

City Council for the City of Cleveland Heights, Ohio, held a Committee Meeting of the Whole on the above date at 6:20 p.m. to discuss the contents of the City Manager's memo.

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

Staff present: Boland, Briley, Butler, Freeman, Juliano, Lambdin, McRae, Mecklenburg, Niermann O'Neil, Sabin, Smith, Spencer

Councilwoman Yasinow moved to begin Executive Session to discuss, with an attorney for the public body, claims or disputes involving the public body that, in the judgment of such attorney, appear likely to be the subject of a future claim. Councilwoman Roe seconded. Executive Session began at 7:21 p.m.

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

Councilwoman Yasinow moved to end Executive Session and Councilwoman Roe seconded.

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

Nays: None

Executive Session ended at 7:27 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:35 p.m., Mayor Stephens presiding.

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

Staff present: Boland, Briley, Butler, Freeman, Juliano, Lambdin, McRae, Mecklenburg, Niermann O'Neil, Sabin, Smith, Spencer

Mayor Stephens stated, "Good evening and welcome to Cleveland Heights City Council meeting. Today is Tuesday, September 5, 2017. This is our regular Council meeting at 7:30 p.m. Madam Clerk, would you call the roll please?"

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

Laurie Sabin stated, "Seven present, Your Honor."

Mayor Stephens stated, "Thank you. There are no absent members. That's excellent. We have minutes from the meeting of Monday of July 31. Were there any comments from my colleagues?"

Councilwoman Dunbar stated, "I provided mine to the Secretary."

Councilwoman Roe stated, "I will provide mine."

Mayor Stephens stated, "Okay, thank you. Those will be forwarded to our Clerk of Council. Next we have a standard procedure in Cleveland Heights that we welcome people with personal

communications or corporate communications to the podium and ask them to speak to us. The only concerns that we have are that you stay as close as possible to three minutes. State your name and your address for the record. Ms. Brooks.”

Pat Frost-Brooks stated, “Good evening, Madam Mayor and Councilmembers. I’m Pat Frost-Brooks, 3782 Bainbridge Road, of course, Cleveland Heights. I have a little show and tell this evening for all of you. This sign, ‘I Buy Homes,’ and then it gives the address was posted on the utility pole on Bainbridge and Maple and for some reason it was taken down and it landed in my hands, but we do have a concern, some of the neighbors, and this was posted at the higher end of Bainbridge Road and I perused the neighborhood and I did not see that sign up on Berkeley, Bendemeer, Shannon or Severn or Maple, the streets there. And this was the only sign that was there and I believe that it may be a deeper issue that is happening on Bainbridge Road because we have had some rumors, some speculation and even some people approaching neighbors about selling their home and if, ‘the price is right, perhaps you would want to sell.’ For some reason on Bainbridge, I’ve found out that our homes there on that street have become very popular. I found out that behind our homes, before you get to where the park is in South Euclid, that that land has been sold for millions of dollars except for the home that is on the corner there and they own the land that’s behind there and that there are some other property that has been sold there. Some neighbors have been working in their yards, have been approached by a gentleman - I believe his last name is Moss – and asked, ‘Are you interested in selling your home?’ And it is a concern of the neighbors that are on Bainbridge Road and then to find this sign there, that has raised some other speculation. So, I’m bringing this to your attention, to the Mayor and to the City Council, that this sign has been posted and just wondering what to do when this sign is posted again. I called the number and all I got was a busy signal so I don’t know if there is something that will be transpired and that number can be traced back to my home, but if it is, I will be asking who this person is and what their intent is. Okay? So, I’m bringing this to your attention and asking you if this is posted anywhere else, what should the residents on Bainbridge Road do or any other resident in the City of Cleveland Heights.”

Mayor Stephens stated, “Madam City Manager, posting of signs on those utility poles – is that legal in Cleveland Heights?”

Tanisha Briley stated, “It is not.”

Mayor Stephens stated, “I knew the answer to the question. I just wanted to get it on the record. You know, like in law school where they tell you don’t ask a question you don’t already know the answer to? Can a resident call and have us take it down or can they go ahead and take it down themselves?”

Tanisha Briley stated, “We would probably advise the resident to call us, specifically, you can call City Hall directly or you can call the Planning Department. It is a zoning violation and we would take the sign down. And if we’re able to get in touch with whomever owns the sign, we would then let them know that that sign was posted in violation and encourage them not to do it again.”

Councilman Seren stated, "Mayor, also I wanted to suggest, if you have a smart phone and you'd like to download the Access Cleveland Heights smart phone app, you can do that as well, and I imagine report something like that to the City through that medium as well."

Mayor Stephens stated, "Councilwoman Yasinow."

Councilwoman Yasinow stated, "And also, it would be responded to if the Police were called. Obviously, this would not be an emergency call, but could she also report it through the Police Department?"

Tanisha Briley stated, "She could. Anyone can call the Police at any time, of course, but we would prefer to just call City Hall or you can use the app. Anyone in City Hall would be able to take care of it. We'd like to reserve the Police for Police work if possible."

Councilwoman Dunbar stated, "It sounds like you're concerned that there's a larger issue of trying to accumulate properties."

Pat Frost-Brooks stated, "Yes, there is a larger, yes, madam, there is a larger issue of the accumulation of properties on Bainbridge Road. Some have, at first it was a speculation and then it became more prevalent when gentlemen were coming and approaching people working in their yards and asking, 'Would you or your neighbor like to sell their home?' and then there was more directness when a gentleman asked a few of the neighbors, 'What's your price?'"

Councilwoman Dunbar stated, "And you don't have much idea of who is behind this?"

Pat Frost-Brooks stated, "There is a business card and I remember seeing a business card and the last name was Moss, M-O-S-S. I don't remember the first name and I was going to acquire the business card from one of my neighbors, but she wasn't home this evening."

Councilwoman Dunbar stated, "Okay."

Mayor Stephens stated, "If you could take a picture of it with your phone."

Pat Frost-Brooks stated, "Of this sign or the card?"

Mayor Stephens stated, "The card."

Pat Frost-Brooks stated, "Oh, yes, I will."

Mayor Stephens stated, "And send it to us so we can do some follow up, that would be great."

Pat Frost-Brooks stated, "Which... to whom should it be sent to?"

Mayor Stephens stated, "If you can Email it to the Deputy City Manager?"

Tanisha Briley stated, "You can just Email it to citymanager@clvhts.com. I can give you my card."

Pat Frost-Brooks stated, "Fantastic. That would be greatly appreciated."

Mayor Stephens stated, "Thank you."

Pat Frost-Brooks stated, "All right, thank you. Would you like this? Would someone like this?"

Tanisha Briley stated, "You can leave it."

Pat Frost-Brooks stated, "I have a picture of it, so..."

Mayor Stephens stated, "We can put it in our File 13, so if you leave it there."

Pat Frost-Brooks stated, "Is that the lost file? Thank you."

Councilman Seren and Councilman Ungar stated, "Thank you."

Mayor Stephens stated, "Is there anyone else who'd like to share something with Council?
Ma'am."

Patricia Funk stated, "My name is Patricia Funk. I live at 1360 Vandemar Street and I wanted to make some comments on something that Councilwoman Dunbar said. Her comments at the July 27 Council meeting, and that was regarding Resolution Number 088-2017, strongly opposing the withdrawal of the United States from the Paris Climate Agreement; and declaring this a state of emergency. So, Councilwoman Dunbar said, 'I do expect the majority of Cleveland Heights residents agree with this and I agree our nation should be part of the Paris Climate Accord. However, I just don't feel that it's appropriate for City Council to be spending its time telling other levels of government what to do. I think it's up to our residents to let their elected state and federal representatives know what they think about the stance they are taking on issues. We just have a lot to do at our level and I don't want to spend time on these things when we have so much to do and we have trouble getting through it. I don't expect my colleagues on City Council to agree with me. I don't want to speak for the residents of Cleveland Heights on these issues. I want you to do it yourselves. Basically, what the Paris Climate agreements are is that humans are very much affecting the climate and it's not good at this time. There's still no guarantee that if we correct that, everything is going to be just fine. One reason, I believe, some of my ancestors came to this country was that the ocean was frozen over around Iceland for 2 years in the late 1800s and they left because they were starving. One of the reasons that kind of thing happens is because of the volcanic activity, which is unpredictable. So, the atmosphere gets filled with debris and the sun light can't get through and things stay frozen. We're obviously not in that kind of situation at present, but I'm not going to get into taking a stance on behalf of the citizens of Cleveland Heights.'

"So, my comment is - I strongly agree with everything Councilwoman Dunbar stated above. I have shared her comments with other residents of Cleveland Heights who are also in agreement. There seems to be some confusion at this time distinguishing between 'Climate Change' and the weather. I have lived in Cleveland Heights since 1962 and I have personally witnessed a lot of climate change. Back then, we called it the weather and the weather was not our fault. I also believe that it is beyond the

scope of Council to involve itself in global issues, when we can't even take care of our own back yard, especially highly controversial ones such as this. I wish to express my deepest respect to Councilwoman Dunbar's comments and I would like to shake her hand at the end of this meeting if she is available."

Mayor Stephens stated, "Thank you. Is there anyone else who has comments for City Council? Yes, sir, if you'd approach the microphone. Remember to give us your name and address."

Lee Barbie stated, "My name is Lee Barbie and I live at 1048 Hereford Road and I was asking a question regarding Hereford Road and the stop signs. Some of the residents there are asking for a 25 mph sign there because the cars are just flying down Hereford Road because they're going around the lights going down Taylor Road. So, they're going down, cutting through, prefer to go down that way and some kids are in the streets and they said the cars are just going way too fast."

Mayor Stephens stated, "So, you want a stop sign and a 25 mph sign?"

Lee Barbie stated, "Something just to slow the flow of traffic that's going down Hereford Road."

Mayor Stephens stated, "Which intersection?"

Lee Barbie stated, "At Stuart and Hereford."

Mayor Stephens stated, "Okay. If you're... Monticello and Taylor cross... Hereford is the first street to the west of it that also runs north and south like Taylor, and so if you go north one block, that's Stuart, and you would like a stop sign and/or a 25 mph sign."

Lee Barbie stated, "Yes."

Mayor Stephens stated, "We hear you and the City Manager can discuss it with the staff in Public Works. We have to follow the state law on guidance for that, but thank you for coming. The safety of our children is important."

Lee Barbie stated, "I'd also like to state that I am a member of the Forest Hills Trustees Association too, so I'll take it up with her. Thank you."

Mayor Stephens stated, "Thank you. Is there anyone else who'd like to speak this evening? If not, then we will close the personal comment and communications from citizens section to Council and next we move to the report of the City Manager, Mrs. Briley."

Report of the City Manager

Tanisha Briley stated, "Thank you, Your Honor. This evening I would like to request permission to go to bid for the replacement of a 75 cubic yard refuse transfer trailer and I'd like to make that a Matter of Record."

Matter of Record

Mayor Stephens stated, "I will refer this to the Municipal Services Committee for review. Is there anything else?"

Tanisha Briley stated, "Yes, one other item – I would like to request permission to issue a Request for Proposals for banking services for the City of Cleveland Heights and I would also like to make that a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. We'll refer that to the Finance Committee for their review. Is there anything else?"

Tanisha Briley stated, "Nothing this evening, Your Honor."

Mayor Stephens stated, "Thank you. Next we move to the Director of Finance/Clerk of Council."

Report of the Director of Finance/Clerk of Council

Laurie Sabin stated, "I have no report."

Mayor Stephens stated, "Thank you. Now we move to committee reports. First we have the Administrative Services Committee. Councilwoman Roe."

Report of the Administrative Services Committee

Councilwoman Roe stated, "No report."

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

Report of the Community Relations and Recreation Committee

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

Mayor Stephens stated, "I love efficiencies. Next we move, oh boy, we move to the Finance Committee. Councilman Ungar."

Report of the Finance Committee

Councilman Ungar stated, "When you say, 'Oh boy,' that motivates me. I promised everybody that I would move with dispatch. I have five items I believe on the agenda this evening and I believe we can dispense with them quickly. First is Ordinance Number 98-2017; an ordinance determining to proceed with implementation through assessment of a public services plan for the Coventry Village SID here in Cleveland Heights, Ohio. Moved."

Vice Mayor Stein stated, "Second."

Mayor Stephens stated, "Is there a second?"

Councilwoman Roe stated, "Second."

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

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

Nays: None

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

Ordinance Passed

Mayor Stephens stated, "Thank you. Ordinance Number 98-2017 passes. Councilman Ungar."

Councilman Ungar stated, "Second is Ordinance Number 99-2017, related to the prior matter in that it relates to Coventry Village SID. This one levies an assessment for a public services plan for the Coventry Village Special Improvement District of Cleveland Heights."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

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

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

Nays: None

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

Ordinance Passed

Mayor Stephens stated, "Ordinance Number 99-2017 passes. Councilman Ungar."

Councilman Ungar stated, "Next in order is 100-2017. This resolution authorizes our City Manager to enter into an agreement with the Coventry Village SID for the advancement of funds in anticipation of an assessment."

Mayor Stephens stated, "Is there a second?"

Councilwoman Roe stated, "Second."

Mayor Stephens stated, "Thank you. Call the roll please."

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

Nays: None

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

Ordinance Passed

Mayor Stephens stated, "Next we move on to Councilman Ungar again."

Councilman Ungar stated, "This is 101. This is a resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to our County's Fiscal Officer."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

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

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

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. Resolution Number 101-2017 passes. Councilman Ungar."

Councilman Ungar stated, "Okay, last but not least is 102-2017. This is a resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2017 tax year collection pursuant to Section 321.34 of the Ohio Revised Code."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

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

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

 Nays: None

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

Resolution Passed

Mayor Stephens stated, "Excellent. Resolution Number 102-2017 passes. Councilman Ungar, is there anything you'd like to share with us besides those?"

Councilman Ungar stated, "Thank you very much. I have two matters that I wish to share briefly with my colleagues this evening and with our citizens; one involving some really awful news and one involving some really good news. On the awful news front, and I'm sure we all know that a promising

young life was snuffed out recently when we lost a 15-year old Kaylee Mooney to a tragic traffic accident. To our city leadership's credit and Councilwoman Yasinow's credit, I understand a celebration of life proclamation was signed by our Mayor and delivered to the family. For those who are interested and I indicated that I would be willing to do this this evening, for those who are interested in joining Councilwoman Yasinow and me and perhaps others - I haven't checked - there is a Go Fund Me site for Kaylee Mooney and in particular to try to help this family deal with the financial burdens associated with this horrible loss. For those who may be interested, the site is www.gofundme.com/memorial-fund-for-kaylee-mooney. So, I wanted to make mention of that this evening and I'm sure I'm joined by everybody – our hearts go out to that family.

“Second, on a more pleasant note, I promised my Council colleagues and I promised the citizens that I would stay abreast of developments at the Arco Dump site. I don't know how many people have taken the opportunity to drive by it recently. I have and you certainly can see a pronounced diminution in the size of those previously existing mountainous piles that were on site. This is going to sound overly solicitous, but the Cuyahoga County Board of Health has been absolutely amazing in the responsiveness to all of my inquiries. Terry Allen and his staff have been responding within minutes of each of my inquiries and here's the most recent update in a nutshell. I reported previously the project was split into two phases. The first phase was the removal of the hard-fill material that was made up mostly of concrete, brick, asphalt and soil. The Ohio EPA estimated – I think this is close to what they were talking about at the beginning of the project – 82,000 cubic yards of hard-fill material that are going to be removed during phase one. A very reputable company by the name of Kurtz Brothers was awarded the contract to remove all this stuff. They started - again those who have been following it know when they started because you could see the progress – they started in late July. They've been working daily. Work occurs on weekdays only; no weekends and no holidays. The statistics associated with this project, in my judgment, are staggering. As of this past Friday, I got the stats current to today, so through September 1, 2017, 1,886 truckloads (which represents 37,726 cubic yards) has been removed from Arco. They are just shy of half-way through phase one. For those that are worried and understandably so about air quality, I've been told by the Board of Health that the Cleveland Division of Air Quality and Ohio EPA are monitoring the air quality in the area for the duration of the project and they are monitoring for a number of the usual suspects and some of the unusual suspects; in this case, most notable being hydrogen sulfide. All of the results of the testing so far have been below all minimum risk levels which is very good news for our community generally and obviously for the Noble Road neighborhood specifically. For those that are interested in following this more closely, the Cuyahoga County Board of Health has set up a website. It is updated occasionally. It provides information of progress of the clean-up and various monitoring data. That one – I feel like I'm only giving out websites tonight – that one can be found at www.ccbh.net. So, this is very encouraging news. This was a community effort and I'm thrilled to report it and they're making great progress. Thank you.”

Mayor Stephens stated, “Thank you. Next we move to Municipal Services. Councilwoman Yasinow.”

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "Thank you very much. I have no legislation this evening, but I do have a few announcements."

Mayor Stephens stated, "Okay."

Councilwoman Yasinow stated, "Thank you very much. I have just a couple of pieces of news and information for residents; some good, some generally topical. First, I would like to invite everybody this weekend to come on down and party in Cleveland Heights where there will be not one, not two, but over 63 music performances this weekend. The Heights Music Hop is in town. It will be this Thursday, Friday and Saturday, September 7, 8 and 9. On September 7, the party will be in Coventry Village. On September 8, Friday, come on down to Cedar Fairmount and on Saturday, September 9, we hope to see you at the Cedar and Lee where over 63 music performances will be taking place across all three days and apparently we are doing something new and exciting called a silent disco. I believe that's where people dance with headphones on, so come on down and take a look at that and if you want more information, please visit www.HeightsMusicHop.com. And again, that will be this weekend in three of our major business districts."

"Number two, I'm happy to promote the Happy 5K, 10K and 1 Mile Fun Run. That will take place on October 8. All proceeds will be used to benefit our Youth Scholarship Fund. Actually, we've grown so much that it has been announced that attendance at this event is limited to the first 1,000 runners, so please come, register, let us know that you support your community or just, for whatever reason, enjoy running. We would love to have you. The first event starts at 9:15 and I believe that's the 1 Mile Fun Run. So, those are two big events happening in our community."

"I would also like to talk briefly about some events that are larger than the City of Cleveland Heights. First, it appears today on national news that DACA, which means the Deferred Action Childhood Arrival's Program, will be rescinded. This is a program from the Obama era that deferred deportation to 800,000 individuals living in the United States. These were people who were brought to the United States as children who've registered with the federal government, who have absolutely no criminal record and who are either in school, have graduated from school or have been honorably discharged from the military. I can only speak for myself, but for those who are interested in this issue, I would urge them to call their Senators and Representatives to make their opinion on this matter known. Here in the City of Cleveland Heights, we took meaningful steps to state that we are a Welcoming City and I believe that that sentiment is shared by quite a few of our other residents. So, I please do urge you to contact your Senator and Representative to let your opinion known on this issue. And then, finally, I would be remiss if I did not mention something that happened while we were on recess for the month of August. I believe, though many people have talked about this already, what happened in Charlottesville, Virginia – it just shows that what happened there can happen in any community and we saw a response here in the City of Cleveland Heights when Former School Board President Nancy Pepler staged a candlelight vigil in honor of Charleston; in honor of the resilience that happened there and in the face of what happened there. So, I give a shout-out to Nancy Pepper for organizing that. I hope that people remember Ms. Heather Heyer and the sacrifice that she made there and, again, I can only speak for myself, but I do feel that my fellow members of Council would agree with the statement that bigotry, hatred and racism

as expressed by Neo-Nazis, white supremacists, white nationalists or the KKK has no place in our country, in our community or in the City of Cleveland Heights. Period. So, with that, I have nothing else to say this evening.”

Mayor Stephens stated, “Thank you, Councilwoman Yasinow. I heartily agree with those comments. Next we have the Planning and Development Committee of Council. Councilwoman Dunbar.”

Report of the Planning and Development Committee

Councilwoman Dunbar stated, “I have no legislation either. However, Melissa missed one event that’s coming up which is the Nature Center at Shaker Lakes is having some races as well.”

Councilwoman Yasinow stated, “So close.”

Councilwoman Dunbar stated, “I live pretty close to the Lower Shaker Lake and I’ve been impressed this summer by how many people are using the lakes, that park for bicycling, for hiking, for running, and it’s really quite wonderful to see it getting as much use as it does and the Nature Center at Shaker Lakes is a great organization offering a lot of educational opportunities for young people and all ages and I encourage you to participate in their event on Sunday, September 17. It’s going virtually all day I think, starting in the morning with races, but it’s a fundraiser for them, so I like to support them. So, I’ll probably be running around someplace there. “

Mayor Stephens stated, “Excellent. Next we have Public Safety and Health Committee of Council.”

Report of the Public Safety and Health Committee

Councilman Seren stated, “Thank you, Madam President. I have nothing to report this evening.”

Mayor’s Report

Mayor Stephens stated, “Thank you. With that, it brings us to the Mayor’s report for this evening. I hope that everyone had healthy and enjoyable summer. The pool closed just yesterday. It’s with sadness that we see Public Works staff drain it. However, the alternative for us is that the school system has finished the high school and that pool is wonderful. Your Mayor put her feet in it. I didn’t go for a swim. I went where you can climb in at the rails and took my shoes off and stood in the water on the first day. It was absolutely divine. I strongly recommend those of you who are swimmers, you go, buy a pool pass at the City. This is a commercial. Buy a pool pass from the City and go swim at Heights High. They’ve done a wonderful job with rehabbing it and there will be a grand opening where it’s open to the entire community and anyone else who would like to drive by. Please drive by. You’ll see several of us wandering through and we encourage you to attend. It’s your tax dollars at work on behalf of all of us. Thank you for your concerns and commitments and paying attention to what we do here at City Hall, and I hope everyone has a good evening. The next meeting of City Council is Monday, September 18, 2017. God bless America and God bless Cleveland Heights. Goodnight.”

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Laurie Sabin, Clerk of Council

/jkw