering services for the Final Design and Right-of-Way Acquisition Phase of the Mayfield Road Traffic Signal Upgrade Project. The services to be performed by GPD Group shall be as set forth in the proposed agreement on file with the Clerk of Council. The agreement shall provide payment to GPD Group in a total sum not to exceed One Hundred Thirty-Three Thousand Nine Hundred and Thirty-Two Dollars (\$133,932). The agreement and any related documents shall be approved as to form by the Director of Law.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet state and federal deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more of

RESOLUTION NO. 69-2016 (MS)

the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CHERYL L STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 70-2016 (MS)

By Council Member

A Resolution authorizing the City Manager to apply to the State of Ohio, through the Office of the District One Public Works Integrating Committee, for Ohio Public Works Commission funds to be used for the Coventry Road Pavement Rehabilitation Project (North Corporate Limit to South Corporate Limit); and declaring an emergency.

WHEREAS, pursuant to the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

WHEREAS, pursuant to Section 164.06 and 164.05 of the Ohio Revised Code, the District One Public Works Integrating Committee has been created to accept, evaluate and recommend, and the Ohio Public Works Commission to accept and approve, applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS, the City has conducted a capital inventory and needs assessment, and has determined that it is necessary to submit an application for financial assistance for the Coventry Road Pavement Rehabilitation Project (North Corporate Limit to South Corporate Limit); and

WHEREAS, in order to secure Ohio Public Works Commission funds, it is necessary to make application immediately.

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

SECTION 1. The City Manager be, and she is hereby, authorized to make application to the State of Ohio, through the Office of the District One Public Works Integrating Committee and the Ohio Public Works Commission, for financial assistance for the Coventry Road Pavement Rehabilitation Project (North Corporate Limit to South Corporate Limit).

SECTION 2. The City Manager is further authorized to enter into any agreements necessary to obtain such financial assistance, upon forms approved by the Director of Law.

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

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to make said application prior to the deadline. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and

RESOLUTION NO. 70-2016 (MS)

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

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 71-2016 (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Silverlode Consulting Corp., to provide additional consulting services relating to the Top of the Hill development; and declaring an emergency.

WHEREAS, the City Manager selected Silverlode Consulting Corp., (“Silverlode”) to provide consulting services relating to the City’s Request for Qualifications concerning the potential development of the Top of Hill site bounded by Cedar Road and Euclid Heights Boulevard; and

WHEREAS, Silverlode’s initial engagement was for services set forth in the Professional Services Agreement dated April 7, 2016, currently on file with the Clerk of Council, and were not to exceed Fifty Thousand Dollars (\$50,000); and

WHEREAS, Silverlode has competently provided the services set forth in said agreement; and

WHEREAS, the City Manager has recommended that Silverlode be engaged to provide additional services related to the Top of the Hill site; and

WHEREAS, such services are professional services for which no bidding is necessary; and

WHEREAS, this Council has determined that the additional service offered by Silverlode best meets the City’s needs.

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

SECTION 1. The City Manager shall be, and she is hereby, authorized to execute an additional agreement with Silverlode Consulting Corp., to provide professional consulting services relating to the potential development of the Top of Hill site bounded by Cedar Road and Euclid Heights Boulevard. The agreement shall be in substantively the same form as the proposed agreement for professional services submitted by Silverlode Consulting Corp., copy of which is on file with the Clerk of Council. Compensation for the additional services detailed therein shall not exceed Twenty Five Thousand Dollars (\$25,000) without additional written approval by the City Manager.

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

RESOLUTION NO. 71-2016 (PD)

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to move forward with a the development of the Top of the Hill site at the earliest time permitted by law. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CHERYL L. STEPHENS, Mayor
President of Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 72-2016 (PSH)

By Council Member

A Resolution ratifying the City Manager's acceptance on behalf of the City of Cleveland Heights Fire Department a Staffing for Adequate Fire and Emergency Response ("SAFER") grant from the Department of Homeland Security/Federal Emergency Management Agency; and declaring an emergency.

WHEREAS, the Department of Homeland Security/Federal Emergency Management Agency has awarded a grant to the City of Cleveland Heights Fire Department under the FY 2015 Staffing for Adequate Fire and Emergency Response ("SAFER") grant program in the amount of Five Hundred Ninety-One Thousand Four Hundred Thirty Five Dollars (\$591,435); and

WHEREAS, the SAFER grant may be used to hire or retain personnel to ensure the Fire Department has adequate resources to respond and safely perform at incidents, providing protection from fire and fire-related hazards for the City; and

WHEREAS, acceptance of said SAFER grant will benefit the City and its residents; and

WHEREAS, the SAFER grant required prompt acceptance by the City prior to adoption of this resolution.

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

SECTION 1. The City Manager's agreement with the Department of Homeland Security/Federal Emergency Management Agency on behalf of the Cleveland Heights Fire Department for acceptance of a grant under the FY 2015 Staffing for Adequate Fire and Emergency Response ("SAFER") grant program in the amount of Five Hundred Ninety-One Thousand Four Hundred Thirty Five Dollars (\$591,435), is hereby ratified retroactively as of the date of acceptance. The City reserves all rights relating to implementation of the grant.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to recognize the City Manager's immediate acceptance of the grant award. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force

RESOLUTION NO. 72-2016 (PSH)

from and after the earliest time allowed by law.

CHERYL L. STEPHENS, Mayor
President of Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 73-2016 (PSH)

By Council Member

A Resolution amending Resolution No. 137-2015 to add on-street overnight permit parking on specified portions of Hampshire Road; and declaring an emergency.

WHEREAS, Resolution No. 137-2015 temporarily suspended enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of Cleveland Heights, which generally prohibits overnight parking, on specified roads for the period ending December 31, 2016, or at such earlier time as Council may subsequently prescribe and continued an overnight permit on-street parking program on specified roads; and

WHEREAS, there is insufficient off-street parking for the residents and guests of a portion of Hampshire Road between Hampshire Lane and Overlook Road at Euclid Heights Boulevard; and

WHEREAS, the City Manager has thus declared an emergency to exist on the said portion of Hampshire Road and has recommended that all-night parking be permitted; and

WHEREAS, it would be in the best interest of the City and its residents to include said portion of Hampshire Road in its overnight permit on-street parking program.

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

SECTION 1. Resolution No. 137-2015 is hereby amended so that the City Manager is additionally authorized to sell permits to residents and owners of property on Hampshire Road to park overnight on the area between Hampshire Lane and Overlook Road at Euclid Heights Boulevard. Such permits shall be available for sale from the effective date of this Resolution, through December 31, 2016, at a cost of Thirty-Five Dollars (\$35.00) per month.

SECTION 2. The remainder of Resolution No. 137-2015 shall remain in full force and effect.

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

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the necessity of having this regulation in effect and of benefit to the residents at the earliest time possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this

RESOLUTION NO. 73-2016 (PSH)

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

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

ORDINANCE NO. 74-2016 (AS)

By Council Member

An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances; and declaring an emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council.

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

SECTION 1. The following ordinances of the City of Cleveland Heights, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2016 Replacement Pages to the Codified Ordinances, are hereby approved and adopted:

<u>Ordinance Number</u>	<u>Date</u>	<u>Codified Ordinance Section</u>
108-2015	9-21-15	1313.01 to 1313.15, 1313.99
122-2015	11-2-15	553.01 to 553.11
130-2015	11-16-15	158.01 to 158.26, 158.99
134-2015	12-21-15	177.05
142-2015	12-21-15	1783.03 to 1783.06
26-2016	4-4-16	1301.01, 1301.03, 1303.01
37-2016	5-16-16	111.01

SECTION 2. The following sections and chapters of the Codified Ordinances shall be, and hereby are added, amended or repealed as respectively indicated in order to conform with changes in State Law. The complete text of the sections of the Codified Ordinances listed below are set forth in full in the current 2016 Replacement Pages to the Codified Ordinances. A summary of the amendments is set forth in Exhibit A which is attached to this Ordinance.

Traffic Code

301.19	Motorcycle. (Amended)
335.031	Driving With Probationary License; Curfew. (Amended)
335.09	Display of License Plates. (Amended)
335.10	Expired or Unlawful License Plates. (Amended)
341.01	Definitions. (Amended)
341.03	Prerequisites to Operation of a Commercial Vehicle. (Amended)
341.05	Criminal Offenses. (Amended)
341.06	Employment of Drivers of Commercial Vehicles. (Amended)
351.12	Parking Near Curb; Handicapped Parking. (Amended)
373.02	Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

General Offenses Code

529.07	Open Container Prohibited. (Amended)
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ORDINANCE NO. 74-2016 (AS)

SECTION 3. The aforementioned amendments to the Codified Ordinances, as revised, recodified and consolidated into component codes, titles, chapters and sections within the 2016 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

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

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

ORDINANCE NO. 74-2016 (AS)

EXHIBIT A

Traffic Code

- 301.19 Motorcycle. (Adds “cab-enclosed motorcycle” to definition of a motorcycle.)
- 335.031 Driving With Probationary License; Curfew. (Redefines requirements for operation of a motor vehicle with a probationary license.)
- 335.09 Display of License Plates. (Adds “cab-enclosed motorcycle” to vehicles required to have a license plate on the rear of the vehicle.)
- 335.10 Expired or Unlawful Plates. (Changes penalty in subsection (f)(1) from a misdemeanor of the fourth degree to a minor misdemeanor.)
- 341.01 Definitions. (Adds “gross vehicle weight” to subsections (c)(1) and (c)(4).)
- 341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Redefines criteria for who may operate a commercial motor vehicle.)
- 341.05 Criminal Offenses. (Adds “commercial driver’s license temporary instruction permit” to first line and subsection (a)(9).)
- 341.06 Employment of Drivers of Commercial Vehicles. (Adds subsection (d) imposing additional restrictions on allowing nonqualified persons to operate a commercial vehicle.)
- 351.12 Parking Near Curb; Handicapped Parking. (Adds subsections (f)(2) and (i)(3) which prohibit parking in an access aisle and provides a penalty for such violation.)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Adds subsection (i)(3) providing equipment and license exceptions for a person operating a cab-enclosed motorcycle. Adds a reference in (h) to (i)(3).)

General Offenses Code

- 529.07 Open Container Prohibited. (Adds subsections (c)(7) and (f) to permit the possession of an open container in an “outdoor refreshment area” and to exempt persons who are passengers on a commercial quadricycle.)

Proposed: 9/1/2016

RESOLUTION NO. 75-2016 (F)

By Council Member

A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City of Cleveland Heights; and declaring an emergency.

WHEREAS, this Council, by its adoption of Resolution No. 59-2016, did appoint an Assessment Equalization Board to hear objections to the estimated assessments for a portion of the expense of improvement of streets including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City; and

WHEREAS, said Board did meet on August 16, 2016, and did hear and determine all objections before it; and

WHEREAS, said Board has submitted its report and recommendations to this Council, which is attached hereto as Exhibit A.

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

SECTION 1. The report of the Assessment Equalization Board appointed by Resolution No. 59-2016, attached hereto as Exhibit A, is hereby accepted and approved.

SECTION 2. The estimated assessments, as equalized by said Board, and the recommendations to this Council with respect thereto, are hereby directed to be placed on file with the Director of Finance/Clerk of Council.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with Chapter 107 of the Codified Ordinances.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 75-2016 (F)

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 12, 2016, if it is to be added to the 2016 Tax Duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

EXHIBIT A



August 16, 2016

To the Council of the City of Cleveland Heights, Ohio

Ladies and Gentlemen:

This is to report that a meeting of the Assessment Equalization Board, appointed pursuant to Resolution Nos. 59-2016(F) and 60-2016(F), was held on Tuesday, August 16, 2016 at 11:30 a.m at City Hall.

The meeting was held to consider the equalization of assessments requested in all objections, timely filed against Resolution No. 9-2016(F) entitled,

“A Resolution declaring the necessity of assessing a portion of the expense of street lighting; and declaring an emergency.”

and Resolution No. 10-2016(F) entitled,

“A Resolution declaring the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon; and declaring an emergency.”

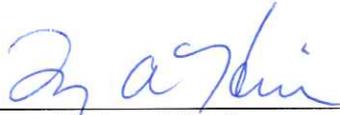
The Board approved the assessments as calculated and on file with the Clerk of Council including the adjustment for corner lots and found that such assessments are in compliance with the standards set forth in Resolution Nos. 9-2016(F) and 10-2016 (F) and proportionate to the benefits received. The Board voted to overrule the three (3) objections.

The Board therefore recommends to Council that the assessment lists prepared pursuant to Resolution Nos. 9-2016(F) and 10-2016(F) and heretofore filed with the Clerk of Council and advertised pursuant to law be filed with the adjustments recommended above and so certified to the County Fiscal Officer.

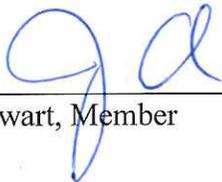
Respectfully submitted,



Tom Raguz, Secretary
Assessment Equalization Board



Larry Heiser, Member



Jason Stewart, Member



Jennifer Demmerle, Member

Proposed: 9/6/2016

RESOLUTION NO. 76-2016 (F)

By Council Member

A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring an emergency.

WHEREAS, this Council, by its adoption of Resolution No. 60-2016, did appoint an Assessment Equalization Board to hear objections to the estimated assessments for a portion of the expense of street lighting within the City; and

WHEREAS, said Board did meet on August 16, 2016, and did hear and determine all objections before it; and

WHEREAS, said Board has submitted its report and recommendations to this Council, which is attached hereto as Exhibit A.

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

SECTION 1. The report of the Assessment Equalization Board appointed by Resolution No. 60-2016, attached hereto as Exhibit A, is hereby accepted and approved.

SECTION 2. The estimated assessments, as equalized by said Board, and the recommendations to this Council with respect thereto, are hereby directed to be placed on file with the Director of Finance/Clerk of Council.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with Chapter 107 of the Codified Ordinances.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

RESOLUTION NO. 76-2015 (F)

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 12, 2016, if it is to be added to the 2016 Tax Duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

EXHIBIT A



August 16, 2016

To the Council of the City of Cleveland Heights, Ohio

Ladies and Gentlemen:

This is to report that a meeting of the Assessment Equalization Board, appointed pursuant to Resolution Nos. 59-2016(F) and 60-2016(F), was held on Tuesday, August 16, 2016 at 11:30 a.m at City Hall.

The meeting was held to consider the equalization of assessments requested in all objections, timely filed against Resolution No. 9-2016(F) entitled,

“A Resolution declaring the necessity of assessing a portion of the expense of street lighting; and declaring an emergency.”

and Resolution No. 10-2016(F) entitled,

“A Resolution declaring the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon; and declaring an emergency.”

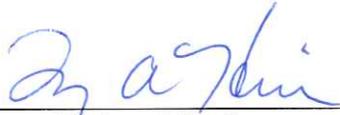
The Board approved the assessments as calculated and on file with the Clerk of Council including the adjustment for corner lots and found that such assessments are in compliance with the standards set forth in Resolution Nos. 9-2016(F) and 10-2016 (F) and proportionate to the benefits received. The Board voted to overrule the three (3) objections.

The Board therefore recommends to Council that the assessment lists prepared pursuant to Resolution Nos. 9-2016(F) and 10-2016(F) and heretofore filed with the Clerk of Council and advertised pursuant to law be filed with the adjustments recommended above and so certified to the County Fiscal Officer.

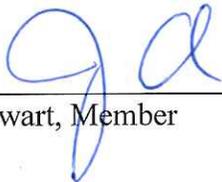
Respectfully submitted,



Tom Raguz, Secretary
Assessment Equalization Board



Larry Heiser, Member



Jason Stewart, Member



Jennifer Demmerle, Member

Proposed: 9/1/2016

ORDINANCE NO. 77-2016 (F)

By Council Member

An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose; and declaring an emergency.

WHEREAS, this Council, by its adoption of Resolution No. 10-2016, did declare the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City; and

WHEREAS, pursuant thereto, estimated assessments were duly prepared and filed with the Director of Finance/Clerk of Council; and

WHEREAS, some objections were filed to said estimated assessments; and

WHEREAS, the Assessment Equalization Board appointed pursuant to this Council's adoption of Resolution No. 59-2016 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 75-2016 (F) approving and accepting said report, and has ordered the estimated assessments equalized in accordance with the recommendations of said Board and filed with the Director of Finance/Clerk of Council; and

WHEREAS, this Council has determined to proceed with the levying of said equalized assessments in accordance with the list now on file with the Director of Finance/Clerk of Council; and

WHEREAS, this Ordinance was adopted by the concurrence of not less than three-fourths of the seven members elected to this Council.

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

SECTION 1. It is the determination of this Council, in furtherance of the public health, convenience and general welfare, to proceed with the assessing of a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City, upon the lands hereinafter described, for a period of two (2) consecutive years beginning with the 2016 tax duplication for collection in the years 2017

ORDINANCE NO. 77-2016 (F)

and 2018, inclusive, at the annual rate of up to One Dollar Eight Cents (\$1.08) per front foot, with the Corner Lot Reduction as specified in Resolution No. 10-2016, on the following properties:

All the lots and lands on the following dedicated streets:

Allston Road	Clarence Road	ORDINANCE NO. 77-2016
Alpine Road	Clarendon Road	
Altamont Avenue	Clarkson Road	Essex Road
Andrews Road	Cleveland Heights	Euclid Heights
Antisdale Avenue	Boulevard	Boulevard
Ardleigh Drive	Clifford Drive	Exeter Road
Ardoon Street	Colchester Road	Fairfax Road
Arlington Road	Coleridge Road	Fairhill Road
Ashton Road	Colonial Drive	Fenley Road
Atherstone Road	Compton Road	Forest View Drive
Avondale Road	Corydon Road	Glen Allen Drive
Bainbridge Road	Cottage Grove Drive	Glenwood Road
Bayreuth Road	Crest Road	Goodnor Road
Beechwood Avenue	Cumberland Road	Grandview Avenue
Bellfield Avenue	Cummings Road	Greyton Road
Belvoir Boulevard	Dartmoor Road	Guilford Road
Bendemeer Road	Delamere Drive	Hampshire Lane
Berkeley Avenue	Delaware Drive	Hampshire Road
Berkeley Road	Dellwood Road	Hampstead Road
Berkshire Lane	Delmore Road	Harcourt Drive
Berkshire Road	Demington Drive	Hartwood Road
Beverly Road	Denton Drive	Harvey Road
Birch Tree Path	Derbyshire Road	Haselton Road
Blackmore Road	DeSota Avenue	Helmsdale Road
Bolton Road	Devonshire Drive	Henderson Road
Boynton Road	Dresden Road	Hereford Road
Bradford Road	East Derbyshire Road	Hillstone Road
Brandon Road	East Fairfax Road	Hollister Road
Brentwood Road	East Monmouth Road	Hyde Park Avenue
Briarwood Road	East Overlook Road	Idlewood Road
Brinkmore Road	Eastwick Road	Inglewood Road
Burbridge Road	Edendale Street	Ivydale Road
Burlington Road	Edgerly Road	Janette Avenue
Cadwell Avenue	Edgewood Road	Kenilworth Lane
Carver Road	Edison Drive	Kenilworth Road
Castleton Road	Edwards Road	Kensington Road
Cecil Place	Elandon Drive	Kent Road
Cedar Glen	Elbon Road	Kerrwood Road
Chatfield Drive	Englewood Road	Kew Road
Chelsea Drive	Erievue Road	Keystone Drive
		Kildare Road

Kingston Road

Pembroke Road

South Noble Road

ORDINANCE NO. 77-2016

Kirkwood Road
Lamberton Road
Lancashire Road
Langton Road
Lecona Drive
Lennox Road
Lincoln Boulevard
Lowell Road
Lownesdale Road
Lynn Park Drive
Maple Road
Maplewood Road
Marlboro Road
Marlindale Road
Medford Road
Middlefield Road
Middlehurst Road
Middleton Road
Minor Park Lane
Monmouth Road
Montevista Road
Montford Road
Mornington Lane
Mount Laurel Road
Murray Hill Road
Navahoe Road
Nobleshire Road
Norfolk Road
Northampton Road
Nottingham Lane
Oak Road
Oakdale Road
Oakridge Drive
Orchard Road
Ormond Road
Overlook Lane
Oxford Road
Parkdale Road
Parkhill Road
Parkway Drive

Pennfield Road
Pomona Road
Powell Avenue
Preyer Avenue
Princeton Road
Quarry Drive
Queenston Road
Radcliffe Road
Radnor Road
Randolph Road
Redwood Road
Renfield Road
Renrock Road
Revere Road
Rexwood Road
Ridgefield Road
Rinard Road
Rock Court
Rockwood Road
Rosedale Road
Rosemond Road
Rossmoor Road
Roxboro Road
Rumson Road
Runnymede Boulevard
Rushleigh Road
Rutherford Road
Rydalmount Road
St. Albans Road
St. James Parkway (North)
St. James Parkway (West)
Scarborough Road
Seaton Road
Selwyn Road
Severance Circle Drive
Severn Road
Shaker Road
Shannon Road
Somerton Road
South Compton Road

South Overlook Road
Spangler Road
Staunton Road
Stillman Road
Stoneleigh Road
Stratford Road
Stuart Road
Summit Park Road
Superior Park Drive
Surrey Road
Sycamore Road
Sylvanhurst Road
Sylvania Road
Taylor Road (South)
Thayne Road
Thorne Road
Tower Road
Tremont Road
Tudor Drive
Vandermar Street
Vineshire Road
Walden Road
Wellington Road
Westminster Road
Westover Road
Whitby Road
Whitethorn Road
Wilmar Court
Wilmar Road
Wilton Road
Windsor Road
Winsford Road
Wood Road
Woodmere Drive
Woodridge Road
Woodview Road
Woodward Avenue
Wynn Road
Yellowstone Road
Yorkshire Road

ORDINANCE NO. 77-2016

Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

Ardmore Road	Elmwood Road	Nordway Road
Belmar Road	Eloise Drive	Northcliffe Road
Blanche Avenue	Fairmount Boulevard	North Park Boulevard
Bluestone Road	Forest Hills Boulevard	Northvale Boulevard
Brewster Road	Glenmont Road	North Woodland Road
Brunswick Road	Glynn Road	Oakhill Road
Caledonia Avenue	Grosvenor Road	Overlook Road
Cambridge Road	Hanover Drive	Quilliams Road
Canterbury Road	Hillcrest Road	Ravine Drive
Cedar Road	Lee Boulevard	Reyburn Road
Cedarbrook Road	Lee Road	Roanoke Road
Chestnut Hills Drive	Mayfield Road	Shelburne Road
Cleviden Road	Meadowbrook Boulevard	Silsby Road
Coventry Road	Monticello Boulevard	Superior Road
East Antisdale Avenue	Mount Vernon Boulevard	Taylor Road (North)
East Scarborough Road	Nela View Road	Tullamore Road
Eddington Road	Newbury Drive	Warrensville Center Road
Edgehill Road	Noble Road	Washington Boulevard

Said assessment shall be in accordance with the estimated street improvement assessments filed with the Director of Finance/Clerk of Council, pursuant to Resolution No. 10-2016, as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 75-2016 (F).

SECTION 2. It is the determination of this Council that no claim for damages was filed with the Director of Finance/Clerk of Council.

SECTION 3. The cost and expense of the aforesaid improvement, in an amount not to exceed One Dollar and Eights Cents (\$1.08) a front foot, per year, on the above-described lots and lands, shall be assessed in proportion to the special benefits which will result from said improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning hereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon upon the above-described lots and lands. The remainder of the cost and expense of said improvements, and two percent of the entire cost, shall be paid by the City. Any cost of said improvement not specifically assessed shall be paid by the City.

ORDINANCE NO. 77-2016 (F)

SECTION 4. The assessment of the cost and expense of said improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon, amounting to Two Million One Hundred Ninety-Seven Thousand One Hundred Twenty-Eight Dollars and Ninety-Four Cents (\$2,197,128.94), as reported to the Council by the Director of Finance/Clerk of Council, as equalized, is hereby adopted, and there shall be levied and assessed upon said lots and lands above-described the amounts on the shade tree and street improvement assessments now on file with the Director of Finance/Clerk of Council, which assessments are in proportion to the special benefits accruing to the property assessed and are not in excess of the actual benefits to said property.

SECTION 5. The total assessment against each lot and parcel of land shall be levied in two (2) equal installments, shall be certified to the County Fiscal Officer and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within thirty (30) days from the date of the adoption of this Ordinance.

SECTION 6. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights. Said notice shall comply with all requirements Ohio Revised Code Section 727.26.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with Chapter 107 of the Codified Ordinances.

SECTION 8. The Director of Finance/Clerk of Council is hereby directed to cause notice of the levy of the assessments herein provided for to be filed with the Cuyahoga County Financial Officer.

SECTION 9. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the assessment must be filed with the Cuyahoga County Fiscal Officer on a timely basis as it is to be added to the 2016 tax duplicate. Wherefore, this Ordinance shall take effect and be in force immediately upon its passage.

ORDINANCE NO. 77-2016 (F)

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/1/2016

ORDINANCE NO. 78-2016 (F)

By Council Member

An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose; and declaring an emergency.

WHEREAS, this Council, by its adoption of Resolution No. 9-2016, did declare the necessity of assessing a portion of the expense of street lighting within the City; and

WHEREAS, pursuant thereto, estimated assessments were duly prepared and filed with the Director of Finance/Clerk of Council; and

WHEREAS, some objections were filed to said estimated assessments; and

WHEREAS, the Assessment Equalization Board appointed pursuant to this Council's adoption of Resolution No. 60-2016 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 78-2016 (F), approving and accepting said report, and has ordered the estimated assessments equalized in accordance with the recommendations of said Board and filed with the Director of Finance/Clerk of Council; and

WHEREAS, this Council has determined to proceed with the levying of said equalized assessments in accordance with the street lighting list now on file with the Director of Finance/Clerk of Council; and

WHEREAS, this Ordinance was adopted by the concurrence of not less than three-fourths of the seven members elected to this Council.

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

SECTION 1. It is the determination of this Council, in furtherance of the public health, convenience and general welfare, to proceed with the assessing of a portion of the cost and expense of street lighting within the City, upon the lands hereinafter described, for a period of two (2) consecutive years beginning with the 2016 tax duplicate for collection in the years 2017 and 2018, inclusive, at the annual rate of up to One Dollar and Eight Cents (\$1.08) per front foot, with the Corner Lot Reduction as specified in Resolution No. 9-2016, on the following properties:

ORDINANCE NO. 78-2016 (F)

All the lots and lands on the following dedicated streets:

Allston Road	Clarence Road	Essex Road
Alpine Road	Clarendon Road	Euclid Heights
Altamont Avenue	Clarkson Road	Boulevard
Andrews Road	Cleveland Heights	Exeter Road
Antisdale Avenue	Boulevard	Fairfax Road
Ardleigh Drive	Clifford Drive	Fairhill Road
Ardoon Street	Colchester Road	Fenley Road
Arlington Road	Coleridge Road	Forest View Drive
Ashton Road	Colonial Drive	Glen Allen Drive
Atherstone Road	Compton Road	Glenwood Road
Avondale Road	Corydon Road	Goodnor Road
Bainbridge Road	Cottage Grove Drive	Grandview Avenue
Bayreuth Road	Crest Road	Greyton Road
Beechwood Avenue	Cumberland Road	Guilford Road
Bellfield Avenue	Cummings Road	Hampshire Lane
Belvoir Boulevard	Dartmoor Road	Hampshire Road
Bendemeer Road	Delamere Drive	Hampstead Road
Berkeley Avenue	Delaware Drive	Harcourt Drive
Berkeley Road	Dellwood Road	Hartwood Road
Berkshire Lane	Delmore Road	Harvey Road
Berkshire Road	Demington Drive	Haselton Road
Beverly Road	Denton Drive	Helmsdale Road
Birch Tree Path	Derbyshire Road	Henderson Road
Blackmore Road	DeSota Avenue	Hereford Road
Bolton Road	Devonshire Drive	Hillstone Road
Boynton Road	Dresden Road	Hollister Road
Bradford Road	East Derbyshire Road	Hyde Park Avenue
Brandon Road	East Fairfax Road	Idlewood Road
Brentwood Road	East Monmouth Road	Inglewood Road
Briarwood Road	East Overlook Road	Ivydale Road
Brinkmore Road	Eastwick Road	Janette Avenue
Burbridge Road	Edendale Street	Kenilworth Lane
Burlington Road	Edgerly Road	Kenilworth Road
Cadwell Avenue	Edgewood Road	Kensington Road
Carver Road	Edison Drive	Kent Road
Castleton Road	Edwards Road	Kerrwood Road
Cecil Place	Elandon Drive	Kew Road
Cedar Glen	Elbon Road	Keystone Drive
Chatfield Drive	Englewood Road	Kildare Road
Chelsea Drive	Erievue Road	Kingston Road

Kirkwood Road
Lamberton Road
Lancashire Road
Langton Road
Lecona Drive
Lennox Road
Lincoln Boulevard
Lowell Road
Lownesdale Road
Lynn Park Drive
Maple Road
Maplewood Road
Marlboro Road
Marlindale Road
Medford Road
Middlefield Road
Middlehurst Road
Middleton Road
Minor Park Lane
Monmouth Road
Montevista Road
Montford Road
Mornington Lane
Mount Laurel Road
Murray Hill Road
Navahoe Road
Nobleshire Road
Norfolk Road
Northampton Road
Nottingham Lane
Oak Road
Oakdale Road
Oakridge Drive
Orchard Road
Ormond Road
Overlook Lane
Oxford Road
Parkdale Road
Parkhill Road
Parkway Drive
Pembrook Road
Pennifield Road
Pomona Road
Powell Avenue

Preyer Avenue
Princeton Road
Quarry Drive
Queenston Road
Radcliffe Road
Radnor Road
Randolph Road
Redwood Road
Renfield Road
Renrock Road
Revere Road
Rexwood Road
Ridgefield Road
Rinard Road
Rock Court
Rockwood Road
Rosedale Road
Rosemond Road
Rossmoor Road
Roxboro Road
Rumson Road
Runnymede Boulevard
Rushleigh Road
Rutherford Road
Rydalmount Road
St. Albans Road
St. James Parkway (North)
St. James Parkway (West)
Scarborough Road
Seaton Road
Selwyn Road
Severance Circle Drive
Severn Road
Shaker Road
Shannon Road
Somerton Road
South Compton Road
South Noble Road
South Overlook Road
Spangler Road
Staunton Road
Stillman Road
Stoneleigh Road
Stratford Road

Stuart Road
Summit Park Road
Superior Park Drive
Surrey Road
Sycamore Road
Sylvanhurst Road
Sylvania Road
Taylor Road (South)
Thayne Road
Thorne Road
Tower Road
Tremont Road
Tudor Drive
Vandermar Street
Vineshire Road
Walden Road
Wellington Road
Westminster Road
Westover Road
Whitby Road
Whitethorn Road
Wilmar Court
Wilmar Road
Wilton Road
Windsor Road
Winsford Road
Wood Road
Woodmere Drive
Woodridge Road
Woodview Road
Woodward Avenue
Wynn Road
Yellowstone Road
Yorkshire Road

Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

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Cambridge Road	Hanover Drive	Quilliams Road
Canterbury Road	Hillcrest Road	Ravine Drive
Cedar Road	Lee Boulevard	Reyburn Road
Cedarbrook Road	Lee Road	Roanoke Road
Chestnut Hills Drive	Mayfield Road	Shelburne Road
Cleviden Road	Meadowbrook Boulevard	Silsby Road
Coventry Road	Monticello Boulevard	Superior Road
East Antisdale Avenue	Mount Vernon Boulevard	Taylor Road (North)
East Scarborough Road	Nela View Road	Tullamore Road
Eddington Road	Newbury Drive	Warrensville Center Road
Edgehill Road	Noble Road	Washington Boulevard

Said assessment shall be in accordance with the estimated street lighting assessments filed with the Director of Finance/Clerk of Council, pursuant to Resolution No. 9-2016, as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 76-2016 (F).

SECTION 2. It is the determination of this Council that no claim for damages was filed with the Director of Finance/Clerk of Council.

SECTION 3. The cost and expense of the aforesaid improvement, in an amount not to exceed One Dollar and Eight Cents (\$1.08) a front foot, per year, on the above-described lots and lands, shall be assessed in proportion to the special benefits which will result from said street lighting upon the above-described lots and lands. The remainder of the cost and expense of said improvements, and two percent of the entire cost, shall be paid by the City. Any cost of said improvement not specifically assessed shall be paid by the City.

SECTION 4. The assessment of the cost and expense of said street lighting, amounting to One Million Eight Hundred Seventy-One Thousand Six Hundred Twenty-Eight Dollars and Thirty-Four Cents (\$1,871,628.34), as reported to the Council by the Director of Finance/Clerk of Council, as equalized, is hereby adopted, and there shall be levied and assessed upon said lots and lands above-described the amounts on the street lighting assessments now on file with the Director

ORDINANCE NO. 78-2016 (F)

of Finance/Clerk of Council, which assessments are in proportion to the special benefits accruing to the property assessed and are not in excess of the actual benefits to said property.

SECTION 5. The total assessment against each lot and parcel of land shall be levied in two (2) equal installments, shall be certified to the County Finance Director and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within thirty (30) days from the date of the adoption of this Ordinance.

SECTION 6. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights. Said notice shall comply with all requirements Ohio Revised Code Section 727.26.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with Chapter 107 of the Codified Ordinances.

SECTION 8. The Director of Finance/Clerk of Council is hereby directed to cause notice of the levy of the assessments herein provided for to be filed with the Cuyahoga County Fiscal Officer.

SECTION 9. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that the assessment must be filed with the Cuyahoga County Fiscal Officer on a timely basis to be added to the 2016 tax duplicate. Wherefore, this Ordinance shall take effect and be in force immediately upon its passage.

ORDINANCE NO. 78-2016 (F)

CHERYL L. STEPHENS, Mayor
President of the Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 79-2016 (F)

By Council Member

A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring an emergency.

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the fiscal year commencing January 1, 2017; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio has certified its action thereon to this Council, together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation.

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

SECTION 1. The amounts and rates, as determined by the Budget Commission on its certification, be, and the same are hereby accepted.

SECTION 2. There is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

	Budget Commission estimate of amount to be derived from levies		County Fiscal Officer's estimate rate of tax to be levied	
	Inside	Outside	Inside	Outside
	10 mill limitation		10 mill limitation	
General Fund	\$1,820,000	\$6,060,000	2.22	7.40
Bond Retirement	\$1,230,000	\$1,230,000	1.50	1.50
Recreational Improvement Fund		\$575,000		.70
Police Pension Fund		\$245,000		.30
Fire Pension Fund		\$245,000		.30
	\$3,050,000	\$8,355,000	3.72	10.20

RESOLUTION NO. 79-2016 (F)

SECTION 3. It is hereby resolved that the Clerk of Council be, and he is hereby, directed to certify a copy of this Resolution to the Fiscal Officer of Cuyahoga County.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to permit acceptance of such rates immediately to comply with dates set by the County Budget Commission. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CHERYL L. STEPHENS, Mayor
President of Council

TOM RAGUZ
Clerk of Council

PASSED:

Proposed: 9/6/2016

RESOLUTION NO. 80-2016 (F)

By Council Member

A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2016 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring an emergency.

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

SECTION 1. The County Fiscal Officer be, and is hereby, authorized and directed to pay to the Director of Finance of the City of Cleveland Heights, Ohio, all monies now in the hands, and that may hereafter come into the hands, of the County Fiscal Officer which are payable to the City of Cleveland Heights from the proceeds of the 2016 tax year collection including, without limitation, revenues from personal property taxes, real property taxes, and special assessments.

SECTION 2. The Director of Finance is hereby authorized and directed to furnish a copy of this Resolution to the County Fiscal Officer.

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

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to enable the City to meet its obligations and to preserve the credit of the City. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CHERYL L. STEPHENS, Mayor
President of Council

TOM RAGUZ
Clerk of Council

PASSED:

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, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Wong

The meeting ended at 7:30 p.m. and Executive Session was held after the City Council meeting.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:40 p.m., Mayor Stephens presiding.

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

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

Mayor Stephens stated, "Good evening. Welcome to Cleveland Heights City Council meeting, Monday, August 1, 2016. This is our regular Council meeting. We're starting a few minutes late, but we had a few issues to discuss. Mr. Raguz, would you call the roll for us please?"

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

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

Mayor Stephens stated, "Thank you. No members to excuse. Minutes from our Council meeting on July 18 – were there any corrections or additions? And you have them all, Mr. Raguz? Thank my colleagues for doing that for us and we have now our standard time for personal communication from our residents or anyone else who comes to town to share their thoughts or ideas with us. Is there anyone who would like to speak to City Council this evening? Good. Ma'am, if you would come forward at the microphone. Remember to give us your name, address and speak for three minutes or less."

"Generally I don't need a microphone. My voice generally carries, but my name is Dee Spence. I've been a resident of Cleveland Heights, well, I've owned property here for almost 20 years and I do have some concerns. The Police and the Fire Department – they do a magnificent job. They are truly to be commended, but there are issues that... mainly one. I own an apartment building which means I have tenants and the bikers on Noble at all times of the day or night, ungodly hours, zoom, zoom, zoom. One tenant moved and I have a new tenant in. She's now complaining. So, I'm wondering and I've met with the police, Sergeant Mack – I don't know that he's Sergeant – I may have just promoted him, but nonetheless, I know him personally because he's come to address other issues I've had and I mentioned, we already have a noise ordinance. Why can't we put some teeth in that ordinance? Because when I first bought that building, you couldn't drive down Noble if you had a busted muffler without being cited by the police and I'd like to see some of those efforts reinstated. So, I don't know what it takes. I'm

definitely willing to do my part. My building sits on the corner of Vineshire and Noble. They can park in my parking lot. I mean whatever makes it easy for them to address this problem because it has become a big one. I mean if I don't have tenants, I can't pay my mortgage which means I can't pay my taxes and everybody knows what that means. So, another thing, there's a problem house on Noble. The hedges are about eight feet tall. I look at my kitchen window and they're waving at me and I've called the Housing Director twice and nothing's happened. So, and I know he's new, I worked with Rick Wagner who knew me very well."

Mayor Stephens stated, "What's the address of the house, Dee?"

Dee Spence stated, "I beg your pardon."

Mayor Stephens stated, "What's the address of the house?"

Dee Spence stated, "Let me share this. 2435 is the apartment building across the street from the house. If you're driving down Noble between Yellowstone and Pembroke, you can't miss it. It's on the north side... on the south side of the street... on the west side. I'm sorry

Councilwoman Yasinow stated, "Across from 2345?"

Dee Spence stated, "No, 2435. That's the name of the problem building behind me. I won't get into that today but if we can address the bikers and these hedges and the owner lives in Cleveland Heights. He has additional properties, but it's a big problem. One other thing - there's been a big hole on Vineshire. That address is 9080 Vineshire. The cones have been there for two months. It has a steel plate over the hole. Kids play around there all the time, but it's unsightly and inconvenient to drive down Noble. It's going west, east, you gotta, I'm mean, I'm sorry, west and... east and west. You've got to, you know, move around and God forbid there should be cars parked on the street so enough of my complaints, but if those issues could be addressed, I'd be ever so grateful - especially the bikers. Thank you."

Mayor Stephens stated, "Thank you. Yes ma'am, in the back row. I saw a hand."

Gail Larson stated, "Good evening."

Mayor Stephens stated, "Good evening."

Gail Larson stated, "Gail Larson from Noble Neighbors and my personal street is Montevista 3797. We are working with the city and we're very happy with the progress we're making on finding out what's going on with these houses that are empty and have been empty for years on our streets. Just this last week, two houses down from me at 3789 Montevista, a sign showed up for a company - a real estate company called hubzoo.com and I just bring this your attention so that if you hear that name or something comes up in discussions, they're an online auction realtor and we're very worried about any families if they're selling a house for \$26,000, so it's a really good deal, but there's a lot of stuff that needs to be done. It was a rental and it's been foreclosed and the bank apparently asked hubzoo to auction it off. We've looked at the website. It doesn't look like there's a lot of time for point of sale

transaction or inspection. So we're hoping that at least the people who are looking at it have their own realtor to be represented and they don't get stung with a bunch of costs of repair they had no idea about. I just want to bring it to your attention. I do not expect any action, but we're going to see what happens."

Mayor Stephens stated, "Thank you."

Vice Mayor Stein stated, "Thank you."

Mayor Stephens stated, "Thank you for eyes on the neighborhood. Is there anything else anyone else would like to share with us this evening? If there's no one else you'd like to speak to... Oh yes, ma'am. Welcome. Your name and address please."

Miss White stated, "Miss White, 1620 Lee Road. I'm coming with concerns. I'm sure the police knows who I am and every time I come and I did speak about this issue. The city manager would say she would be glad to talk with me about that after the meeting. Of course, I haven't talked to anyone. However, my concern is about the people that have businesses and the landlord does not supply parking for them where other businesses' landlord does supply parking. And I'm wondering, if we have a couple of businesses that have a mass of clients which is good. I want any business to flourish because I want my clients to come, so that's separate, but I have continuously had problems with the building adjacent to where I work stealing my parking. The police are very good like Miss Dee said. They come out and accommodate what the violations when they park unauthorized. We had to buy parking passes to identify our clients and those people are coming in with irate attitudes. They're coming with unbecoming behavior to the businesses and I've been a resident here as well as worked in this area and I'm feeling intimidated and bullied and it's going on every day. You could scream and a violent person would have taken care of it themselves and I need somebody there to take my problem seriously. And I don't know what Council is for or the Mayor is for the City Manager or what your job titles are, but I have been complaining about this problem for years. Pete and George who own The Knotty Pine used to come out and have to park his car across the lot so that his customers could come in for a beer and a burger and at first I used to didn't understand Mr. Pete. I became very fond of him and I began to tell him to be careful out there because the neighborhood is changing. You have different personalities.

My kids tease me because they say I have Knotty Pine's torch now because we have to police the parking lot. My tenant... my landlord supplies parking for me. I need Cleveland Heights City Hall to look a little deeper about my concern because I try to uphold the character and the integrity of the community. If I don't build, I'm trying to maintain, so that means that I'm not trying to tear it down. So, I feel that somebody somewhere should listen to my problem and do something about these absentee landlords that rent to these people, give them three months free rent or don't do a background check and just let them filtrate the neighborhood that I raise my kids in and that I live in, so I just need somebody to give me some help with this problem here. I have talked to Officer Mack. I have been given bogus solutions. I have been shunned here and shunned there. Somebody even emailed me a couple of times. This lady asked me to even meet in their building about our parking and then I said - why would I meet them with them about the parking that I'm paying for? They're the one they don't have parking,

but she never emailed me back. I have sent this email probably to a lot of you guys if you took the time to read it, but I can send it out again. It is still on my... with these concerns about the parking. I work at 1620 Lee Road behind Cleveland Injury Centers. I work in Positive Image Hair Studio next door to Happy Hours. The people adjacent have been a problem probably to the people before me, but problems should be solved. It's time to solve the problem and I thank you for your ear."

Mayor Stephens stated, "Thank you. Is there anyone else who would like to speak to Council this evening? Ma'am. Mrs. White, is it? Can we get a telephone number from you for – if you could give it to one of – Susanna...so you don't have to put it on record for everyone. Next we have a report from the City Manager."

Report of the City Manager

Tanisha Briley stated, "Thank you, Your Honor. This evening I have two items to report. The first being I would like to request permission to go to bid for the 2017 Cedar Road Resurfacing and Cedar Fairmount Streetscape Project and I would like to make this a Matter of Record."

Matter of Record

Mayor Stephens stated, "This is a Matter of Record and referred to the Municipal Services Committee."

Councilwoman Yasinow stated, "Thank you very much. I move to authorize the City Manager to go to bid for the 2017 Cedar Road Resurfacing / Cedar Fairmount Streetscape."

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

Nays: None

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

Authorization Granted

Mayor Stephens stated, "You have received full authority to go to bid. Is there anything else?"

Tanisha Briley stated, "Yes, Your Honor, one remaining item. I would like to request permission to issue a request for proposal for energy savings performance contracting services and I would like to state that a notice of the request for proposals will be posted on the City's website and a newspaper of circulation and I would like to make this a Matter of Record."

Mayor Stephens stated, "We'll refer this to the Municipal Services Committee as well."

Councilwoman Yasinow stated, "Thank you very much, Your Honor I hereby move to give the City Manager permission to issue a request for proposal for energy savings performance contracting services."

Mayor Stephens stated, "Is there a second?"

Councilman Ungar 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."

Authorization Granted

Mayor Stephens stated, "Thank you. Mrs. Briley, you have received authority to move forward with energy savings performance requests for proposals. Is there anything else you'd like to share with us this evening?"

Tanisha Briley stated, "No, Your Honor, just I'm happy to be celebrating my third anniversary as City Manager of this most wonderful city in all of the world."

Mayor Stephens stated, "Thank you and congratulations. 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 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. 3400: Augustus Beck, 1955 Coventry Road, to permit a 25-foot by 69-foot basketball court with approximately 50% of the court in the corner side yard with a 13-foot-tall backboard behind the hoop and a 10-foot-tall ball containment unit set back 6.66 feet from the Coventry Road right-of-way in the corner side yard; and also
- BZA Cal. No. 3403: Samuel Gibson Ellen Malone. 2457 Demington Drive, to permit a 6-foot-tall wood fence in a corner side yard.

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

Matter of Record

Mayor Stephens stated, "Thank you. These will be made a Matter of Record and referred to the Planning and Development Committee later in this agenda."

Tom Raguz stated, "I also need to notify Council that a notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Mayfield Coventry, Inc. 2879 Mayfield Road, 1st floor, Cleveland Heights, Ohio 44118, Transfer C1, C2 and D6 permits from 2879 Mayfield, Inc., 2879 Mayfield Road, 1st Floor, Cleveland Heights, Ohio 44118. I would like to also make this a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. That will be referred to Public Health and Safety Committee of Council later in this agenda."

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

Mayor Stephens stated, "Thank you. That will be referred to Public Health and Safety Committee of Council later in this agenda."

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

Mayor Stephens stated, "Thank you. Now we'll go directly into the committee reports; first the Finance Committee. Mr. Ungar."

Report of the Finance Committee

Councilman Ungar stated, "Yes, I have a resolution appointing an Assessment Equalization Board to hear objections regarding the estimated assessments for a portion of the expense of improvements in streets and parkways including the grading, draining, curbing, paving, etc., removing snow and planning, maintaining and removing shade trees within the City of Cleveland Heights. I would move approval the resolution."

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

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "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. This resolution 59-2016 is approved because of seven votes in favor of it. Mr. Ungar, your next one."

Councilman Ungar stated, "And the second is a request for approval of a resolution appointing an Assessment Equalization Board to hear of any objections regarding the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights and I would move approval of that resolution."

Councilwoman Roe stated, "Second."

Mayor Stephens stated, "Mr. Raguz, if you would 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."

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. Is there anything else for me this evening, Mr. Ungar?"

Councilman Ungar stated, "Nope, that's it."

Mayor Stephens stated, "Thank you. We move on to Municipal Services Committee."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "Thank you very much, Your Honor. This is Resolution Number 61-2016. This is a resolution authorizing the amendment the City's agreement with the County of Cuyahoga to perform certain services to help maintain the City's sanitary and storm sewers to increase the spending cap by \$325,000 and declaring an emergency. Whereby Resolution 1-2016, this Council authorized an agreement to retain the Cuyahoga County to perform services to maintain the City's sanitary and storm sewers and catch basins for the 2016 calendar year. Whereas the Director of Utilities has identified an additional project to improve a section of the City sewer system that may be funded by Community Development Block Grant funds in which for which the County services are needed and

whereas said additional projects shall cost approximately \$325,000. I hereby recommend Resolution Number 61-2016 to be passed this evening.”

Mayor Stephens stated, “Thank you. Is there 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, “Seven ayes, Your Honor.”

Resolution Passed

Mayor Stephens stated, “Thank you. Resolution 61-2016 passes. Is there anything else for Municipal Services Committee this evening?”

Councilwoman Yasinow stated, “Just to congratulate Mac’s Backs on a fantastic event celebrating the publication of the latest eighth “Harry Potter” book. Yeah, I am right now in the middle of it. It is fantastic.”

Mayor Stephens stated, “Did you get started on Saturday?”

Councilwoman Yasinow stated, “I did not make it for the full Saturday night event, but I am right now reading *Harry Potter and the Cursed Child, Parts One and Two*.”

Mayor Stephens stated, “I was afraid to get started in case I went to Slytherin.”

Councilwoman Yasinow stated, “Hey, that’s not a bad thing at least in this book, and in addition, to continue with the nerderly, this upcoming Saturday is official Star Wars Celebration Day at the Coventry Village SID. I hope to see all the young padawans there.”

Mayor Stephens stated, “ There are nerds on this Council.”

Councilwoman Yasinow stated, “Yep.”

Mayor Stephens stated, “Some of us are self-declared, didn’t need our friends to tell us.”

Councilwoman Yasinow stated, “You have a high midichlorian count.”

Mayor Stephens stated, “There you go.”

Councilwoman Yasinow stated, “And that is everything from the Municipal Services Committee this evening.”

Mayor Stephens stated, "Thank you. Next we move to Planning and Development Committee. Before we move to the resolutions need to be reviewed by our chair, we need to enter into the BZA. I see smirks on my nerdy colleagues' faces. We need to move to the Board of Zoning Appeals activities. Councilman Seren."

Report of the Planning and Development Committee

Councilman Seren stated, "All right. I move that we approve the resolution of the Board of Zoning Appeals Calendar Number 3400. Augustus Beck, 1955 Coventry Road, to permit a 25-foot by 69-foot basketball court with approximately 50% of the court in the corner side yard with a 13-foot-tall backboard behind the hoop and a 10-foot-tall ball containment unit set back 6.66 feet from the Coventry Road right-of-way in the corner side yard."

Mayor Stephens stated, "Is there a second?"

Vice Mayor Stein 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, "Seven ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Calendar Number 3400 of the Board of Zoning Appeals for resolution by Council passes unanimously. There's another resolution for this evening, Mr. Seren?"

Councilman Seren stated, "Yes. I move that we approve the Resolution of the Board of Zoning Appeals Calendar Number 3403. Samuel Gibson Ellen Malone at 2457 Demington Drive, to permit a 6-foot-tall wood fence in a corner side yard."

Mayor Stephens stated, "Is there a second?"

Councilman Unbar 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. Resolution 3403 of the Board of Zoning Appeals passes City Council. Now we move to the Chair of Planning and Development Committee, Mrs. Dunbar."

Report of the Planning and Development Committee

Councilwoman Dunbar stated, "Tonight I have Resolution Number 62-2016; a resolution authorizing renewal agreements with Franklin Piccirillo for design and construction oversight services and Carolyn R. Smith for coordinating consulting services for the City's Storefront Renovation Program, providing compensation therefore and declaring an emergency. For over twenty years, the City has operated a Storefront Renovation Program to encourage reinvestment and create positive visual and economic impact in its commercial districts. This program is funded by Community Development Block Grant funds. Mr. Piccirillo and Miss Smith wish to continue to offer their professional services to consult for the program which has expanded to include larger more complex projects which warrant additional consultant compensation. These are professional services for which no bidding is necessary. This resolution authorizes the City Manager to enter into a renewal of the agreement with Franklin Piccirillo and the rate is \$6,000 per project for a term of five years with a total fee during this term not to exceed the sum of \$150,000. It also authorizes the City Manager to enter into a renewal of the agreement with Carolyn R. Smith for coordinating consulting services for the City's Storefront Renovation Program at a rate of \$50 per hour up to \$4,000 per project for a term of five years with a total fee during this term not to exceed \$50,000. I move that Council approve Resolution Number 62-2016."

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

Vice Mayor Stein stated, "Second."

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

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. Resolution 62-2016 passes. Councilman Dunbar, is there anything else you'd like to share with us this evening?"

Councilwoman Dunbar stated, "I would like to mention that on Sunday, August 7 from noon to 5:00, Cedar Fairmount is having their Annual Summer Festival which features the rocket car, music and other events, so this should be a wonderful event. It always is; and I also want to call particular attention to the display in the window front of Apple Tree Books because I spent my afternoon there decorating it for the Heights Bicycle Coalition, so it's a really spectacular Please notice it and Apple Tree Books is

doubling their size. They seem to be doing very well, so anyway, go to Cedar Fairmount on Sunday and have a good time.”

Mayor Stephens stated, “So I thought you had a business degree not a design degree.”

Councilwoman Dunbar stated, “I was just there helping put things up. I was not the creative genius on this.”

Mayor Stephens stated, “Okay. Thank you, Councilwoman Dunbar. Next we have Public Safety and Health Committee. Councilman Seren.”

Councilman Seren stated, “Thank you, Mayor. I move that we adopt, rather approve, Resolution Number 63-2016; a resolution objecting to the renewal of all current liquor permits issued by the Ohio Division of Liquor Control to 5855 East Glen, Incorporated doing business as Shillelagh’s at 2555 Noble Rd., Cleveland Heights, Ohio 44121 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.”

Mayor Stephens stated, “Is there a second?”

Councilwoman Yasinow stated, “Second.”

Mayor Stephens stated, “Thank you. 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. Resolution 63-2016 passes. This is an absolutely unanimous resolution by the City Council recommending to the Ohio Division of Liquor Control that this bar be closed permanently, no more temporary restraining orders or anything like that. Next, we have a Resolution 64-2016. Councilman Seren.”

Councilman Seren stated, “Thank you, Mayor. I’d like to move that this Council approve Resolution Number 64-2016; a resolution objecting to the renewal of all current liquor permits issued by the Ohio Division of Liquor Control to Reginald Johnson, dba The Sunny Spot Lounge at 2204 Noble Road, Cleveland Heights, Ohio 44112 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.”

Councilman Ungar stated, “Second.”

Mayor Stephens stated, “Is there a second?”

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Councilman Ungar. 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. This resolution passes. Resolution 65-2016. Councilman Seren."

Councilman Seren stated, "Thank you, Mayor. I move that we approve Resolution Number 65-2016 objecting to the renewal of all current liquor permits issued by the Ohio Division of Liquor Control to Fitzdunn LLC., dba Helen's Game Time, 3962 Mayfield Road, Cleveland Heights, Ohio 44121 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio."

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

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you, Councilman Dunbar. 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 Seren, any final words?"

Councilman Seren stated, "Thank you, Mayor. I have nothing left."

Mayor Stephens stated, "These three resolutions are important to the neighborhoods in each location where these businesses are located. They have not been good neighbors. They have operated noisily. Their clientele has been disruptive to the home ownership as well as to the people who rent units in the immediate vicinity of them. We have numerous complaints from each of these properties from residents in the area and we're going to do the best we can and make the strongest opposition to the renewal of their licenses that we can as a City Council. Without further ado, let's move to Administrative Services Committee. Councilwoman Roe."

Report of the Administrative Services Committee

Councilwoman Roe stated, "Thank you. I have two ordinances that have to do with requests from the County Board of Elections in terms of, after some review of our election procedures in Cleveland Heights. First is Ordinance Number 66-2016. This is an ordinance directing the Clerk of Council to submit to the Board of Elections amendments to Article Seven of the Charter of the City of Cleveland Heights for placement on the November ballot. This overall - what this would do - is would eliminate existing possible ambiguity concerning the means in which a person may come become a candidate for our City Council and also it is... would put us in compliance with federal laws about elections. I so move."

Mayor Stephens stated, "Is there a second?"

Councilman Seren stated, "Second."

Mayor Stephens stated, "Thank you, Councilman Seren. Mr. Raguz."

"Mayor, could I?"

Mayor Stephens stated, "Yes, you'd like to make a comment?"

Councilman Seren stated, "I would like to make a comment."

Mayor Stephens stated, "Okay."

Councilman Seren stated, "I just wanted to congratulate this Council on doing something. We were asked by the Board of Elections to make some changes that would make their lives easier and, of course, doing that and making the Board of Elections do its job a little bit better is always a good idea, but one thing I wanted to congratulate this Council on was - by adjusting the period of time that petitions can be signed, we I think did a great deal toward making it a little bit easier for people to engage in the democratic process as candidates. I believe that in all likelihood, I can't speak to the motivations of the people who designed the system in the first place, but having only 30 days to have your petition filled out really closed off that particular method of engaging in democracy for some people who either don't have the infrastructure in place or the name recognition in place or the time because they have a full-time job to deal with, makes it more difficult to become a candidate and become a part of the democratic process in the City and so I just really want to applaud my colleagues for expanding that period of time to a 90 day period of time instead of a 30 day."

Mayor Stephens stated, "Thank you. Anyone else? Mr. Raguz."

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

Nays: None

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

Resolution Passed

Mayor Stephens stated, "This Resolution Number 66, I'm sorry, Ordinance Number 66-2016 passes. The next Ordinance Number 67-2016. Councilwoman Roe."

Councilwoman Roe stated, "This is an ordinance directing the Clerk of Council to submit to the Board of Elections amendments to Article Eight of the Charter of the City of Cleveland Heights for placement on the November ballot. Again, this was another suggestion from the Cuyahoga County Board of Elections to assist them in meeting the requirements in terms of you know for many with other men met municipalities and specifically, this addresses our municipal initiative referendum and recall deadline requirements."

Mayor Stephens stated, "Thank you, Councilman Roe. Is their second?"

Councilwoman Yasinow stated, "Second."

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

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 and now we have done what we need to do to get in compliance with the Board of Elections. Next we have Community Relations and Recreation Committee."

Report of the Community Relations and Recreation Committee

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

Mayor Stephens stated, "Oh, Councilman... Vice Mayor Stein, that makes life very simple for us. Next is the Mayor's report. This is going to be a short report as well."

Vice Mayor Stein stated, "Excellent."

Mayor's Report

Mayor Stephens stated, "One of the good things we did this, within the last couple of weeks, was that the Economic Development Committee - that is an advisory group to City Council - started its work. The seven members met for the first time. Staff support was the City Manager and Councilwoman Dunbar and myself. We're off to a pretty good start. Everyone was present. We have a variety of ideas and support. This is to help this Council be more transparent and to focus in on the things that we need to do to make ourselves healthier, stronger and hopefully wealthier. In addition, for those of us who are engaged in the political process, both major parties had their national conventions and we saw good and bad at both of them and we learned good and bad from both of them, but it's important that we

continue the political dialogue; that as long as we're Americans, we begin to and continue to talk to each other about what we believe in and why we believe it and why, especially at the local level, all things are important to the elected officials - to listen to people, to engage with them and never to think that their ideas are too small or too big for us; and so this Council continues to listen and continues to learn and continues to try and work with its residents. Remember we're not perfect. We're just like you. Some things fall through the cracks for us and some things we get done sooner than you want them to, but because this is America, we get to continue to work and try and get it right. So, thank you for your support as a community as we continue to work and try and get things right and make things always better and our future always better. As usual, God bless America and God bless Cleveland Heights. Our next Council meeting is Tuesday, September 6, 2016."

The City Council meeting adjourned at 8:14 p.m.

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 8:16 p.m. The motion was seconded by Councilwoman Dunbar. Mayor Stephens presiding.

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

Councilwoman Roe moved to end the Executive Session. The motion was seconded by Councilwoman Yasinow. Executive Session concluded at 8:48 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Tom Raguz, Clerk of Council

/jkw