

City Council for the City of Cleveland Heights, Ohio, held a Committee Meeting of the Whole on the above date at 6:24 p.m. to discuss the contents of the City Manager's memo.

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

Staff present: Anderson, Briley, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Sabin, Smith, Trupo, Wong

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:42 p.m., Mayor Stephens presiding.

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

Staff present: Anderson, Briley, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Sabin, Smith, Trupo, Wong

Mayor Stephens stated, "Good evening and welcome to the Cleveland Heights City Council meeting of Monday, November 20, 2017. This is our regular City Council meeting. We preceded this meeting with an installation or swearing in ceremony of two new police officers and the promotion of two officers. That's a wonderful thing for this city. We continue to provide good safety services to our residents. That is a primary activity we believe should be provided to our citizens. The first item on our agenda this evening is roll call. Madam Clerk, would you call the roll please."

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

Excused: Yasinow

Mayor Stephens stated, "Thank you. We have six members of the Council present this evening. Councilwoman Yasinow is excused. Next we go to the approval of the minutes of City Council from the meeting of Monday, November 6. Do we have corrections, recommendations for changes and they've been turned in?"

Councilwomen Dunbar and Roe stated, "Yes."

Mayor Stephens stated, "Next we have our standard personal communication from residents or concerned citizens as well as from people who do business or people who would just like to talk to the Councilmembers of Cleveland Heights. We ask that you come to the podium, state your name and address, either your personal address or your business address for the record. We would appreciate it if you would keep any comments to Council at three minutes or less. Less is better. So, without further ado, we would like to welcome anyone who would like to share comments, thoughts or make recommendations to us to the podium. Yes, ma'am."

Faith Susanna Hinkleman stated, "Okay, Cleveland Heights City Council meeting, November 20, 2017. I've been given three minutes to speak."

Mayor Stephens stated, "And your name?"

“My name is Faith Susanna Hinkleman.”

Mayor Stephens stated, “And your address?”

Faith Susanna Hinkleman stated, “1470 Middleton Road, Cleveland Heights, Ohio 44121 as of right after 9/11/2001.”

Mayor Stephens stated, “Thank you, ma’am.”

Faith Susanna Hinkleman stated, “Okay. It seems like this might be a minor problem, but it’s just important. Okay, I’ve just been through something and I’m concerned about this. If there are trees on the tree lawn in front of a house between the sidewalk and the road, Cleveland Heights residents are informed that the trees belong to the City of Cleveland Heights. If the trees are living, naturally they’re sending out roots in order to maintain their growth. I’ve recently been told that oak trees do not send out roots vertically. Oak trees go horizontally which would stabilize them as they grow, but oak roots are sent out into the soil just under the surface. Unfortunately, the sidewalk is in the path of their growth, so the roots lift up the sidewalk as a natural part of their growth process. I’ve had two oak trees on the tree lawn in front of my home built in 1924 which were probably planted about that same time. I was cited with a violation by the City of Cleveland Heights. I was told I must have the sidewalk slabs repaired, but could not have it repaired by ramping as that is not allowed. I now know what ramping means. I had a Forest City representative who is an arborist and actually, his suggestion was to administer hormones which would slow the tree’s growth, which would not kill the roots, but delay the need to remove the offending sidewalk pieces. Estimate for Forest City arborist for what he was suggesting - \$533.52. However, the tree roots would still continue to grow. I also got an estimate from A1LevelingCleveland.com to have an acceptable type of sidewalk repair done - \$720 for the required work. However, I was told the process would have to be repeated in several years because the roots would continue to grow under the sidewalk and continue to raise it. I’m 78 years old, a resident of Cleveland Heights since 2001. My job was eliminated in 2012 and my income is very limited at this time. I’m having difficulty with the amounts in the estimates. I’m sure there are many other residents of Cleveland Heights with similar problems. Question – I’m representing all the residents of the City of Cleveland Heights – why are the residents of Cleveland Heights responsible to pay a continuing charge for damage done by the City of Cleveland Heights’ trees to the sidewalks and other areas? How can you, as City Councilmembers, assist our many older residents and those on limited incomes deal with this problem? Thank you for this time.”

Mayor Stephens stated, “We can ask... can we ask Susanna to follow up with her?”

Tanisha Briley stated, “Yes, Mayor Stephens, and I know that our staff has met with the speaker and the tree in question is coming down and for the overall policy question, we do have programs in place for violation repair for those that are senior and on limited income in our community.”

Mayor Stephens stated, “All right, thank you.”

Faith Susanna Hinkleman stated, "I did talk with Amy and... oh, I can't remember her name... Elizabeth in the Legal Department because I thought maybe there was some type of legal thing that could be done, but they said that that's not their... that I had to bring it to City Council. That's why I'm here."

Mayor Stephens stated, "Sir, you can go ahead and approach the mic. Ms. Niermann will talk with Ms. Hinkleman. Yes, sir."

Stuart Greenburg stated, "My name is Stuart Greenburg. I live at 3314 East Overlook. I have brief comments on the proposed ordinance on civil immigration enforcement. I support the purpose of the draft ordinance for two reasons. First, because it is simple justice for the police and all city employees to treat people the same and not differently based on immigration status. Secondly, I think the ordinance would improve public safety and criminal justice enforcement. I've been a resident of Cleveland Heights for 40 years and during that time, I've had many positive encounters with the police. I have great respect for their competence, their integrity and the leadership of the police. My own son graduated from the Cleveland Heights Police Academy and has been a police officer for 20 years, but not in Cleveland Heights. Immigration enforcement is a federal responsibility and sadly, these days, it's especially problematic. There's no reason for confidence that people turned over for immigration enforcement will be treated fairly and with due process protection of their rights under the law. Many have horror stories of denial of rights and ill treatment have been publicized. It's essential that local law enforcement and all city employees treat all people the same without regard to their immigration status. To do otherwise, I think threatens public safety. When victims of crime or witnesses in a criminal matter fear that the police will turn them over to immigration, then victims and witnesses will be less likely to come forward. When this happens, the victims don't receive justice. Criminals go free and the whole community is less safe. For these reasons, I support the main thrust of the ordinance and think it is important that these constraints be codified in law rather than solely in administrative policy. However, I would like to see that the draft ordinance be passed on a negotiated basis among the advocates, administration and Council; in particular with regard to the enforcement provisions which raise, I think, reasonable concerns from the police. Thank you for the opportunity to present these remarks."

Mayor Stephen stated, "Thank you. Mr. Greenburg, did you give us your address?"

Stuart Greenburg stated, "3314 East Overlook. Is there anyone else who would like to testify this, or I'm sorry, make comments this evening? Drifted."

"Good evening, Council. I'm Kevin Louise Schaner and I live at 859 Roanoke, Cleveland Heights, 44121. I have lived in Cleveland Heights since 1986 and at my current address since about 2009 and I'm proud to be part of Noble Neighborhood. My comments are about exterior housing inspection and vacant houses. The Roanoke area was inspected this summer and I am observing my neighbors that are homeowners as they repair their porches and they paint and they replace their concrete as per their exterior inspection reports. As homeowners, we are expected to make improvements in a set amount of time and most of us do. The house next to me at 863 Roanoke has been vacant for 20 months. After

Labor Day, a crew came and cut down every leaf of vegetation from the front including a huge healthy rhododendron. Now you can see that the steps and the porch need desperate repair and everyone that passes this house knows that it is vacant. It is frustrating to live next to it, but worst to live across the street from it in its view daily. In contrast, the backyard of this house has a beloved oak tree that needs trimming and when the dead branches fall, they make holes in the siding of my garage and I was cited for this. The house across the street from me at 859 Roanoke has been vacant for six months. Vegetation has been trimmed, but gratefully, it does not look desolate. At 8961 Roanoke, the house has been vacant since I moved here eight years ago, so this may help you understand why I'm here tonight – to express concern for the two houses that are near me. Will it be eight years or more before there's improvement? Homeowners are expected to comply about exterior inspections and we see the need for this, but what more can be done to make vacant properties also improved to that same standard? I just invested \$900 more in my home and when will someone else invest \$900 or \$9,000 in those vacant houses on my street? There is a vacant house at 903 Englewood that has had a plywood door for years. The State of Ohio just passed a law in August that says vacant houses can no longer have windows or doors covered in plywood. We need a door on that house. A home in my neighborhood recently sold for \$107,000 and that's a small but measurable victory for Noble Neighbors. My son and young family were house hunting this summer and this is what he said. 'Mom, some houses in your end of town look great like yours, but next door, the steps are falling apart. We do not want to move here.' Noble Neighbors is working really hard to improve our housing and we need some help, some assurance that vacant houses on our end of town will be made to comply with exterior inspections with the same expectations as homeowners. Thank you."

Angie Hetrick stated, "Hi, my name is Angie Hetrick. I'm the Executive Director of the Coventry Neighborhood in Cleveland Heights and I'm here to ask you today to make a pledge to support small business. As many of you know, this Saturday is Small Business Saturday and I'd like you for one second to try to imagine Cleveland Heights without any of its small businesses. It's pretty boring, right? Well, I'm proud to share with you that Coventry Village is home to almost 50 independently owned businesses all located in one walkable quarter mile. So, small businesses help shape neighborhoods, create a sense of community. They make major economic impacts and often provide more personal service than you'll receive in a big box store and so, this Saturday is Small Business Saturday and we ask you to support the independently owned spots in Coventry Village and throughout Cleveland Heights. We have a bunch of cool things we're doing in the neighborhood to reward people for shopping small. The first thing is that this season we've hired neighborhood ambassadors to help guide visitors through the neighborhood. They will help you find the perfect gift for someone you love that's hard to shop for. They'll also pass out Coventry Cash coupons to shoppers who spend \$50 or more on a single receipt at a participating location and the \$10 they earn can be used at that same list of participating locations in the month of January. And so, it's our goal through the Coventry Village Special Improvement District to help those small businesses during a time where traditionally it's a little bit slower and promotions like that encourage people to shop small. We're also... we've got special events and giveaways happening all over the neighborhood. Mac's Backs Books is having events all day. There's locations with giveaways and deals and Chipotle, who is not a small business, is actually rewarding people with a buy one get one free burrito for shopping small and all you have to do is show your receipt from the neighborhood. So,

additionally, our friends at University Circle, we've partnered with them and they'll be providing their blue line shuttle to connect Little Italy neighborhood and University Circle throughout the day. So, thank you for helping create a better community and thank you for supporting local."

Several Councilmembers stated, "Thank you."

"Good evening. My name is Ann Hill and I reside at 2987 Yorkshire Road for the last 31 years. I came to give you an update on one of our newer residents Leonor Garcia who is living at the Forest Hill Presbyterian Church. This morning, Pastor John Lentz and Pastor Lois Annick and Sharon Shoemaker, one of the elders of the church tried to deliver to ICE in their Brooklyn Heights office, an application to request a stay of removal for Leonor. A stay of removal would have allowed her to leave the church, would have meant that ICE would remove her ankle bracelet and pending a decision on her new visa which she has gotten a receipt on. We know that the United States Citizen and Immigration Services has received her application and so, she is entitled to request a stay of removal. When Pastor Lentz tried to deliver the application this morning, ICE refused to receive it, not refused to make a decision, they refused to receive the application. This is the kind of thing that is going on in our country right now. When Pastor Lentz asked why they wouldn't receive it, they claimed that Leonor had to deliver it herself and when he asked, 'Can I get your assurance that you would not detain her if she were to deliver it?' the ICE officer said, 'No, you cannot have that assurance.' We know she would be detained and deported immediately. This is why we feel the immigration ordinance in front of you is so important because there are things like this happening constantly. Another woman in Painesville was recently deported when she went or, I'm sorry, detained when she went for her regular check-in that she's been doing for years and they would not allow her attorney to be in a 45 minute interrogation that ICE conducted. It's unconstitutional. Non-citizens have the same right to an attorney as citizens. So, these kinds of things are happening over and over again and it's why we (those of us who are trying to advocate for the immigrant community) feel that we want our community and our elected leadership to take a stand and say that we will not cooperate with ICE. Thank you very much."

Mayor Stephens stated, "Thank you, Ann. Thank you for your continued support of Leonor Garcia."

Nancy Levin stated, "Hi, I'm Nancy Levin. I'm the Director of the Heights Library and I'm here tonight as the Vice President of the Chamber of Commerce among other things which you will hear about later. As the Vice President of the Heights-Hillcrest Chamber of Commerce, I would like to also share that Cedar Lee SID is sponsoring a Welcome Stop at the Heights Library on Saturday for Small Business Saturday with refreshments and a drawing if you show your receipt for purchasing goods at a small business."

Mayor Stephens stated, "Do I get a free book?"

Nancy Levin stated, "Always a free book for you. For you baby, anything. And the reason why the library is involved – all of our branches will be passing out bags and supporting Small Business Saturday because we also teach classes and support small businesses of which Cleveland Heights has at

least 500 and probably another 500 home-based businesses and the Chamber is very involved in this. They're doing a coordinated event with all of the cities that are involved, all six cities in the Chamber. Four of their mayors and a number of their economic development directors presented at our last Chamber breakfast and we just want to share that the whole city is invited to attend and we hope that you will support."

Mayor Stephens stated, "Thank you. Yes, sir."

Dale Abercrombie stated, "Dale Abercrombie, 35 Severance Circle, Cleveland Heights, 44118. Good evening, ladies and gentleman. I stand in opposition to the issuance of a liquor permit to the Family Dollar store located at 3070 Mayfield Road. We don't need more liquor stores in our community. We need less. More liquor stores - more crime. More liquor stores - more drug problems. More liquor stores - more high school dropouts. We don't need more liquor stores. We need less. Thank you very much."

Mayor Stephens stated, "Thank you, sir. Madam City Manager."

Tanisha Briley stated, "I was just going to remind Council that you did take action to oppose that liquor license."

Mayor Stephens stated, "I was going to ask you. So, Mr. Abercrombie, your Council has already taken action against that. We take regularly against liquor stores and bars that have exhibited behavior that's less than supportive of the community."

Vice Mayor Stein stated, "But the final decision is not ultimately our, unfortunately."

Mayor Stephens stated, "No, it's not ours; because if it was ours, it would already be a no."

Councilwoman Dunbar stated, "It will take several months to get through the process I believe."

Mayor Stephens stated, "It does regularly, but you can check in with our Law Department whose monitoring that situation for us. Okay?"

"Hello, my name is Susan Radborne. I live at 3565 Glen Allen Drive in Cleveland Heights, 44121. So, last month, I attended my first committee meeting here for the ordinance and it was the first time I've attended anything like this in Cleveland Heights. I felt proud to be among my neighbors who spoke passionately about what's happening in my country and in my community regarding immigration and undocumented immigrants. I was impressed by the care and the detail that the Councilmember took as they worked on the language of the bill. The things that most stood out to me were comments made by two individuals in the community. I'm paraphrasing as I relate their remarks. The first, a social worker, told us about working with a man who was either on probation or parole. (That part I don't remember.) He used his discretion and gave the guilty man the benefit of the doubt. He chose not to have him lose his freedom. The other community members spoke to the same issue of discretion. His point of view was that the bill is not needed. He believes that those in charge, city employees or ICE, could and should use their discretion when encountering undocumented immigrants. I have absolutely no confidence in

how those in power would use their discretion with regard to the undocumented. ICE is too powerful and the undocumented are too vulnerable. We need this legislation. There is less chance of abuse of power. I have no personal experience with anyone who's been touched by the terrifying experience of being threatened, sought after, arrested, detained and deported, but long ago, I learned from the Civil Rights Movement, if it happens to one of us, it happens to all of us. I want to thank Councilman Seren for championing this bill and I join with him in encouraging Council to accept it and to do the right moral thing."

Mayor Stephens stated, "Thank you. Is there anyone else who'd like to speak with us this evening? Ms. Miller?"

Susan Miller stated, "I'm Susan Miller. I live at 3165 Berkshire Road. I am here to inquire about the preliminary sewer project that was legislated to deal with the EPA Consent Decree. Our sewers need repair and we're going to spend \$12,000,000 to study the project. You know, just to study and figure out what needs to be done over the next four years. A part of that discussion was the fact that the sewer rate for your local sewers (and I know people get confused about their sewer bills). We pay NEORS, or Northeast Ohio Regional Sewer District, to treat the waste that comes from your house, but we pay for our local sewers. That's the distribution that takes it from your house to the interceptor that takes it to a NEORS mainline sewer and our sewers were apparently constructed unlike any other sewers that the EPA has ever seen, so we have... we're going to spend \$12,000,000 and that means that our sewer rate is quadrupling. Now, in fact, it already has quadrupled because your sewer rate is based on how much water flows from your tap and aside from summer sprinkling, it's assumed that if it came from Cleveland Water through your tap, it's going down the drain and is going to have to be moved along Cleveland Heights' sewer laterals and moved along and treated by Northeast Ohio Regional Sewer District. So, based on how much water we've been using in October, November, December, we will be billed in January and that bill is going to be four times. There'll be sticker shock in January, but as Council was discussing this back in the summer, don't worry because if you can't afford it, there will be affordability programs and I received what was referred to as a detailed budget from Ms. Briley last week upon (I've been requesting this since May), but I did get not what I would call a detailed budget, but it says that affordability programs over the four year period will cost the city \$473,044. Now, I don't know how that figure was arrived at, but because the budget that I received in response to my request just has big conglomerate numbers. It's not really a detail, so I don't know how this was arrived at and I do hope Council got a detailed budget before you voted on it. I mean, I know we need to do it, but I hope you got better detail than this. But I've been wondering – where has the city talked about the affordability programs? Because, you know, it's a big website. I haven't seen any mention of the fact that if you get sticker shock in January, there is a place to go. So, I don't know what poor people are going to do in January if they don't have some kind of communication between then and now. Maybe I just missed it. You know, combed the website, didn't find it. Also, with regard to communication, I just wanted to say that we have had issues with a Dominion East Ohio replacement on our street and a big oak is coming down and I've had lots of therefore chatting with our arborist and our Joe Kickel, who was in charge of the public right of way. One thing that I also didn't know and didn't know until the tree died – it's probably 100-year-old oak – and the tree will have come down because it died because the sidewalk has

been impinging on it – is that the code was changed to allow people to put asphalt sidewalks in where they have an oak on the tree lawn. Again, I just don't know when that was changed, how it was changed. I've had confirmation that that code was changed, but if the city changes a code and it remains buried in the code and citizens don't know it, we will lose valuable canopy. So, again, I'm addressing issues of communication. We just lost... some people who live in Cleveland Heights a long time might know the arborist who serviced many of our trees over many, many decades. His name was Henry Edwards. Henry Edwards's childhood home just sold and it was determined that the house could not sell unless this massive oak came down, so that was a housing violation that took down probably 150-year-old tree that grew in one of our most vetted arborist's childhood home's front yard. I would be very interested to know who made that call or if, during systematic inspections, a city housing inspector can come by and tell me that I need to cut down a massive oak on my property because without consulting an arborist, they've deemed that this is a dangerous tree. It doesn't comply with the information that I read and what's required in a point of sale inspection or violations in a point of sale. It says, 'dead tree.' This was not a dead tree. So, again, I'm looking for communication from the city and I am coming up short again and again. So, I'm encouraging you to please polish up that communication opportunity please."

Mayor Stephens stated, "Thank you. Is there anyone else who would like to speak with Council this evening? Mr. Chilcote?"

Lee Chilcote stated, "Good evening. Lee Chilcote. I live at 2322 Delamere Drive. First of all, congratulations to Mayor Stephens, Councilman Ungar, Councilwoman Yasinow and Councilman Stein for their re-election. We're pleased to see you still there. We met in executive session with all of you two weeks ago. We asked for your support of our proposal for Coventry PEACE Campus. We had a fairly lengthy discussion about our need for an extension of time and for elimination of the RFQ/RFP and we said to you at that time that if you're unable to accept our proposal, we need an extension of time until June 30, 2018 for the sake of these tenants; that they have to make decisions beginning January 1, 2018 relative to their programs and that includes Lake Erie Ink and Ensemble and Family Connections and FutureHeights and Reaching Heights and so on. The meeting, probably largely because of myself, entailed some difficult conversation, but we remained, frankly, undeterred. We lodged our request for that extension and it still stands. We've not waited for City Council to make its decision. We remain undeterred. We want to move forward and we have moved forward and we have developed what we think is a viable strategy that should be acceptable to this Council, to the School Board and the citizens of Cleveland Heights. The strategy entails involving the library and working closely with the library for ownership of this property. We have developed a strategy which has been presented to the library which entails them joining with us and, if commenced, much discussion on that. The purpose is to make Coventry PEACE Campus successful and that's what we intend to do and we want to expedite Coventry PEACE Campus; the same thing that you want. Well, tonight I'm pleased to report the library board met this evening and has authorized its Executive Director to negotiate an agreement with us. The details of that, we're happy to discuss with anyone in the city. We obviously will be talking in detail with the library. We want to let you know that after many, many weeks of trying, we finally have a meeting with the School Board leaders tomorrow at 2:00."

Mayor Stephens stated, "Congratulations."

Lee Chilcote stated, "But we're most pleased that the library has come to express its support for us. Now, back to the beginning, critical to all of this is an extension of time to June 30, 2019. Why? Because these negotiations are not going to be done by December 31, 2018 which is the deadline to these tenants to make their decisions. So, we're asking you at your December 18 Council meeting to do two things. Before you make any decisions you need to make with respect to holding back on the RFQ or RFP and number two, support and extension of time to June 30 with the School Board."

Mayor Stephens stated, "Okay. Does that conclude your statement?"

Lee Chilcote stated, "Yes."

Mayor Stephens stated, "First of all, this Council will not be meeting on December 18. If you got a copy of our agenda, you'll see that under the Mayor's Comments, it's a motion to suspend a City Council meeting for December 18. I know that traditionally Council meets two to three times in December. We have changed that last year for the first time. We only met once in December so that we could enjoy our families and the holidays. So, the second thing is that we have made a request to the School Board that they meet with City Council to discuss the potential transfer or sale of the property to us and to allow for us to negotiate with you. That would be under the cover of an executive session because it is the sale or negotiation of the sale of a property. We have not had a detailed response from them, but our request is for that meeting to take place on November 27. That was one of the things that we needed to do on your behalf; that is to meet with the party that owns the property and could sell it to us or could... we have entered into a Memorandum of Understanding and there is difference of opinion of what we should be doing under the Memorandum of Understanding. So, to get some clarity, we've asked that members of the School Board meet with us. So, you're scheduled to meet with them tomorrow?"

Lee Chilcote stated, "Yes, ma'am."

Mayor Stephens stated, "Might be a shortcut."

Lee Chilcote stated, "That's what we hope to do. Thank you."

Mayor Stephens stated, "Is there anyone else who would like to speak with us? If there's no one else that would like to speak with Council, we will then move to close the section of personal communication with citizens and move to report of the City Manager."

Report of the City Manager

Tanisha Briley stated, "Thank you, Your Honor. I just have one item this evening. I would like to request permission to go to bid for fire hose purchasing. I would like to make that a Matter of Record."

Matter of Record

Mayor Stephens stated, "And so we will refer that to Municipal Services Committee?"

Tanisha Briley stated, "Public Safety and Health Committee."

Mayor Stephens stated, "Public Safety and Health."

Tanisha Briley stated, "Thank you, Your Honor."

Mayor Stephens stated, "I couldn't remember which one. Let's move to the report of the Director of Finance/Clerk of Council."

Report of the Director of Finance/Clerk of Council

Laurie Sabin stated, "I have nothing to report, ma'am."

Mayor Stephens stated, "Thank you. Next we have the committee reports and look - there first is Public Safety and Health."

Report of the Public Safety and Health Committee

Councilman Seren stated, "All right, first thing I'd like to – thank you, Mayor – is move to permit the City Manager to go to bid for #17-08 2017, fire hose purchasing."

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

Vice Mayor Stein stated, "Second."

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

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

 Nays: None

Motion Passed

Laurie Sabin stated, "Six ayes, Your Honor."

Mayor Stephens stated, "Thank you. A motion to allow the City Manager to go to bid for #17-08 2017 fire hose purchasing is approved. Next we move to Resolution 118-2017. Councilman Seren."

Councilman Seren stated, "Thank you, Madam President. I move that we approve Resolution Number 118-2017; declaring the property at 3267 Meadowbrook Boulevard, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency."

Councilman Ungar stated, "Second."

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

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

 Nays: None

Resolution Passed

Mayor Stephens stated, "Six ayes?"

Laurie Sabin stated, "Six ayes, Your Honor."

Mayor Stephens stated, "Excellent. Resolution 118-2017 passes. Councilman Seren, is there anything else for the good of the order."

Councilman Seren stated, "Just that I would like to thank the members of the community that came out today to offer support and constructive guidance on Number 106-2017. I appreciate your words and sentiments and also to those who have reached out in other means as well to both improve and to support the legislation."

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

Report of the Administrative Services Committee

Councilwoman Roe stated, "Thank you. I have a motion and then an update. First of all, I move to suspend the December 18, 2017 City Council meeting."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. Madam Clerk, would you call the roll?"

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

 Nays: None

Motion Passed

Laurie Sabin stated, "Six ayes, Your Honor."

Mayor Stephens stated, "Thank you. Six ayes. We will not be meeting on December 18, 2017."

Councilwoman Roe stated, "So, December 4 will be our last meeting of the year."

Mayor Stephens stated, "That is correct."

Councilwoman Roe stated, "Yes. I'd also like to update people on last week's presentation on the Charter Review Commission and the work that's going forward. There was a presentation last week that was attended by all 15 members of the Charter Review Commission and 42 residents of the city. It was a presentation by the facilitator for the group, Professor Keller, about the process and history and where we're going in terms of moving forward. The video of that presentation will be available on the city's website tomorrow. In addition, a webpage dedicated to Charter Review is on the city's website

and all of the agendas and materials that will be given to the commission members to help them through this process will also be available on the website.”

Mayor Stephens stated, “Thank you. If there’s nothing else, we will now move to Community Relations and Recreation Committee. Vice Mayor Stein.”

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, “Thank you, Your Honor. I have on first reading Ordinance Number 119-2017 which is an ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2018. Again, this is on first reading. We will not be voting on this tonight.”

Mayor Stephens stated, “And next we move to Ordinance Number 120-2017.”

Vice Mayor Stein stated, “Okay. Also on first reading, this is an ordinance amending the use regulations and rates for admission and other services for the Cleveland Heights Community Center, city parks, and Cumberland Pool for the 2018 winter, spring and summer seasons, and repealing Ordinance No. 4-2017. This is a number of pages going over our fees for 2018 and the good news is there’s no changes to them, so the fees you paid this year will be the same fees you’re paying next year. Again, this is on first reading. We’ll vote on this next meeting.”

Mayor Stephens stated, “And you have a resolution.”

Vice Mayor Stein stated, “Yes. Resolution Number 121-2017. This one we will be voting on tonight. This is a resolution declaring November 25, 2017 Small Business Saturday. The Cleveland Heights City Council invites residents and visitors to shop in our business districts on November 25, 2017 in honor of Small Business Saturday. This Council does hereby proclaim November 25, 2017, as ‘Small Business Saturday,’ and urges the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and through the year. I offer Resolution Number 121-2017 for passage tonight.”

Councilman Ungar stated, “Second.”

Mayor Stephens stated, “Thank you. Any comments before we pass this resolution. I just wanted to say how important small businesses are to America, not just to Cleveland Heights. They are the force behind this country’s movement into the future. Small businesses employ, those are organizations with fewer than 250 employees and budgets of less than \$5,000,000. They employ a majority of Americans and keep us strong and happy and are, in part, an essence of who and what we are because we love to believe that one person can build a business that takes care of them, their families and many other families. It’s part of the independence that our country was built on. So we are, as a Council, glad to support small business endeavors of any size, shape or caliber and so, we are very happy to support this resolution declaring November 25, ‘Small Business Saturday.’

Councilman Seren stated, “Madam President.”

Mayor Stephens stated, "Clerk, would you call the roll?"

Councilman Seren stated, "Madam President."

Mayor Stephens stated, "Oh, I'm sorry, I missed your hand."

Councilman Seren stated, "I apologize. I just wanted to say, at the risk of becoming a John Oliver sketch, I want to say that small businesses are the backbone of American economy and one of the very important reasons why they are so important is because of jobs, jobs and jobs."

Mayor Stephens stated, "Thank you. [Inaudible.] Madam Clerk, would you call the roll?"

Laurie Sabin stated, "Absolutely."

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

Nays: None

Resolution Passed

Laurie Sabin stated, "Six ayes, Your Honor."

Mayor Stephens stated, "Thank you. So, for those who are concerned, that resolution passed. Is there anything else you'd like to share, Councilman Stein?"

Vice Mayor Stein stated, "That's all I have."

Mayor Stephens stated, "Next we move to Finance Committee. Councilman Ungar."

Report of the Finance Committee

Councilman Ungar stated, "Yep, two quick first readings this evening. First, 122-2017; an ordinance to amend certain subparagraphs of Ordinance No. 102-2016 (F), relating to appropriations and other expenditures of the City for the fiscal year ending December 31, 2017. Second is Ordinance Number 123-2017 (F); an ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2018 through December 31, 2018; and that is all I have this evening. Thank you."

Mayor Stephens stated, "Thank you. Next we move to Municipal Services. Councilwoman Roe, I believe you're Vice Chair."

Report of the Municipal Services Committee

Councilwoman Roe stated, "Yes, there is no report."

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

Report of the Planning and Development Committee

Councilwoman Dunbar stated, "Tonight I am presenting Resolution Number 124-2017 for your vote. This is a resolution authorizing the City Manager to apply for grant funding under the Cuyahoga County Department of Development's Community Development Supplemental Grant program to install security cameras in the Cain Park Village Commercial District; and declaring an emergency. So, by way of background, the Community Development Supplemental Grant Program also known as CDSG Program is a competitive grant of up to \$50,000 awarded to help strengthen cities, encourage regional collaboration, and improve the quality of life for county residents. The CDSG program is funded through the County Casino Revenue Fund and requires no matching funds. Your city believes installing security cameras in the Cain Park Village Commercial District will improve safety and encourage future development. So, I ask Councilmembers to approve this resolution on an emergency basis to accommodate deadlines set for applications for CDSG grants."

Councilwoman Roe stated, "Second."

Councilman Ungar stated, "Before we vote, I thought I heard comment in Committee of the Whole that this was going to also include the area near the Hebrew Academy."

Mayor Stephens stated, "That is correct."

Councilman Ungar stated, "Can we make sure that was not read into the record. I want to make sure that is part of it, however."

Tanisha Briley stated, "The application will include the improvements that the Hebrew Academy is already planning."

Councilman Ungar stated, "Will you accept that as a friendly amendment to the motion?"

Mayor Stephens stated, "Oh, that you'd like it for it to be specifically stating that in our legislation."

Councilman Ungar stated, "I think it should."

Mayor Stephens stated, "We can amend our legislation to include a designation of covering the Hebrew Academy as part of the application through the use of their investment from the Jewish Federation to leverage this money. So, we need to amend. Mr. Juliano?"

Jim Juliano stated, "You will need to motion to amend and then vote on the amendment, Your Honor."

Mayor Stephens stated, "So, we need to... I need a motion to amend."

Councilwoman Dunbar stated, "You want to do that?"

Councilman Ungar stated, "Sure. I move to so amend."

Mayor Stephens stated, "Okay, and I need a second to amend."

Councilwoman Roe stated, "Second."

Councilman Seren stated, "Point of order. I don't mean to stand in the way of this motion, but I did want to ask a question of our Law Director about the required format and specific language of the amendment. Do we need that in writing according to our Administrative Code?"

Jim Juliano stated, "Well, I..."

Mayor Stephens stated, "We need instruction to him on how it should be amended. Typically, we do..."

Jim Juliano stated, "I need the motion to amend to be clear on what it is that you're amending to begin with, so may we discuss that?"

Mayor Stephens stated, "Let's take a moment and go to legislation to Resolution 124."

Councilwoman Dunbar stated, "I don't have that. Wait a minute. Where is that?"

Mayor Stephens stated, "It's the one that... the resolution that you just read, Mary."

Councilwoman Dunbar stated, "That's 123."

Mayor Stephens stated, "No, it's 124. There was a typo on the agenda and you read it correctly."

Councilwoman Dunbar stated, "All right, okay. So, did you want to say something about the language, Tanisha?"

Councilman Ungar stated, "Could I suggest something simpler than what we just talked about for your consideration?"

Tanisha Briley stated, "Councilman Ungar, if you are okay with it not being an amendment, you would just like to direct staff to include the Hebrew Academy's investment as a part of our application."

Councilman Ungar stated, "Why can't you put a comma at the end of the resolution and put the words, 'including Hebrew Academy.' That would more than suffice."

[Inaudible.]

Mayor Stephens stated, "Including the investment of Hebrew Academy."

Councilman Ungar stated, "Okay, including the investment of Hebrew Academy. That's fine too."

Jim Juliano stated, "Where do you want that? I'm sorry."

Councilman Ungar stated, "Just at the end. A comma at the end instead of a period. Just amend it."

Mayor Stephens stated, "You mean in Section One. In Section One where the description is at?"

Councilman Ungar stated, "No, under Resolution. I'm reading the resolution. At the end of the resolution, it ends with, 'district.' Now it would say, 'including, but not limited to,' – what do you want it to say again – 'investment in Hebrew Academy.' I'm fine with that."

Councilman Seren stated, "Just for clarification..."

Councilman Ungar stated, "Wait, hold on, hold on. I don't know that we're... let's just..."

Mayor Stephens stated, "So, I'm not where you're at yet. So, we're talking about that first resolution."

Councilman Roe stated, "I think the issue is that it's here."

Mayor Stephens stated, "So, you have to look here."

Councilman Seren stated, "But we're not investing in the Hebrew Academy property. We are adding that to our application. Excuse me, give me a second. We are adding their investment to our application as support for our request for funding."

Councilwoman Dunbar stated, "Exactly."

Councilman Seren stated, "Putting it is our..."

Mayor Stephens stated, "So, that my question. Where on this pink sheet do you want to insert it?"

Councilman Ungar stated, "So, anywhere. I don't care. We..."

Mayor Stephens stated, "Oh, I thought you had a recommendation."

Councilman Ungar stated, "We talked about it in Committee of the Whole and I would do it more simply. I would just add it to... add the language that you're discussing to the short version of the resolution. You keep showing me that, but I'm looking at the agenda."

Councilwoman Dunbar stated, "I don't think it makes sense there."

Councilman Ungar stated, "It says, 'A Resolution authorizing the City Manager to apply for grant funding under the Cuyahoga County Department of Development's Community Development Supplemental Grant program to install security cameras in the Cain Park Village Commercial District, including the Hebrew Academy.' I would say I would just say 'including, but not limited to the Hebrew Academy.' I don't have a problem with the additional language that Councilman Seren is proposing."

Councilman Seren stated, "Madam President, I think that's where the confusion exists is that this application is for funding that will be... maybe we can say, 'in coordination with investment in the

Hebrew Academy property,' or something along those lines, but our investment will not include the Hebrew Academy."

Mayor Stephens stated, "Because the Jewish Federation has already made that investment and made a commitment to that investment."

Councilman Seren stated, "I have no problem with including..."

Councilman Ungar stated, "I'm fine with that. 'Including in coordination with.'

Tanisha Briley stated, "Well, it's not necessarily... it's not in coordination with either, Councilman Ungar.'

Councilman Ungar stated, "This is harder than it needs to be, folks."

Jim Juliano stated, "You're saying two different things."

Mayor Stephens stated, "I think it can be just this simple. Where we say, 'installing security cameras in the Cain Park Village Commercial District, including the investment made in the Hebrew Academy by the Jewish Federation."

Councilwoman Dunbar stated, "Well, I think you guys should work it out frankly because it's not investing there."

Tanisha Briley stated, "So, I know that you feel strongly that you want to make this amendment to this language. You could easily just direct staff to make sure that we include the investment that's being made by the Hebrew Academy in our application."

Councilman Seren stated, "We could even add a whereas clause."

Councilman Ungar stated, "Discretion is a better part of valor. I will withdraw my request for the amendment and I will ask that staff do that. That's fine."

Mayor Stephens stated, "Okay."

Councilman Ungar stated, "That will make it easier."

Mayor Stephens stated, "Thank you. Okay, would you call the roll please? Oh, but first of all, wait, we have a, on the floor we have an amendment and so you need to withdraw your amendment."

Councilman Ungar stated, "I did."

Tanisha Briley stated, "He's withdrawn it."

Councilman Ungar stated, "I just said it was withdrawn. I withdraw my amendment."

Mayor Stephens stated, "Thank you."

Councilwoman Dunbar stated, "Well, okay."

Mayor Stephens stated, "So, now we go to the original vote."

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

Nays: None

Resolution Passed

Laurie Sabin stated, "Six ayes, Your Honor."

Mayor Stephens stated, "Thank you. Resolution 124-2017 passes. Councilwoman Dunbar, do you have any other comments this evening?"

Councilwoman Dunbar stated, "Not at this time."

Mayor's Report

Mayor Stephens stated, "That rolls us to the Mayor's report. There are significant changes going on all across our tax process, both at federal and state level. It is important for us to pay attention to those changes. The Mayor of Shaker Heights and I had three different conversations on the impact of the federal tax changes on how we even receive income tax and real estate taxes as it would apply to our communities. In addition to one of the mayors representing one of the larger cities in the State of Ohio, we had a press conference talking about how these changes at the federal and state level can strangle those of us who have just gotten a hold of our finances as a community and make it harder for us to break even and take care of the needs of our local residents. So, it is incumbent of all of us to pay attention to the changes being made in both the federal and state budgets. I want to thank the folks from Coventry PEACE for coming out even though they seem to have adjourned outside the room. It is their continued dialogue with us that is most important and why we are reaching out to the School Board to have conditional continuous conversations with them. We only have one more official Council meeting. It will be December 4, but we do have a work session next week on November 27. So, for those of you who would like to pay attention or be involved and make any comments to us, please be sure and show up at our work session. While you are not allowed to comment during the work session, you can talk to members of Council before or after. I would like to thank you for your attendance this evening and God bless America and God bless Cleveland Heights. Our next meeting is on Monday, December 4. Thank you."

Respectfully submitted,

Cheryl Stephens, Mayor

Laurie Sabin, Clerk of Council

/jkw