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**MEMORANDUM**

TO: Members of Council  
FROM: Tanisha R. Briley, City Manager  
DATE: September 16, 2016  
RE: September 19, 2016

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**MEETINGS & REMINDERS**

Monday, September 19 - 6:15 p.m. - Committee of the Whole  
- 7:30 p.m. - City Council

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**LEGISLATION**

Legislation has been prepared for the following:  
Nuisance Abatement at the following addresses. Each piece of legislation is followed by a memo from the Housing Director.

1. 950 Nelaview Road - Nuisance Abatement
2. 1610 South Taylor Road - Nuisance Abatement
3. 1617 Eddington Road - Nuisance Abatement
4. 3380 Beechwood Avenue - Nuisance Abatement
5. Fact finding recommendations for the Police Dispatchers
6. Fact finding recommendations for the Patrol Officers, BPOs and Rank Officers

**GENERAL INFORMATION**

1. Enclosed are the Council Update and Agenda.
2. Enclosed is a Community Outreach update from the Vice City Manager.
3. Enclosed is an update from the Public Works Director.
4. Enclosed is the weekly water report from the Utilities Commissioner.
5. Enclosed is the weekly report from the Economic Development Director.
6. Enclosed is the weekly update from the Parks and Recreation Director.
7. Enclosed are the weekly and monthly activity reports from the Fire Chief.
8. Enclosed is the weekly activity report from the Police Chief.
9. Enclosed is an update for Planning Commission.

TRB/jkw  
Enclosures



## COUNCIL UPDATE

SEPTEMBER 16, 2016

### 1. LEGISLATION

- Nuisance Abatement. These four pieces of legislation will declare the following properties to be nuisances and authorize abatement of said nuisances:
  - 950 Nelaview Road – This house is vacant and is in a state of severe disrepair. This is a hazardous environment and when the Fire Department was called to the property, they required hazmat clothing to enter.
  - 1610 South Taylor Road - This house is vacant and is structurally unsound. The property has received housing code violations that were not addressed and has, since then, been damaged by a fire.
  - 1617 Eddington Road – This house is vacant and has received numerous housing code violations since December 2008 with no progress toward correcting the violations.
  - 3380 Beechwood Avenue – This house is vacant and structurally unsound. This property was severely damaged by a fire in March 2016 and had a major housing code violation previous to that as well.
- Fact Finding Reports. These two pieces of legislation direct the City Manager to accept fact finding reports related to the collective bargaining process agreements for two of the City's unions: the Ohio Patrolmen's Benevolent Association (BPOs, Police Officers & Upper Ranks), and the Fraternal Order of Police/Ohio Labor Council (Police Dispatchers). Information regarding the fact finding process and reports will be presented to Council in executive session.

### 2. LOCAL GOVERNMENT EFFICIENCY PROGRAM UPDATE

- Last fall the City was fortunate to receive grant through the Ohio Development Services Agency under the Local Government Innovation Fund (LGIF). As a refresher, the LGIF offers local governments financial assistance to create more efficient and effective service delivery. The Local Government Efficiency Program (LGEF) is the newest program to be funded through LGIF and provides up to \$100,000 in grant funding for local governments to learn and use Lean, Kaizen and Six Sigma to improve processes and make services more efficient and less costly.

- In partnership with Tri-C we were able to train 20 employees from across the City in these improvement processes. The training was focused around the City's vehicle maintenance process which was identified in the Strategic Operations Review as opportunity for improvement. For the last eight months a team of dedicated staff learned new skills and applied those skills to understanding the inefficiencies associated with the vehicle maintenance process and made changes to eliminate waste and improve service delivery.
- The team presented their work and recommendations on Thursday, September 15. Overall, the group identified over \$200,000 in potential savings. Some the changes were small and have already been implemented. Other recommendations will be considered during the budget process. Some of the benefits of the training cited by the team were the comradery built across departments and the knowledge they gained that can be applied in their own respective functions. We now have a small army of staff armed with the ability to help us continue to improve efficiency in our service delivery. Congratulations to the City's Efficiency Team for outstanding their efforts!

#### Certified Green Belts:

1. Bobbie Brown (MIS)
2. Doug Ditto (Public Works/Vehicle Maintenance)
3. Katie Dolan (Police)
4. Tony Ferrone (Public Works/Utilities)
5. Sean Hinkle (Police)
6. Joe Kickel (Public Works)
7. Nancy McLaughlin (Planning)
8. Laurie Newshutz (Finance)
9. Keith Speed (Public Works)
10. Andre Spencer (Public Works)
11. Kelly Taylor (Parks & Recreation)
12. Jennifer Williams (City Manager's Office)

#### Champions:

1. Allan Butler (Housing)
2. Collette Clinkscale (Public Works)
3. Craig Kaufman (MIS)
4. Alex Mannarino (Public Works)
5. Bill Measures (Fire)
6. Joe McRae (Parks & Recreation)
7. Chief Mecklenburg (Police)
8. Tom Raguz (Finance)

### **3. CHECKS BETWEEN \$10,000 - \$50,000**

- Best Truck Equipment - \$13,266.29: Boss Snow Plow w/Deflector and Installation of back rack/LED Strobe Lighting system
- C.B. Mullins Construction - \$25,275.00: Deferred Loan Program - 2013 Goodnor Road, 14522 Superior Road
- Catts Constructions - \$18,898.24: Cleve Hts Bus Shelter Base RTA
- The Illuminating Company - \$38,928.78: Electrical Usage for various city accounts
- Glaus, Pyle, Schomer, Burns - \$27,589.05: Lee Road Streetscape Inspection and Admin Services
- Home Repair Resource Center - \$10,500.00: Down Payment Assistance Program - 3752 Berkeley Road
- Lodal, Inc. - \$10,248.52: Automotive Parts for Truck #821
- Mark Gamiere dba Veneer Tree Serv. - \$25,000.00: Tree Removal and Cleanup Services
- Midwest Land Clearing - \$11,750.00: Tree Grinding Services - Coventry Rd/Lakeview Cemetery
- Monte Construction Company - \$17,750.00: Cedar/Demington Road - Water and Sewer Emergency Repairs
- Nicola, Gudbranson and Cooper - \$47,407.50: Legal Services - August, 2016
- Tempest, Inc. - \$44,100.00: Annual Maintenance - North/South Ice Rink



# CLEVELAND HEIGHTS

## Committee of the Whole

**September 19, 2016**

### **Agenda**

*Note: Meeting to begin at 6:45pm*

1. Mayor's Update
2. Staff Updates
3. Legislation Overview
4. Executive Sessions: 1) To review bargaining sessions with public employees or their representatives concerning such employees compensation or other terms and conditions of their employment; 2) 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

**TO: TANISHA R. BRILEY, CITY MANAGER**

**FROM: SUSANNA NIERMANN O'NEIL, ASSISTANT CITY MANAGER**

**RE: COMMUNITY OUTREACH UPDATE**

**DATE: SEPTEMBER 16, 2016**

**COMMUNITY RELATIONS:**

- In addition to the Heights Heritage Tour houses there are 4 block parties this weekend : *Saturday* – Scarborough (Coventry to Demington) ;Scarborough (Stratford to Lambertson ); Corydon (Stillman to Westminster) and *Sunday* –Essex ( Lee to Stratford).
- Community Relations continues to do voter registration daily.The City Hall parking lot will be the “Drop Off” station for all Cleveland Heights precincts the night of the November 8<sup>th</sup> election.
- The Cedar Fairmount SID now includes the new owner of the Buffalo Wild Wings Bldg (who drives in from Michigan for the meetings). There are no vacancies on the street. The first Friday night Music Hop event is September 23<sup>rd</sup> with 6 venues participating.
- The Cedar Lee SID discussed the ongoing street construction and, all in all, they have been pleased with the work the communication and also that it is ahead of schedule. John Zagara will step down as SID Chair at the end of the year and the Board is looking for someone to fill the spot. There was also much discussion on how to streamline the valet service so that the monthly merchant financial contribution can be lowered.

**PUBLIC RELATIONS:**

- All brochures are being updated. Ads are in The Jewish News and the City Visitor quarterly Magazine.
- A new supply of cups , key chains , caps and t shirts have been ordered in anticipation of the holiday season. Gift certificates for Cain Park 2017 season are also available.

**SOCIAL MEDIA:**

- **Homepage** : Featured articles on the Heritage Tour , Shredding Day and the Happy 5K
- **FaceBook**: Promotion of the Music Hop , the Alcazar history , new business Greedy Girl , expansion of Appletree Books and congrats to Tony Phelan who created Grey's Anatomy and has now gotten the go ahead to create another show.



# MEMORANDUM

**TO:** Tanisha Briley-City Manager  
**FROM:** Alex Mannarino-Director of Public Works  
**DATE:** September 16, 2016  
**RE:** Weekly Update

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## Lee Road Streetscape

Concrete Work continues on Lee Road. We have not experienced any major setbacks.



Finished concrete in front of the Wine Spot, on the East Side of Lee Road



The northeast corner of Meadowbrook and Lee; the area has been graded and is ready to be formed for concrete. The deeply excavated area is one of the proposed permeable pavement locations



Concrete being removed in the courtyard between Heights Arts and the new Boss Dog Brewing Co..

## **Construction Project Updates**

### **2016 Road Resurfacing**

No new progress.

### **2016 Surface Treating**

No new progress.

### **Mayfield Signalization**

No new progress.

### **Dominion East Ohio**

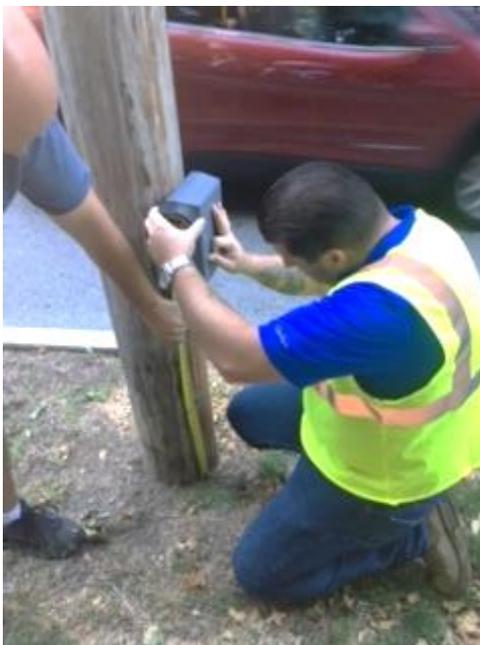
Work continues on PIR 1464 Lee Road from Euclid Heights Blvd. north to Mayfield Road.

### **Service Department**

All other operations continued as normal.

### **Misc. Business**

My team along with assistance from the Street Maintenance Division met with Melissa Thompson from NOACA to install the first bicycle counter and pedestrian counter in Northeast Ohio. The installation took place on Edgehill Road near the Cleveland limit.



The installation of the pedestrian counter along the sidewalk on Edgehill Road.





The installation of the bicycle detection loops in the bike lane and buffer lane, as well as the counter on the other side of the curb along Edgehill Road.

Date: September 14, 2016

To: Tanisha Briley, City Manager

From: Collette Clinkscale, Utilities Commissioner

Subject: Water and Sewer Department Weekly Update

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#### Water

- Dug, replaced, and turned off curb stop at 13234 Cedar and 3016 Derbyshire
- Investigated low pressure complaints at a property on Derbyshire and Maple
- Dug curb stop at 12404 Cedar
- Repaired curb stop at 2965 Somerton
- Repaired broken main at 1289 Hereford
- Repaired tree lawns on Silsby, Cain Park and Redwood
- Prepped road holes at 14204 Superior and 3286 Redwood
- Submitted monthly operating report to OEPA
- Continuing transponder update program

#### Sewer

- Ran sewer machine on Brunswick, Keystone, Coleridge, Ormond, Berkshire, Beechwood, Eddington, Bendemeer, Bainbridge, Helmsdale, Cambridge S. Overlook, Berkeley, Newbury and Lee
- Cemented road hole at 2378 EHB, 14204 Superior and 3286 Redwood
- Re-excavated 2389 EHB for repair on sanitary lateral
- Checked Overflows
- Cemented two road holes at 2300 Overlook

#### Other

- Catch basin cleaning in process by Cuyahoga County Public Works
- On-going coordination on Cleveland Water requests
- In person team meetings with CWD on transition issues and regarding CC&B (Customer Care and Billing) action items
- CWD Public Meetings scheduled for October 26, 28 and 29<sup>th</sup> at the Community Center

September 16, 2016

**To: City Manager Tanisha Briley**  
**From: Economic Development Director Tim Boland**  
**Subject: Economic Development Activities Report: 9/6 – 9/16, 2016**

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**Activities and Initiatives:**

- Participated in numerous “Top of the Hill” project meetings and reviews – prepared, with much assistance, a PowerPoint presentation for Council;
- Brian and I prepared Economic Development Strategic Plan outline PowerPoint and presented it to Council;
- Staff continued with introduction/relationship building meetings including Alex & Dawn Quintana, Patty Ajdukiewicz with ECDI, the Greater Cleveland Partnership, the Cedar-Fairmount SID Board, the Heights Community Development Alliance, Coventry Merchants, North East Ohio Mayors & City Managers Association, Keesha Allen with the Home Repair Resource Center, Brenda May – Noble Neighbors, John Zagara, and the Cedar-Lee SID Board. We are adding names to the list as we continue to become better well known in the community;
- Business outreach activities;
- Continuing work on the economic development strategic plan outline prioritizing economic development initiatives – Tier I, II, and beyond, as well as projects, programs and marketing efforts;
- We have completed our review of “Available Sites & Building” program vendors and we should be in a position to determine our recommendation on this initiative next week.
- Met with FutureHeights and Vorys regarding the Downtown Redevelopment District “TIF” program;

**Looking Ahead to Next Week:**

- Meeting with TeamNEO representatives;
- Master Plan Project Team meeting

Thank you,  
Tim Boland

# Memorandum

To: Tanisha Briley, City Manager

From: Joseph P. McRae, Parks and Recreation Director

Subject: Parks and Recreation Department Update

Date: September 16, 2016

Please find a brief summary of the Parks and Recreation Department announcements and activities attached for your review:

## General Announcements

- Fall registration continues. Some fall classes have already begun.
- The American Red Cross held a blood drive on Monday, September 12. The Red Cross also recognized the City for an outstanding summer 2016 Blood Drive program.
- Staff continues to work with the planning committee on the second annual Cleveland Heights Happy 5K Run which takes place on Sunday, Oct 2 in the Cedar Lee business district. The 1 mile run starts at 9:30am with the 5k run following at 10am. All 5k runners will receive over \$150 in Cleveland Heights Cash. All race proceeds benefit the Recreation Youth Scholarship Program.

## Ice Programs

- The 2016 Hockey Calder Cup Champion Cleveland Monsters (formerly the Lake Erie Monsters) will be at the Community Center on Wednesday, September 28 from 6:00-8:00pm with the Calder Cup. They will be on hand so season ticket holders can have their picture taken with the cup. Mayor and members of City Council are welcome to attend and get a picture as well.
- South Rink ice will be restored the first week of October.

## Sports Programs

- Registration for youth sports is underway including flag football and basketball.

## Senior Center

Activities over the past week included:

- The Commission on Aging and AARP boards met.
- Mimi Ormond shared her story and the book she wrote about her experiences during 1938-1942 and the Kindertransport that rescued her.
- The Cleveland Sight Center's technology expert demonstrated all the newest aids for vision.
- The Center for Brain Health did a program called "The Brain Spa" with strategies to relax your mind.
- A delicious Friday lunch was provided by the new Forest Hills Place and their chef for a program called Healthy Cooking with the Chef.



# Cleveland Heights Fire Department

## Weekly Activity Report

Total Emergency Calls Year To Date	4,585
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Total Emergency Calls for Period	129
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Report Date Period: 09/09/2016 - 09/16/2016

### 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	27	943	892	21.23 %
Emergency Structure Fire Count	1	50	41	
Emergency Non Structure Fire Count	26	883	842	
Emergency Vehicle Fire Count		10	9	

### Emergency Medical Data

Total Emergency Run Count	102	3,642	3,469	78.77 %
Emergency Medical Run Count	96	3,515	3,341	
Automobile Accident Run Count	6	127	128	
Advanced Life Support Run Count	31	982	1,059	
Basic Life Support Run Count	68	2,641	2,383	
Total EMS Transports	67	2,358	2,282	
Total EMS Non Transports	26	1,110	1,069	

## Mutual Aid Run Count to Date

<b>Mutual aid received</b>	SEFD A - 43 SHFD A - 38 ECFD A - 19 UHFD A - 33
<b>Mutual aid given</b>	SEFD A - 23 SHFD A - 28 ECFD A - 23 UHFD A - 14
<b>Automatic aid received</b>	SEFD A - 4 SHFD A - 12 ECFD A - 0 UHFD A - 5
<b>Automatic aid given</b>	SEFD A - 0 SHFD A - 8 ECFD A - 0 UHFD A - 8

<u><b>Fire Prevention Bureau</b></u>	<u><b>Current Period</b></u>	<u><b>Year to Date</b></u>
Total Completed Fire Inspections	120	899
Company Fire Inspections	70	428
Fire Prevention Fire Inspections	1	49
Fire Alarm Test Inspections		1
Kitchen Supression Test Inspections	1	9
Sprinkler Test Inspections		2
Other Inspections	48	410
Smoke Detectors Distributed		94



CITY OF  
CLEVELAND  
HEIGHTS 

DEPARTMENT OF POLICE

ANNETTE M. MECKLENBURG, CHIEF

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

## MEMORANDUM

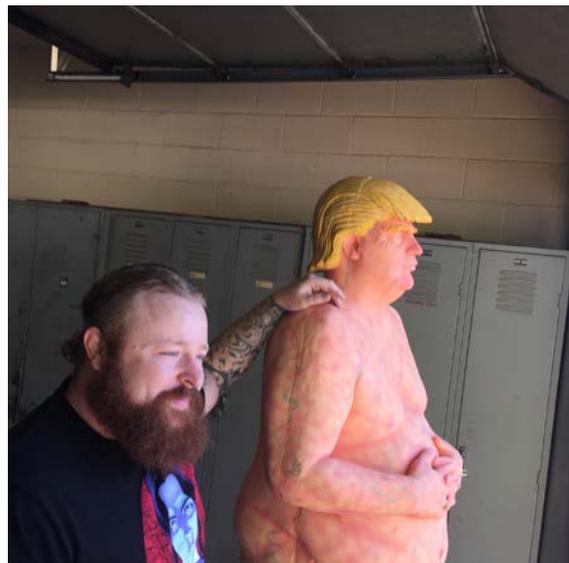
**To:** Tanisha R. Briley, City Manager

**From:** Annette Mecklenburg, Chief of Police

**Date:** September 16, 2016

**Subject:** Weekly Update

On Friday, September 16, 2016, the creator/owner of the Donald Trump Statue that was impounded last month arrived at the Police Department to retrieve his property. The owner, Joshua Monroe, provided satisfactory proof of ownership and paid a fee of \$110.00 to get the statue released. The statue was transported to an unknown location for the time being, until it can be auctioned off. The proceeds will benefit Heights Arts and be used to create art within the Cleveland Heights community. Several community members and business owners were on hand to witness and document the release of the statute and expressed their sincere appreciation for the City's handling of this matter.



CITY OF  
CLEVELAND  
HEIGHTS 

DEPARTMENT OF POLICE

ANNETTE M. MECKLENBURG, CHIEF

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

**In 2015, Chief Jeffrey Robertson assigned two open cold cases to the Detective Bureau to see if any new leads could be developed. The first case involved the murder of 14 year old Sonya Green on 12/15/1982. The second case involved the murder of 32 year old Annette Lawrence on 12/21/1982. Both murders occurred at or near Severance Mall property. Both cases were further investigated, but no new leads were discovered. Detectives have been in contact with Sonya's father, who has since relocated out of state. Mr. Greene has expressed his desire to have additional measures taken to further investigate the death of his daughter. As a result, CrimeStoppers has agreed to profile both cases in hopes of developing new leads in the case. The FBI, CrimeStoppers, and the Cuyahoga County Prosecutors Office have all agreed to participate in this investigation and will offer up to a \$10,000.00 reward for information leading to an arrest and conviction in these cases. While plans have not been finalized, filming may begin as early as the next week or two to begin profiling both cases. I will provide further details as soon as they become available.**

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**Proj. 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, & 1153.

*Approved, 6-0, with the following additional conditions:*

- 1) Receipt of Planning Director approval of a Maintenance & Wall Restoration Plan; and
- 2) Receipt of document signed by property owner stating the façade will be restored at such time the mural is not maintained.

**Proj. 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 & playfields at former Oakwood Club per Code chapters 1111, 1115, 1121, 1151, 1153, 1161, 1163, & 1166.

*Lot Resubdivision, Continued for up to 90 days, 6-0.*

*Conditional Use, Approved, 6-0, with the following additional conditions:*

1. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity or create a nuisance for adjacent residential properties;
2. The applicant shall work with staff to resolve complaints from neighbors;
3. Receipt of Architectural Board of Review approval, as required, and of fencing plan for entire site;
4. Receipt of Board of Zoning Appeals variances, as required;
5. Receipt of Planning Director approval of final signage and wayfinding, landscaping, drainage, grading, tree preservation, tree protection, parking (bicycle and vehicle), and site lighting;
6. A minimum of two parking spaces near the Early Childhood entrance shall be designated for pick-up and drop-off only.
7. Receipt of Planning Director approval of the berm construction schedule which shall include the majority of the berm construction near the beginning of the construction schedule and that temporary seeding and erosion control measures shall be employed until final landscaping installation;
8. Required landscaping shall be installed within 90 days of school opening;
9. Applicant shall discourage cut-through traffic on Oakwood Drive including through signage and in communications with the Hebrew Academy school community;
10. Traffic shall comply with Traffic Impact Study (2/5/2016) recommendations as amended in TPS Engineers letter (8/3/2016). The pedestrian gate to Andrews Road shall be locked, as needed, to control pedestrian travel and to prevent parent pick-up. If traffic on Andrews Road and surrounding streets becomes problematic, applicant shall work with Planning Department and Police Department staff to remedy the issue;
11. Receipt of all required Building Department permits;

12. Garbage pick-up and all deliveries shall be limited to the hours of 7 a.m. and 5 p.m.  
The doors to the garbage storage area shall be kept closed when not in use and area shall be cleaned regularly to prevent odor and rodents;
13. Any future expansion or site reconfiguration shall require the approval of the Planning Commission;
14. Receipt of Police Chief and Fire Chief approval of a Safety Plan;
15. Receipt of Police Chief approval of final Traffic Plan;
16. Applicant shall enter into an agreement with city for installation and maintenance of the traffic light;
17. A sidewalk or path for the public shall be installed along the Hebrew Academy-owned frontage along Warrensville Center Road;
18. The installation of the use shall be completed by December 31, 2020; and
19. Planning Commission approval of any resubdivision.



# CLEVELAND HEIGHTS

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

**Monday, September 19, 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 meeting held on Tuesday, September 6, 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 a resolution of the Board of Zoning Appeals has been received pertaining to variances in the Zoning Code and is requested by the following: BZA Cal. No. 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

- 7) **Committee Reports**
  - a.) **PLANNING AND DEVELOPMENT COMMITTEE**
  - b.) **PUBLIC SAFETY AND HEALTH COMMITTEE**

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS  
MONDAY, SEPTEMBER 19, 2016**

**RESOLUTION NO. 81-2016 (PSH).** A Resolution declaring the property at 950 Nelaview Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For Against No. Reading

**RESOLUTION NO. 82-2016 (PSH).** A Resolution declaring the property at 1610 South Taylor Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For Against No. Reading

**RESOLUTION NO. 83-2016 (PSH).** A Resolution declaring the property at 1617 Eddington Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For Against No. Reading

**RESOLUTION NO. 84-2016 (PSH).** A Resolution declaring the property at 3380 Beechwood Avenue, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For Against No. Reading

**c.) ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 85-2016 (AS).** An Ordinance to accept the fact finding recommendations in the matter of the City of Cleveland Heights and the Fraternal Order of police/Ohio Labor Council (FOP/OLC), SERB Case Nos.: 2015-MED-12- 1265 (Police Dispatchers).

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS  
MONDAY, SEPTEMBER 19, 2016**

Introduced by Council Member \_\_\_\_\_

Vote        \_\_\_\_\_        \_\_\_\_\_        \_\_\_\_\_  
              For                Against                No. Reading

**ORDINANCE NO. 86-2016 (AS).** An Ordinance to accept the fact finding recommendations in the matter of the City of Cleveland Heights and the Ohio Patrolmen’s Benevolent Association (OPBA), SERB Case Nos.: 2016-MED-04-0439; 2016-MED-04-0440; and 2016-MED-04-0441 (Patrol Officers and BPO’s and Rank Officers [Sergeants, Lieutenants and Captains]).

Introduced by Council Member \_\_\_\_\_

Vote        \_\_\_\_\_        \_\_\_\_\_        \_\_\_\_\_  
              For                Against                No. Reading

- d.) COMMUNITY RELATIONS AND RECREATION COMMITTEE**
- e.) FINANCE COMMITTEE**
- f.) MUNICIPAL SERVICES COMMITTEE**
- 8) Mayor’s Report**
- 9) Adjournment**

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

**NEXT MEETING OF COUNCIL: WEDNESDAY, OCTOBER 5, 2016**

**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

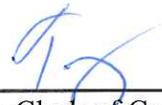
Nays: None

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

Proposed: 9/19/2016

RESOLUTION NO. 81-2016 (PSH)

By Council Member

A Resolution declaring the property at 950 Nelaview Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 950 Nelaview Road, owned by Cheyenne M. Toole, is currently vacant, in a state of severe disrepair, and hazardous; and

WHEREAS, the City Manager has further reported that the owner of the subject property has been cited by the Housing Inspection Department for numerous housing code violations on the property since at least September 2014 and no progress has been made toward correction of the violations; and

WHEREAS, the City Manager has further reported that the Cleveland Heights Fire Department was called to the property because of a foul odor emanating from the interior of the house and were unable to enter the property without proper hazmat clothing due to dead and live rodents throughout the property; and

WHEREAS, the City Manager has further reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety, and welfare of potential occupants and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property.

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

SECTION 1. This Council hereby finds and determines that the premises known as 950 Nelaview Road, owned by Cheyenne M. Toole, is in a state of severe disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with 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.

RESOLUTION NO. 81-2016 (PSH)

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 that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. 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.

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CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/24/2016  
Re: Request for Nuisance Abatement for 950 Nelaview Rd. PPN 681-07-137

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The single family dwelling at 950 Nelaview Rd. was purchased by Cheyenne M. Toole on November 14, 2002 for \$92,000. The property taxes have not been paid since 2014 and are currently \$4,265 in arrearage. On January 20, 2015 the fire department was called to the property for a wellness check. At that time, the home owner was cited for excessive fire load throughout the house and to clean and disinfect the entire house. This case is still in housing court. On July 26<sup>th</sup>, 2016 the fire department was called again to the property because of a foul order emanating from the interior of the house. Upon their arrival, both the fire and police departments were unable to enter the property without proper hazmat clothing. When the door was forced open, the neighbors were forced to exit their homes due to the horrendous smell. During the inspection of the interior, dead rats were everywhere and live rats the size of house cats were seen running throughout the property. What was thought to be carpeting was actually rat feces thick enough to make it look like carpeting throughout the house.

There are currently 4 active complaints on this property that the owner has been notified of with no progress of being resolved. These complaints range from litter, garbage, exterior maintenance and the excessive fire load from the above mentioned incidents. ***A systematic inspection from September of 2014 has 4 pending violations, and a complaint pending for excessive fire load, and to clean and disinfect from January of 2015.***

A notice to demolish the property was issued August 9, 2016 with no response.

The exterior of the house has obvious signs of neglect. The house has also been posted for no trespassing since June of 2015.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

- |                              |          |
|------------------------------|----------|
| 1. Raze the house and Garage | \$30,000 |
| 2. Cleanout of premises      | \$10,000 |
-

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Total Estimated Cost

\$40,000

# MEMORANDUM

In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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Proposed: 9/19/2016

RESOLUTION NO. 82-2016 (PSH)

By Council Member

A Resolution declaring the property at 1610 South Taylor Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 1610 South Taylor Road, owned by Northstar Strategic Partners, is currently vacant, structurally unsound, and hazardous; and

WHEREAS, the City Manager has further reported that the subject property was severely damaged by a fire on August 7, 2016; and

WHEREAS, the City Manager has further reported that the owner of the subject property was cited by the Housing Inspection Department for five (5) housing code violations on the property prior to the fire and no progress was made toward correction of the violations; and

WHEREAS, the City Manager has further reported that the property is a hazard to the health, safety, and welfare of potential occupants, adjoining properties, and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring properties.

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

SECTION 1. This Council hereby finds and determines that the premises known as 1610 South Taylor Road, owned by Northstar Strategic Partners, is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with 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

RESOLUTION NO. 82-2016 (PSH)

of the City of Cleveland Heights, such emergency being that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. 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.

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CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/24/2016  
Re: Request for Nuisance Abatement for 1610 S. Taylor Rd. PPN 684-38-001

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The single family dwelling at 1610 S. Taylor Rd. was purchased at a Sheriff Sale tax foreclosure by Northstar Strategic Partners, Stanley Jackson member on June 6, 2013 for \$33,076. The deed was not recorded until April 21, 2015 as the County Prosecutor's office had filed contempt of court proceedings for not completing payment of the Sheriffs Sale. Prior to that it was owned by another investment company, Karka Inc. (Uri Gofman) who purchased it for \$36,000 from Bank One on September 30, 2008. The property taxes have not been paid since 2008 and is currently \$25,656 in arrearage with another tax foreclosure pending. The property has been vacant since a fire destroyed the entire second and third floor on August 7, 2016. The unit was used as a rental property even though there were postings from both the housing department that no person was to occupy the premises.

There are currently 6 active complaints on this property that the owner has been notified of with no progress of being resolved dating back to May 2015. These complaints range from Failure to obtain Point of Sale, Failure to obtain Certificate of Occupancy for multiple years, to litter/debris, tall grass and exterior maintenance items.

A notice to demolish the property was issued August 8, 2016 after the fire with no response. The fire department has reported there is no insurance on the property.

The exterior of the house has obvious signs of fire damage, i.e., boarded windows, holes in roof, and damaged and charred siding. The interior has significant water damage, mold, asbestos exposure and missing mechanical systems.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

- |                              |          |
|------------------------------|----------|
| 1. Raze the house and Garage | \$19,000 |
| 2. Cleanout of premises      | \$ 1,000 |

Total Estimated Cost \$20,000

In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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# MEMORANDUM

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Proposed: 9/19/2016

RESOLUTION NO. 83-2016 (PSH)

By Council Member

A Resolution declaring the property at 1617 Eddington Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 1617 Eddington Road, owned by Upscale Properties Unlimited, is currently vacant, is in a state of severe disrepair, and hazardous; and

WHEREAS, the City Manager has further reported that the owner of the subject property has been cited by the Housing Inspection Department for numerous housing code violations on the property since at least December 2008 and no progress has been made toward correction of the violations; and

WHEREAS, the City Manager has further reported that the property has deteriorated over the years to the point that it is a hazard to the health, safety, and welfare of potential occupants and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring property.

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

SECTION 1. This Council hereby finds and determines that the premises known as 1617 Eddington Road, owned by Upscale Properties Unlimited, is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with 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 that the condition of the property is so hazardous that it must be abated at the earliest time permitted by law. Wherefore, provided it

RESOLUTION NO. 83-2016 (PSH)

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.

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CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/24/2016  
Re: Request for Nuisance Abatement for 1617 Eddington Rd. PPN 684-02-036

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The two family dwelling at 1617 Eddington Rd. was purchased by Upscale Properties Unlimited on October 19, 2009 for \$6,750. Prior to that it was owned by the Bank of New York who foreclosed on Jay Callaway on May 28, 2008. The property taxes have not been paid since 2009 and are currently \$26,194 in arrearage. The property has been vacant since November, 2015.

There are currently 15 active housing cases against this property dating back to December of 2008 that the owner has been notified of with no progress of being resolved. These complaints range from a lengthy Point of Sale , Certificate of Occupancies for multiple years, to litter, tall grass and exterior maintenance items.

A notice to demolish the property was issued August 2, 2016 with no response.

The exterior of the house has obvious signs of deterioration, i.e., boarded windows, partially collapsed 2<sup>nd</sup> floor front porch and a collapsed garage. The interior has significant water damage, mold, asbestos exposure and missing mechanical systems.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

- |                              |          |
|------------------------------|----------|
| 1. Raze the house and Garage | \$17,000 |
| 2. Cleanout of premises      | \$ 1,000 |

Total Estimated Cost	\$18,000
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In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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# MEMORANDUM

Proposed: 9/19/2016

RESOLUTION NO. 84-2016 (PSH)

By Council Member

A Resolution declaring the property at 3380 Beechwood Avenue, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency.

WHEREAS, the City Manager has reported to this Council that the residential property known as 3380 Beechwood Avenue, owned by Matilda M. Day and Theodore A. Day, Sr., is currently vacant, structurally unsound, and hazardous; and

WHEREAS, the City Manager has further reported that the subject property was severely damaged by a fire on March 22, 2016; and

WHEREAS, the City Manager has further reported that the owner of the subject property was cited by the Housing Inspection Department for a major housing code violation on the property in November 2015 and no progress was made toward correction of the violation prior to the fire; and

WHEREAS, the City Manager and Certified Building Official have further reported that the property is a hazard to the health, safety, and welfare of potential occupants, adjoining properties, and the public and is a blighting and deteriorating factor in the neighborhood adversely affecting the value of neighboring properties.

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

SECTION 1. This Council hereby finds and determines that the premises known as 3380 Beechwood Avenue, owned by Matilda M. Day and Theodore A. Day, Sr., is in a state of disrepair to the extent that it constitutes a health and safety hazard and a blighting influence and hereby declares said property to be a public nuisance pursuant to Chapter 553 of the Codified Ordinances of the City of Cleveland Heights.

SECTION 2. The City Manager is authorized and directed to cause the nuisance to be abated in accordance with Chapter 553 of the Codified Ordinances of the City of Cleveland Heights or in any manner determined to be appropriate and in accordance with 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

RESOLUTION NO. 84-2016 (PSH)

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 condition of the property is so hazardous that it must be abated at the earliest time permitted by law. 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.

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CHERYL L. STEPHENS, Mayor  
President of the Council

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TOM RAGUZ  
Clerk of Council

PASSED:

# MEMORANDUM

To: Tanisha Briley, City Manager  
From: Allan Butler, Housing Programs Manager  
Date: 8/10/2016  
Re: Request for Nuisance Abatement for 3380 Beechwood Ave, PPN684-29-110

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The two family dwelling at 3380 Beechwood Ave. was purchased by Matilda M Day and Theodore A Day Sr. on October 6<sup>th</sup>, 2000 for \$190,000. It sits on the southeast corner of Compton Rd. and Beechwood Ave. The property taxes have not been paid since 2010 and are currently \$60,592 in arrearage. The property has been vacant since a fire destroyed the entire third floor unit on March 22<sup>nd</sup>, 2016. Prior to that, the unit was used as a rental property for the owners who reside on the southwest corner of Compton and Beechwood since August 15<sup>th</sup>, 1991. The property owner did not have any insurance and has not made any repairs or provided any repair proposal.

A Complaint to replace the entire garage roof has been open for this property since November of 2015 with no progress being made.

A notice to demolish the property was issued April 23<sup>rd</sup>, 2016 with no response.

The exterior of the house has obvious signs of fire damage, i.e., boarded windows, holes in roof, and damaged and charred siding. The interior has significant water damage, mold, asbestos exposure and missing mechanical systems.

Based on this information, I hereby request Council declare the property an immediate nuisance as defined in chapter 553 of the Codified Ordinances, and order the following repairs to abate the nuisance:

1. Raze the house and Garage	\$24,000.00
<b>Total Estimated Cost</b>	<b>\$24,000.00</b>

In the event the owner fails to comply with this order, the City should be authorized to abate the nuisance and to assess such cost of the abatement against the subject real estate.

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# MEMORANDUM

Proposed: 9/19/2016

ORDINANCE NO. 85-2016 (AS)

By Council Member

AN ORDINANCE TO ACCEPT THE FACT FINDING RECOMMENDATIONS IN THE MATTER OF THE CITY OF CLEVELAND HEIGHTS AND THE FRATERNAL ORDER OF POLICE/OHIO LABOR COUNCIL (FOP/OLC), SERB CASE NOS.: 2015-MED-12- 1265 (POLICE DISPATCHERS).

**WHEREAS**, the City and the FOP/OLC (Union) proceeded to a fact finding hearing on June 30, 2016, under the provisions of section 4117.14 (C) (3) and (4) of the Ohio Revised Code (ORC); and

**WHEREAS**, the Fact Finder issued his report and recommendations on September 15, 2016, consistent with the provisions of 4117.14 (C) (5) ORC; and

**WHEREAS**, pursuant to 4117.14 (C) (6) ORC, and not later than seven (7) [calendar] days after the fact finding recommendations are served, the Council of the City of Cleveland Heights, as the legislative body, may by a vote of three-fifths of the total membership, reject the recommendations; and

**WHEREAS**, pursuant to 4117.14 (C) (6) ORC, if neither the legislative body nor the public employee organization (Union) rejects the recommendations, the recommendations shall be deemed agreed upon as the final resolution of the issues. Additionally, the Council of the City of Cleveland Heights, as the legislative body, may by a vote of three-fifths of the total membership, accept the recommendations; and

**WHEREAS**, upon review, the administration and the legislative body have determined the fact finding recommendations to be acceptable as a whole in consideration of the interests of the City of Cleveland Heights and the interest and welfare of the public. Further, acceptance of the fact-finder's recommendations and all prior tentative agreements is acceptance only as to specified wages, hours terms and other conditions of employment for bargaining unit employees, and shall not be construed to establish fixed staffing levels nor require specific departmental funding requirements; therefore:

**BE IT ORDAINED**, by the Council of Cleveland Heights, Cuyahoga County, Ohio, as follows, to wit:

**Section 1:** The Council of the City of Cleveland Heights hereby accepts the recommendations of the fact finder including prior tentative agreements between the parties.

ORDINANCE NO. 85-2016 (AS)

**Section 2:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of peace, health, and safety in the City of Cleveland Heights and for the further reason that action is necessary within seven (7) days of the issuance of the fact finding recommendations consistent with the provisions of section 4117.14 (C) (6) ORC.

\_\_\_\_\_  
CHERYL L. STEPHENS, Mayor  
President of the Council

\_\_\_\_\_  
TOM RAGUZ  
Clerk of Council

PASSED: \_\_\_\_\_  
Date Time

Total Members \_\_\_\_\_ Voting yes \_\_\_\_\_ Voting No \_\_\_\_\_

Proposed: 9/19/2016

ORDINANCE NO. 86-2016 (AS)

By Council Member

AN ORDINANCE TO ACCEPT THE FACT FINDING RECOMMENDATIONS IN THE MATTER OF THE CITY OF CLEVELAND HEIGHTS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA), SERB CASE NOS.: 2016-MED-04-0439; 2016-MED-04-0440; and 2016-MED-04-0441 (PATROL OFFICERS and BPO's and RANK OFFICERS [Sergeants, Lieutenants and Captains]).

**WHEREAS**, the City and the OPBA (Union) proceeded to a fact finding hearing on August 18, 2016, on the sole issue of wages under the labor contract re-opener and the provisions of section 4117.14 (C) (3) and (4) of the Ohio Revised Code (ORC); and

**WHEREAS**, the Fact Finder issued his report and recommendations on September 15, 2016, consistent with the provisions of 4117.14 (C) (5) ORC; and

**WHEREAS**, pursuant to 4117.14 (C) (6) ORC, and not later than seven (7) [calendar] days after the fact finding recommendations are served, the Council of the City of Cleveland Heights, as the legislative body, may by a vote of three-fifths of the total membership, reject the recommendations; and

**WHEREAS**, pursuant to 4117.14 (C) (6) ORC, if neither the legislative body nor the public employee organization (Union) rejects the recommendations, the recommendations shall be deemed agreed upon as the final resolution of the issues. Additionally, the Council of the City of Cleveland Heights, as the legislative body, may by a vote of three-fifths of the total membership, accept the recommendations; and

**WHEREAS**, upon review, the administration and the legislative body have determined the fact finding recommendations to be acceptable as a whole in consideration of the interests of the City of Cleveland Heights and the interest and welfare of the public. Further, acceptance of the fact-finder's recommendations is acceptance only as to specified wages for bargaining unit employees, and shall not be construed to establish fixed staffing levels nor require specific departmental funding requirements; therefore:

**BE IT ORDAINED**, by the Council of Cleveland Heights, Cuyahoga County, Ohio, as follows, to wit:

**Section 1:** The Council of the City of Cleveland Heights hereby accepts the recommendations of the fact finder including prior tentative agreements between the parties.

ORDINANCE NO. 86-2016 (AS)

**Section 2:** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of peace, health, and safety in the City of Cleveland Heights and for the further reason that action is necessary within seven (7) days of the issuance of the fact finding recommendations consistent with the provisions of section 4117.14 (C) (6) ORC.

\_\_\_\_\_  
CHERYL L. STEPHENS, Mayor  
President of the Council

\_\_\_\_\_  
TOM RAGUZ  
Clerk of Council

PASSED: \_\_\_\_\_  
Date Time

Total Members \_\_\_\_\_ Voting yes \_\_\_\_\_ Voting No \_\_\_\_\_

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. The meeting concluded at 7:45 p.m.

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

Excused: Yasinow

Staff present: Anderson, Boland, Briley, Butler, Freeman, Juliano, Knittel, McRae, Mecklenburg, Niermann O'Neil, Raguz, Smith, Spencer

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:52 p.m., Mayor Stephens presiding.

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

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

Mayor Stephens stated, "Good evening and welcome to City Council meeting for the City of Cleveland Heights, Ohio. It is Tuesday, September 6 and it is 7:52 p.m. We apologize for the slight delay in our meeting, but the City's business gets pretty, a bit consuming and occasionally we like to have a conversation about the things we've been asked to do. Without further ado, Mr. Raguz, would you call the roll?"

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

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

Mayor Stephens stated, "Thank you. At this time, I'd like to excuse Ms. Yasinow for family activities that she is participating in. We have minutes from our August 1 meeting. Did our usual editorial comments get provided to staff? Thank you very much. At this time, we'd like to welcome any residents or persons who have interest in the community to come to the podium to my left and your right. Please state your name and address for the record and please keep your minutes under three minutes if possible. Sir, welcome to the podium of Cleveland Heights."

Rico Dedancy stated, "Good afternoon, community, residents. I am the president of National Black Deaf Advocate. We have concerns..."

Mayor Stephens stated, "Your name, sir?"

Rico Dedancy stated, "My name is Rico Dedancy."

Councilwoman Dunbar stated, "And address."

Rico Dedancy stated, "3635 East 49<sup>th</sup>, Cleveland, Ohio, 44115. We just had a – in South Carolina – they have a deaf guy that just lost his life of law enforcement. How to communicate with people who are deaf? How do we get videophones in the jails? How do we get iPads? The City of Cleveland just got

iPads for officers, how to communicate with people who are deaf. We understand we have deaf, we have seniors and we have disabled, okay? Deaf people have the right to live and not the right to die. It's true an officer can shoot a gun in two seconds. My whole family is deaf and it hurt me to see two people die, one in Kentucky and one in South Carolina. We ask that City Council – can we put something together for our deaf residents in Cleveland Heights? Like an iPad, videophone, something training on people with the disability, especially the people who are deaf. I've been traveling all around this country and teaching officers how to communicate with deaf residents.”

Mayor Stephens stated, “Thank you. Do you have a business card or some written information? Okay, if you would... Ms. O'Neil, is that who he should talk to? Susanna, if you would get his information please. Mrs. O'Neil is our Deputy City Manager. He can't hear me. Duh. Okay, for those of you who are in the audience watching this at a letter date, we recommended that the Deputy City Manager step into the hall and talk with this gentleman so that we can get some input for our programming and to work with our police officers. Is there anyone else who would like to speak to us this evening? Ma'am, would you approach the podium please?”

“Good afternoon, Council. My name is Cheyenne Tool. I live at 950 Nelaview Road here in Cleveland Heights and I come before you because I have an issue, well, there's like three. I'll just name them real fast. Number one is the – I hate to keep picking about this Section 8, but some of them are nuisance and some of them are very good. I just happen to have nuisance ones on either side of me and there's one that moved in about the middle of June and they get their kicks out of calling the Cleveland Heights Police on me because they keep talking about smells from the house and different things and they broke in a second time, the Fire Department. The biggest problem is a refrigerator that I cannot move out of my house, but I will have somebody moving it out Friday and I don't appreciate them keep calling because they're nuisance. They throw their garbage in the front yard and I'm constantly calling CMHA on Kinsman about the two. One at 946 Nelaview. The other one is 952 Nelaview and I guess they come in with an attitude like we're going to get you out because we want your place, but that's not gonna happen. I have been working with Dexter Buchanan, inspector, because the house does need some work, does need repairing of the door, part of the lining going down to the basement of the wall, things like that, and because of me working by myself, I've asked a lot of people. They promised to come. They don't show, so I'm doing most of this cleaning out by myself which is taking time. So, meanwhile, while it's taking time, I don't need these Section 8 with their idiocy acting the way they are because they're, to me, they're just full of iniquity and it just makes the matter a little worse for me. So, what I'm doing now is I'm working with Dexter the Inspector to get the house in better shape so that I can get a loan because I do need the kitchen remodeled or fixed, the bathroom and part of the basement, some electrical work, and let's see, the electrical work, there's one more that I need. Well, I can't think of it right now. I got it written down, but these are things I'm trying to do, but I need to do it in peace and need to be able to house in peace and do what I have to do without the Section 8 acting an idiot and their loud music and their friends up and down the street. It's just horrible. You know, so I'm trying to do the best I can to get myself together and then later on I want to apply for one of the loans to have the house back in good shape because I want to see my grandbaby at Christmas time and they want to come visit me. So, that's when I'm here about - getting things in order, getting the

house fixed up and do something about them Section 8 people please. I'm really just sick of them, their attitudes, you know, and if I could pay \$25 to \$50 a month in rent, I would be happy, but I can't. That's not even my light bill. It's more than that, but I just wish the attitudes would change, that's all."

Mayor Stephens stated, "So, okay, is there anything else?"

Cheyenne Tool stated, "No, that's about it outside of my full schedule. You know, I'm just trying to get myself together so I can do the swim next month next year in Birmingham, Alabama."

Mayor Stephens stated, "Good luck. Thank you."

Cheyenne Tool stated, "And thank you so much for listening to my concerns."

Mayor Stephens stated, "Is there anyone else who'd like to speak this evening? If you'll approach the podium, ma'am."

Barbara Sasnowki stated, "My name is Barbara Sasnowki and I'm a representative of the Noble Neighbors team. I happen to be the Team Manager for the Beautification Team and we've developed perennial gardens at Noble and Roanoke, the old gas station that kind of went down and was slowly, but surely turning into a green space if we'd ever get rain. Belvoir and Monticello is another place we adopted an already existing garden that didn't have gardens and CVS and Longwood corner beds are also places that we've developed. We also keep up, you know, after the litter in many of the city pots that kind of run along Noble Road right near that Roanoke area and mainly I just want to say thank you at least to the building in a Public Works Department who have moved maybe, we didn't request it, but they moved many pots from the Lee Road area to our area and filled them with abundant and beautiful flowers and kept them watered and it was in time for a big springtime event that we had right before summer kicked in. That would be the springtime that we got that big snow and so right now I'm just learning how to work with the Public Works Department in the whole aspect of communicating and know who can do what. And I'm just thankful to learn the system and so I just want to say thank you."

Mayor Stephens stated, "Thank you ma'am. Is there anyone else who'd like to speak this evening? Yes, sir."

Sterling Stinnerson stated, "Sterling Stinnerson. I live at 2673 Euclid Height Boulevard. I'm concerned about getting some cement blocks or some pretty sturdy posts between our other driveway between two buildings because where we have one driveway for the building I live in. The building next to us has one driveway, but they also come and use ours old thing and they say that it's part of their deal. Who should I go to to get somebody to come out there and tell us what we can legally do to get some..."

Mayor Stephens stated, "With your driveway and with the other party's driveway."

Sterling Stinnerson stated, " Yeah."

Mayor Stephens stated, "I think it's a Building and Housing issue. I'm going to refer you to the City Manager who will probably send the Deputy City Manager out the hall with you to get the addresses so that we can help you figure out where the property line is. Is there anything else, sir?"

Sterling Stinnerson stated, "That's fine. Thanks very much."

Mayor Stephens stated, "Is there anyone else who would like to talk with me this evening and Council? Yes, ma'am.

Roz Peters stated, "Good evening. My name is Roz Peters. Rosslyn is my formal name and I live at 3131 Chelsea Drive, Cleveland Heights 44118 and I'm here this evening because. I want to know more about what is going on with the parking meters and I understand there's a task force that is working on this, but I don't know who is on the task force and there are several of us who are very interested in the business areas and how this is going to affect them and we'd like to know who from Council is assigned to working with the task force and who knows more about it and how we can give input and when that timing will be and what the schedule is. All those things because we are concerned about the business people and the fact that whatever rate, if the parking meters are changed with rates, that that could affect especially small business people a great deal and we are out here and lots of people just the timing was not good. There was a group of people that wanted to come tonight, but I'm here, and so I'd like to get as much information as possible."

Mayor Stephens stated, "Actually, we have lots of information on that."

Roz Peters stated, "Oh, good."

Mayor Stephens stated, "City Council has been working with staff. Staff has been doing the heavy lifting. The City Manager has assigned work of a leadership role for our endeavors in a parking pilot with the three commercial districts Cedar Lee, Cedar Fairmount and Coventry and Ms. O'Neil who we just referred people to a minute ago. She is the lead person as a Deputy City Manager; she has worked with the Executive Directors of the Special Improvement Districts. For those three districts, they have found a company who will be providing us with a parking app and there are some other recommendations that they'll be making, but if you want precise details that we don't do a presentation here, you can just stay a step in line with Susanna and she can provide you with some additional details."

Roz Peters stated, "Okay, thank you very much."

Mayor Stephens stated, "You're most welcome and thank you for paying attention to what we're working on. Excuse me a moment, yes, gentleman Seren."

Councilman Seren stated, "I think I may have emailed you back just before this meeting actually and my understanding and the City Manager can correct me if I'm wrong, but any increases, I understand, will take place after discussion after the pilot. So, we're going to see how the pilot goes first."

Roz Peters stated, "And how long as the pilot?"

Mayor Stephens stated, "We didn't decide that."

Tanisha Briley stated, "Yeah, we haven't really decided. We probably will go with six months on the pilot and the Mayor was absolutely right. The task force is made up of business owners and those who represent business owners. So, they are working with us in making those recommendations. In fact, it's their recommendation."

Roz Peters stated, "And when can citizens and other business owners that aren't on the task force give their input?"

Tanisha Briley stated, "Well, any time you can contact me that, you know, the City Manager or the..."

Roz Peters stated, "Final decision will be made by the Council I'm assuming and the Council will have a time that the citizens will be able to..."

Tanisha Briley stated, "If rates are changed, Council will definitely need to weigh in on that, so that would come through legislation, the form of legislation."

Roz Peters stated, "Through the planning committee?"

Tanisha Briley stated, "No, through this body. Through City Council."

Mayor Stephens stated, "Through City Council."

Roz Peters stated, "Oh, I thought maybe the committee would like to make it come right from the task force to the City Council."

Tanisha Briley stated, "Correct."

Roz Peters stated, "Okay. Thank you very much."

Mayor Stephens stated, "We'll do a public meeting. We will also do... we're working to do or have they finished the draft of the what will go on You Tube, so you'll be able to phone in it or use your smartphone or go on your tablet or go to your PC and some folks have their television set up to go on the Internet as well to find out more details."

Roz Peters stated, "Right. Thank you very much."

Mayor Stephens stated, "Is there anyone else who would like to speak with council? Yes, sir."

Fred Gearheart stated, "I'm Fred Gearhart. I live on 1609 Rydalmount Road. Directly behind me is a property at 1610 South Taylor road. It was mentioned in the committee meeting. I have been in contact with inspectional services, community relations, a number of people over the past three years, some Council people. I understand the long and sordid history of this building, but over the past year,

especially the state of deterioration had been incredible and, you know, I have tried to ask some people to come to my property and see what it looks like from behind because it was ten times worse than it was looking at it from Taylor Road and I was told this spring that there were people. I've heard renters. I've heard squatters mentioned, but there have been people coming and going, the water was shut off and then they, I believe, over the summer graffiti turned up on the back of the building which was a big concern and then of course August 7, there was a fire and it really needs to come down and I was told that it would be presented as a nuisance property at this meeting tonight and I just wanted to strongly say - please take that building down."

Mayor Stephens stated, "I think you heard me say personally that I wanted it to come down, so Council will stay on top of that and we'll send you a notice when we have it scheduled for demolition."

Fred Gearheart stated, " Yes, I would like to know when it...how soon it will be happening."

Mayor Stephens stated, "Okay. Thank you, sir. Is there anyone else who would like to speak with us this evening? If not I will close the section for personal comments from our residents or other businesspeople or interested parties and move on to the report of the City Manager."

#### **Report of the City Manager**

Tanisha Briley stated, "Thank you, Your Honor. I just have one brief request this evening. I would like to request permission to move forward with the request for proposals for concessionaires at our Cumberland Pool, Denison and Community Center."

Mayor Stephens stated, "I'd like to refer that to the Recreation Committee, Vice Mayor Stein."

Vice Mayor Stein stated, "I move to authorize the City Manager to advertise an RFP for concessions at the Community Center for sales, park and Cumberland Pool."

Mayor Stephens stated, "Thank you. Mr. Raguz, do we need to call roll on this one?"

Tom Raguz stated, "Yes."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "I'm sorry?"

Councilman Ungar stated, "Was there a second for this? Thank you."

Councilwoman Roe stated, "Second."

Mayor Stephens stated, "If you would call the roll please."

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

Nays:   None

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

**Permission Granted**

Mayor Stephens stated, "Thank you. This referral for requests for authority to go after request for proposals is approved. You are authorized. Next we move to the Report of the Director of Finance, Clerk of Council, Mr. Raguz."

**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. 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.

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

**Matter of Record**

Mayor Stephens stated, "Thank you. These will be referred to the Planning and Development Committee at their section in this Council meeting."

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: Walgreen Co. dba Walgreens 04130, 3020 Mayfield Road, 44118, C1 and C2 permits . Your Honor, I need to make this a Matter of Record."

**Matter of Record**

Mayor Stephens stated, "Thank you."

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

Mayor Stephens stated, "Thank you. That will be referred to the Public Safety and Health Committee of Council and we will discuss it if there are any further issues. Next we go to the committee reports. First is Municipal Services Committee. This evening Councilman Yasinow is not present. So the Vice Chair of the committee will need to move these resolutions forward. Remind me who the Vice Chair is."

Councilwoman Roe stated, "I think it's me. Is that me?"

Mayor Stephens stated, "I thought it was because you looked at me with a blank look, so I was like okay. It is tonight. That is tonight you're authorized."

**Report of the Municipal Services Committee**

Councilwoman Roe stated, "I have... I move that we accept Resolution Number 68-2016. This is a resolution authorizing the City Manager to enter into a storm water management program service agreement with the Northeast Ohio Regional Sewer District."

Vice Mayor Stein stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. This resolution passes. The next resolution, Councilman Roe."

Councilwoman Roe stated, "This is Resolution number 69-2016. This is a resolution authorizing the City Manager to enter into an agreement with Glaus, Pyle, Schomer, Burns and DeHaven, Inc. for engineering services for the Final Design and Right-of-Way Acquisition Phase of the Mayfield Road Traffic Signal Upgrade Project."

Mayor Stephens stated, "Is there a second?"

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Is there any discussion?"

Councilwoman Roe stated, "I would I would like to just say that we did spend a lot of time in our committee the whole meeting talking about this project. We have time to do more planning in terms of how this is going to impact our residents and we will figure out a way to include them in those discussions about how we can make this a win-win for us in terms of budgetary ramifications for the City and also addressing the public safety needs of our citizens. We also want to recognize that those of you who have sent us Emails and have come to our Council meetings to share your thoughts and concerns, we not only are listening but we are planning on trying to do what we can afford to do and to work with you in the future. So, please stay tuned as we work through this with staff to make sure that they have public safety stays a priority. Mr. Raguz, would you call the roll please?"

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. This resolution passes and our next resolution under Municipal Services Committee."

Councilwoman Roe stated, "Resolution Number 70-2016 is 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 Public Work Ohio Public Works commission funds to be used for the Coventry Road Pavement Rehabilitation Project. I so move."

Councilman Ungar stated, "Second."

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

Councilman Ungar stated, "Second."

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

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

                  Nays:   None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. This resolution passes. Next we move into the Planning and Development Committee all told. Councilwoman Dunbar."

**Report of the Planning and Development Committee**

Councilwoman Dunbar stated, "Right. I think I..."

Mayor Stephens stated, "You would like to go with those..."

Councilwoman Dunbar stated, "I didn't go to the Board of..."

Kahlil Seren stated, "No, I did not attend the Board..."

Councilwoman Dunbar stated, "You didn't? Okay, then I guess I get to do it."

Mayor Stephens stated, "If you would please."

Councilwoman Dunbar stated, "Okay. So, I ask City Council members to approve BZA Calendar Number 3406. BZA Cal. No. 3406: Stephen B. Stone, 2350 Ardleigh Drive, to permit a driveway to be set back 0 feet from the side line property."

Mayor Stephens stated, "Is there a second?"

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "The resolution providing this Stephen Stone at 2350 Ardleigh Drive passes this Calendar Number. You have 30 days and it's approved."

Councilwoman Dunbar stated, "The next one I believe we decided to table."

Mayor Stephens stated, "That is correct. Do we need to vote on the table?"

Tom Raguz stated, "I don't believe so."

Mayor Stephens stated, "Okay, so without... we'll consider...and there is one resolution?"

Councilwoman Dunbar stated, "So now we do have a resolution which is Resolution Number 71-2016 authorizing the City Manager to enter agreement with Silverlode Consulting Corporation to provide additional called holding services related to the Top of the Hill Development and declaring an emergency. Just by way of history, the City Manager selected Silverlode to provide consulting services relating to the City's request for qualifications concerning the potential development the Top of the Hill site and these services are set forth in the professional services agreement dated April 7, 2016 which is on file with the Clerk of Court and we're not to exceed \$50,000. That all went well, so the legislation will authorize the City Manager to execute an additional agreement with Silverlode Consulting Corporation to provide additional professional consulting services relating to the development and the compensation for the additional services detailed in the proposed agreement shall not exceed \$25,000 without additional written approval by the City Manager. So, I ask my colleagues on Council to join me in voting in favor of this resolution and I move. So moved."

Councilwoman Roe stated, "Second."

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

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

Nays: Seren

Tom Raguz stated, "Five ayes and one nay, Your Honor."

**Resolution Passed**

Mayor Stephens stated, "Thank you. Next are there any comments you would like to make, Councilwoman Dunbar?"

Councilwoman Dunbar stated, "Yes, I would like to. As usual, there are just an amazing number of wonderful attractions coming our way and I just wanted to mention a couple. Next, this coming weekend Bike Cleveland is sponsoring a big thing for three days September 9-11 called NeoCycle and it's the nation's largest urban cycling festival. So, anybody that is interested in by biking at all should head to Edgewater Park and participate in just an amazing array of activities that's going on down there.

Another one coming up on Sunday, September 11 is the Ride for Miles. Miles Coburn was a resident of Cleveland Heights who was killed while riding his bicycle and this is an annual memorial for him and also raises funds for Environmental Studies at John Carroll University. So, you can go on the web for Ride for Miles to learn about that.

The heights... Cleveland Heights Heritage Tour is coming up on September... Sunday, September 18 and this is the 39<sup>th</sup> anniversary of this event and I encourage people to take advantage of that and you can even do it by bicycle if you want for a discounted price. Ride your bicycle right up to the door of these places.

Also on that day just to keep us all busy is shredding day in Cleveland Heights from 9:00 to noon and that is always a very popular event if you want to get rid of your events and finally I would like to say we have a rare opportunity on Saturday, September 17 to visit a sewer facility in our area from 9:00 to 4:00 and given what's happening with the increase in sewer costs and all the efforts to deal with the Clean Water Act and so on. This is - they're making it a family event with lots of activities for children, but if you're interested at all in understanding what's happening with your sewer bills, you might want to go to this event and I have a poster about it if anyone's interested. So, those are the things I want to allude to."

Mayor Stephens stated, "Thank you. Coming Attractions."

Councilwoman Dunbar stated, "Yes."

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

### **Report of the Public Safety and Health Committee**

Councilman Seren stated, "Thank you, Mayor. First I move that we approve Resolution Number 72-2016 ratifying the City Manager's acceptance on behalf of the city of Cleveland Heights Fire Department for staffing for adequate fire and emergency response or say for grant for Fiscal Year 2015 grant program from the Department of Homeland Security Federal Emergency Management Agency in the amount of \$591,435 and declaring an emergency."

Mayor Stephens stated, "Is there a second?"

Councilman Ungar stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. Resolution 72-2016 passes. Next we have another Resolution in Public Safety and Health."

Councilman Seren stated, "Thank you, Mayor. I move that we approve Resolution Number 73-2016 amending Resolution Number 137-2015 to add on-street overnight permit parking on specified portions of Hampshire Road and declaring an emergency."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Mr. Raguz, if you would call the roll without all the street addresses."

Tom Raguz stated, "I was planning on doing that, Mayor."

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

Nays: None

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

**Resolution Passed**

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

Councilman Seren stated, "Not tonight, Your Honor."

Mayor Stephens stated, "Thank you. Next we have Administrative Services Committee. I know this is yours Councilwoman Roe."

**Report of the Administrative Services Committee**

Councilwoman Roe stated, "Yes, it is. I move Ordinance Number 74-2016. This is an ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances and these are pages

that reflect updates and other laws that impact this particular ordinances of our code, so that's what this is about."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

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

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

Nays: None

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

**Ordinance Passed**

Mayor Stephens stated, "Thank you. There's nothing else an Administrative Service's section this week."

Councilwoman Roe stated, "Yes."

Mayor Stephens stated, "Would you like to make a comment?"

Councilwoman Roe stated, "Yes. I would like to remind people that the next Administrative Services Committee meeting is September 20 at 5:30."

Mayor Stephens stated, "Thank you. If that's all, then we move to Community Relations and Recreation. Vice Mayor Stein."

**Report of the Community Relations and Recreation**

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

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

**Report of the Finance Committee**

Councilman Ungar stated, "Yes, thank you, Mayor. The first item I have is Resolution Number 75-2016. After approving the report of the Assessment Equalization Board which was appointed to hear objections to the estimated assessments for the portions of expense relating to improvement of certain streets and parkways including the grading, draining, curbing, paving, repaving, repairing, etc. and likewise including snow removal, planting, maintaining and removing shade trees within our City. I would move approval."

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

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. Moving on to the next resolution, Mr. Ungar."

Councilman Ungar stated, "Thank you, Mayor. Next is 76-2016(F); a resolution that 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 our City. I move approval."

Councilwoman Dunbar and Roe stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. Resolution 76-2016 passes. Mr. Ungar, would you move with the next one?"

Councilman Ungar stated, "Yes, 77-2016(F) is an ordinance determining to proceed with the assessment of the portion of the expense of improvement of certain streets and parkways including grading, draining, curbing, paving, etc., snow removal, removing shade trees and levying assessments for that stated... those stated purposes of approval."

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. Ordinance 77-2016 passes and we move to the next one, Councilman Ungar."

Councilman Ungar stated, "Yes, 78-2016 and I promise I will not include in the reference all of the various lots and lands indicated in the pink sheets that we that we received. This is an ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights again as set forth in the more detailed information and levying assessments for that purpose and I move approval."

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

**Ordinance Passed**

Mayor Stephens stated, "Thank you. Ordinance Number 77-2016 passes. Mr. Ungar, would you read the next one?"

Councilman Ungar stated, "Yes, this is 79-2016(F); a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying such levies to the County Fiscal Officer and I would move approval of that resolution, Mayor."

Mayor Stephens stated, "Is there a second?"

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Thank you. Resolution 79-2016 passes. Next, Councilmen Ungar, I believe this is your last resolution of the evening."

Councilman Ungar stated, "Yes, good news for all of you. The last resolution I have is 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. Once again, I move approval."

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

**Resolution Passed**

Mayor Stephens stated, "Resolution Number 80-2016 passes. Councilman Ungar, is there anything else?"

Councilman Ungar stated, "That's enough for one night."

Mayor Stephens stated, "Thank you so."

Councilman Ungar stated, "Thank you."

**Mayor's Report**

Mayor Stephens stated, "I want to thank the residents of Cleveland Heights for working with us through the microburst that happened in this community. A couple of weeks ago that microburst was an added a set of words to our vocabularies. We didn't know what one was before. Our Police, Fire and Public Works staff worked tirelessly. I want to recognize them publicly on behalf of my colleagues and myself for working very hard on behalf of all of us. As the kids would say, they represented really well. It's important to understand that some of those folks got up at 4:00 in the morning and were at their trucks, cars and vehicles working and circling the community from that hour on and basically went home for four to six hours of sleep and came back again. So, we're very appreciative of the work they did for us and their willingness to come in.

On a brighter side and on a more positive side, the mayors of the 30 largest cities are working to collaborate on ways to work with state government to encourage state government to be more friendly financially to our communities. So we will begin to work together as soon as our or our organizations pay dues into this organization. That is pretty important to us because of the loss of proceeds from the local government fund and we're hoping to find by lobbying members of the state legislature who don't have cities like Cleveland Heights in them to be more understanding of the needs of urban and suburban settings where we have some of the largest employment bases and the best educated people in the country. In Cleveland Heights, probably 52% I believe was presented to us recently, 52% of our residents have college degrees and another 27-30% have Master's, so we're a very well educated community and we're very engaged in what makes us a good community and we want to stay on top of those activities.

Last but not least, I always what I think the residents of this community for being patient with us and understanding what we do and what we try to do on their behalf. An example this evening was

Noble Neighbors coming to us and thanking us for the work we've done over the last six months to make them a stronger neighborhood. We're continuing to work in the individual neighborhoods and communities and as I said to the gentleman who... the woman who ask about our parking activities, we are working on them and we will get you a solution sooner. Council and staff - that is our job to - work on your behalf. So, with the end of this evening, the Council meeting comes to a close on Monday, September - what is today's date - the sixth? We can come to conclusion at 8:32.

God bless America God bless Cleveland Heights.”

Respectfully submitted,

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Cheryl Stephens, Mayor

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Tom Raguz, Clerk of Council

/jkw