

City Council for the City of Cleveland Heights, Ohio, held a Committee Meeting of the Whole on the above date at 6:27 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, Juliano, Lambdin, McRae, Mecklenburg, Niermann O'Neil, Sabin, Smith

Councilwoman Yasinow moved to begin Executive Session to consider the appointment of a public official. Councilwoman Roe seconded. Executive Session began at 7:15 p.m.

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

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

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

Nays: None

Executive Session ended at 7:18 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:25 p.m., Mayor Stephens presiding.

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

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

Mayor Stephens stated, "Good evening and welcome to the Cleveland Heights City Council meeting of Monday, September, Monday 18, 2017. We are a little late for our 7:30 usual start because we had two really excellent events – the swearing in of firefighters, EMT's and police officers this evening. So, without further ado, I'd like to have the roll call. Madam Clerk."

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

Mayor Stephens stated, "Seven present?"

Laurie Sabin stated, "Seven present."

Mayor Stephens stated, "Excellent. So we don't have any members to excuse. We're all here. We have minutes that needed to be approved or edited from our September 5 meeting. Did my regular scribes have a chance to look at them?"

Councilwoman Dunbar stated, "I passed my corrections in."

Councilwoman Roe stated, "I had no corrections. However, I did give the Clerk corrections to our July 3 meeting after a question came up from one of our residents."

Mayor Stephens stated, "Okay, thank you. As is our standard, we invite personal communication from our residents or anyone who would like to share something special or specific with us. Is there anyone in the audience this evening who would like to speak to City Council? Okay, with no one waving their hand or moving toward the podium, next I ask for the report of the City Manager."

Report of the City Manager

Tanisha Briley stated, "Nothing substantive this evening, Your Honor, but I would like to point out to Council the letter submitted by Police Chief Mecklenburg regarding the liquor license application that you will hear Ms. Sabin read into the record next."

Mayor Stephens stated, "Okay, and her recommendation for the record was?"

Tanisha Briley stated, "To deny the application for the liquor license based on nuisance activity."

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

Report of the Director of Finance/Clerk of Council

Laurie Sabin stated, "All right. I would like to notify that a notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Family Dollar Stores of Ohio, Inc., dba Family Dollar 9050, at 3070 Mayfield Road, Cleveland Heights, Ohio 44118, for C1 and C2 class permits; and to make this a Matter of Record."

Mayor Stephens stated, "Thank you. I want to refer this matter to Public Safety and Health Committee of Council. If you would like to make any comments from that committee, or members of Council would like to make a statement, now is the... we can do that during the Public Health and Safety Committee section of our very long agenda this evening. Next, is there anything else, Madam Clerk?"

Laurie Sabin stated, "No, ma'am."

Mayor Stephens stated, "Thank you. Now we move to committee reports. First up is Community Relations and Recreation Committee. Vice Mayor Stein."

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, "Thank you, Your Honor. The first piece of legislation is Resolution Number 103-2017 and it will be presented by you, Mayor Stephens."

Mayor Stephens stated, "Thank you. As has been a tradition since I became a member of Council, because of my volunteer activity with Breast Cancer Foundation and the Susan Komen Fund, because of the loss of my mother to breast cancer, this is a cause I believe in strongly – that we become aware of how we can fight this barbaric disease. Breast cancer is a disease in which malignant cells form in the tissues of the breast. It can and does attack both men and women in huge numbers every year. Over 200,000 women and approximately 25,000-26,000 men are diagnosed with this disease annually.

Being proactive is the best way to fight it because on average, every two minutes a woman is diagnosed with breast cancer and one woman dies because of breast cancer complications every 13 minutes. Over 2,800,000 breast cancer survivors are alive in this country today because we've become better and better at fighting it. Breast cancer is the most common cancer found among women worldwide. There is good news, however. In recent years, perhaps coinciding with the decline of several different kinds of hormone replacement therapy before, during and after menopause, we have seen a gradual reduction in female breast cancer incident rates among women aged 50 and older. Death rates from breast cancer have been declining since about 1990 in part [due] to better screening and early detection, increased awareness and continually improving treatment options. Basically, I believe there are three things you can do to detect it early and prevent breast cancer. Mammograms are the best way to check for it; [also] monthly self-testing and health lifestyle choices, like exercise and controlling your weight, good dietary habits, avoiding tobacco and limiting alcohol consumption. I am a big supporter of being healthier and one of my colleagues does it the best. Mary Dunbar – she runs; she walks; she cycles. She's a constant example to those of us who have stodgier lifestyles. It is important that we try to stay healthy. It allows us to live longer and enjoy our wonderful community longer and spend more time with our family and loved ones. So, I would like to turn this back over to my colleague and see if you can make a motion for the Resolution Number 103-2017."

Vice Mayor Stein stated, "Okay, you just want me to make a motion? Okay. All right, I move that we pass Resolution Number 103-2017 tonight."

Mayor Stephens stated, "Is there a second?"

Councilman Ungar stated, "Second."

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

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

Nays: None

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

Resolution Passed

Mayor Stephens stated, "Thank you. Next we move to..."

Vice Mayor Stein stated, "One more."

Mayor Stephens stated, "Yes, one more piece of legislation for you."

Vice Mayor Stein stated, "I have Resolution Number 104-2017; a resolution proclaiming October 2017 as Domestic Violence Awareness Month. One in four women and a smaller although significant number of men will experience domestic violence in their lifetime; and children who witness domestic violence are much more likely to abuse their future partners or children; and domestic violence can happen to anyone regardless of gender, income, ethnicity, race, religion, age or sexual orientation

and/or identity. Therefore, be it resolved, this Council hereby proclaims October 2017 as Domestic Violence Awareness Month and urges all of its residents to educate themselves on the issues and to encourage and support victims of domestic violence and child abuse. I offer Resolution Number 104-2017 for passage.”

Mayor Stephens stated, “Is there a second?”

Councilwoman Dunbar stated, “Second.”

Mayor Stephens stated, “Any comments? Madam Clerk, 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.”

Resolution Passed

Mayor Stephens stated, “This resolution passes. Thank you. Are there any comments, Vice Mayor?”

Vice Mayor Stein stated, “No, I do not have any.”

Mayor Stephens stated, “Thank you. Next we move to the Finance Committee. Councilman Ungar.”

Report of the Finance Committee

Councilman Ungar stated, “No formal legislation. One quick comment. Not yesterday, but a week ago this past Sunday, September 10, was a banner day for our community. A number of my colleagues were there as our school system celebrated the grand opening of the new Heights High. It was, for those who were there, you know it was just an incredible outpouring of community spirit. Frankly, something you’d like to put in a bottle and a great manifestation of community support broad-based from Cleveland Heights and University Heights and beyond of our wonderful school So, I just wanted to make a note of that. It was great, just a great event.”

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

Report of the Municipal Services Committee

Councilwoman Yasinow stated, “Thank you very much. I have no formal legislation this evening. I would just like to take a moment and to wish those who are watching who are of the Jewish faith, a happy and a healthy New Year’s. Shana Tovah! Rosh Hashanah starts this Wednesday night and then 10 days later, we have Yom Kippur. So, I hope you have a happy and healthy New Year everyone. Further, I would be remiss if I did not take a moment and to tell everybody to please always lock your cars. It’s a

small thing and please keep your valuables [out of sight]. Bring them inside. Put them in your trunk; whatever you need to do. Thank you.”

Mayor Stephens stated, “Moving right along to the Planning and Development Committee. Councilwoman Dunbar.”

Report of the Planning and Development Committee

Councilwoman Dunbar stated, “I have no legislation tonight, but I do have a few exciting bicycle events coming up that I will go through very quickly. This coming Saturday is the 10th Annual Ride for Miles. Miles Coburn was a Cleveland Heights resident and biology professor at John Carroll University and he was killed while riding his bicycle in Geauga County. His brother, Chris Coburn, has been organizing this ride ever since with lots of volunteers and it will start from John Carroll University, Dolan Science Center at 10:00 a.m. on Sunday, September 24 and it supports environmental issues, John Carroll University and bike safety. Another fun ride coming up on Sunday, 9:00, October 1, Lenny Horowitz is going to show bicyclists his favorite recreational ride around the Heights. It’s a 13-mile ride that we’re calling park-to-park-[to-] park ride. It starts from the Delisle Options Center on Superior Road and winds through Cain, Cumberland, Forest Hill Parks, circles the Forest Hill Pond, then goes via side streets mainly towards Cedar-Fairmount, rides up Bellfield, connects to the North Park bike lanes and quiet streets and to Hathaway-Brown school, then it’s back to Delisle. So, that’s his favorite ride and it just shows you that you can go for a very nice ride in the Heights. Finally, that afternoon, October 1, 1:00 – 4:00 [p.m.] is a family bike event called All Geared Up and it includes a 4-mile family fun ride, bike rodeo and safety clinics, community bike police, family relay races, bike repairs, tune-ups. You can buy a used bike – I mean a pre-owned bike – for \$15 each; and that will be at the Canterbury School again on Sunday, October 1 at 1:00 p.m. That’s all I have.”

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

Report of the Public Safety and Health Committee

Councilman Seren stated, “Thank you, Mayor. First thing I’d like to ask – is a motion required to authorize opposition to the liquor license that’s been applied for?”

Tanisha Briley stated, “Great question, Councilman Seren. It is not required. The Council has chosen in the past to go on record supporting an objection that the Chief submits and so, if Council is interested in doing so, the best way to go about that is for a motion to support the objection. There would be a second and a vote at that time, but it is not required in order to submit the objection. The Chief will still submit that.”

Councilman Seren stated, “All right, then I think we can do away with that motion unless one of my colleagues has...”

Mayor Stephens stated, "I would actually prefer that we do a motion. I know that historically, well, prior to my being on Council, they kind of just let them through, but I think it's important, especially in our neighborhoods north of Mayfield, that we just say no to this type of business activity. It does not contribute to the quality of life. It in fact takes away from that because what we have is loitering for low cost bottles of beer and wine and so I would like to strongly recommend that we pass legislation that will accompany the Chief's letter saying that we are specifically not in support of expanding their business line or products in this way. If you're not interested in making a motion, I'll get a motion from someone else."

Councilwoman Roe stated, "I will."

Mayor Stephens stated, "Thank you, Councilwoman Roe."

Vice Mayor Stein stated, "Second."

Jim Juliano stated, "Mayor, may I just jump in? Just to be clear so the record is clear, this permit is for the address 3070 Mayfield Road. It's not in the area north of Mayfield."

Mayor Stephens stated, "Mayfield and north, let me amend my statement."

Jim Juliano stated, "Just to make sure the record is clear. Thank you."

Mayor Stephens stated, "Mayfield and north. Do you agree with my amendment, Councilwoman Roe?"

Councilwoman Roe stated, "I do."

Mayor Stephens stated, "Vice Mayor Stein?"

Vice Mayor Stein stated, "Yes."

Mayor Stephens stated, "Thank you."

Councilwoman Dunbar stated, "I would like to... I never have a sense of what happens with these liquor licenses. We often object to them, but I never know whether they are approved or not by the Liquor Board and I'm wondering also if we need to send people to the hearing to be more effective, but maybe you can fill me in."

Jim Juliano stated, "Well, the short of it, Ms. Dunbar, is that most of these objections go to an evidence hearing before a hearing officer and from that point, it takes months to get to a decision one way or the other. Many of these applications, once the City Council indicates its objections, many of these are withdrawn because the applicant has chosen another direction to take. So, we put the decisions to you when we have them, but it does take quite a while, and I would suggest to you that if City Council feels strongly about these types of things, please do continue to indicate your objection because the state Department of Liquor does provide a procedure to hear those objections."

Councilwoman Dunbar stated, "Is there any benefit to having somebody at, I mean, do they have a hearing? How does that work?"

Jim Juliano stated, "They do a full evidence hearing. The City Law Department handles the matter as an evidence hearing and Chief Mecklenburg and her police officers are required to appear and testify. So, it does require some city resource to prosecute these matters. Yes, ma'am."

Councilwoman Dunbar stated, "And the hearings are in Columbus or here?"

Jim Juliano stated, "No, they are almost always in the City of Cleveland. Either the hearing officer will travel to Cleveland or it will be handled by videoconference."

Councilwoman Dunbar stated, "All right, thank you. I appreciate that."

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

Nays: None

Laurie Sabin stated, "Seven ayes."

Motion Passed

Mayor Stephens stated, "Thank you. Councilman Seren, is there anything else for the good of the order this evening?"

Councilman Seren stated, "Yes, one other announcement to make. You know, throughout this entire year, there's been quite a bit of news and talk and discussion and argument about immigration, immigration reform and these sorts of issues across the nation and to the point where a majority of this Council felt that it was important to speak out about what we feel our values are here in Cleveland Heights and also to declare ourselves a Welcoming City and that had some specific and tangible benefits to, at least hopefully, to our refugee resettlement organization here locally. And more recently, this issue has touched very close to home right here in Cleveland Heights at Forest Hill Presbyterian Church where, you know, I believe that some of my colleagues were at a press release there announcing that they have become a sanctuary church and they will be offering support to those who they feel need it. And sort of in that context, I have transmitted a piece of legislation to our Clerk of Council, our Law Director and our Council President to introduce a piece of legislation that will provide regulation and guidance for local activity relative to civil federal immigration enforcement. So, this legislation I anticipate will be on an agenda hopefully in the next couple weeks and then, subsequently, I will be holding a Public Safety Committee hearing to discuss the details of the legislation, to get public input and also to get input and amendments potentially from my colleagues to improve my draft legislation. Thank you."

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

Report of the Administrative Services Committee

Councilwoman Roe stated, "No report."

Mayor's Report

Mayor Stephens stated, "Thank you. That brings us to the Mayor's Report. It's simple this evening. Cleveland Heights, you heard me earlier say we should do three things to take better care of ourselves: walk, run, cycle, control your dietary habits, eating healthier and control your alcohol and tobacco habits. With the help of our staff earlier this year, we led a program called Women Out Walking. It's a campaign to encourage women to get out, be more active and be healthy. I walked with a lot of ladies and there were other things to do – tai chi, some aerobic activities, fun things and walking around the track if you didn't want to walk outside. The goal is to make families and women healthier throughout our community. This is very important as we head into the fall because we all tend to want to get sedentary after we go to a football game and have a hot dog and a beer and so I encourage you to stay active. I'd love to see all of us exceed our life expectancy by living in Cleveland Heights. Thank you very much and our next meeting is Monday, October 2. Thank you. Good evening. God bless America and God bless Cleveland Heights."

The meeting adjourned at 8:14 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Laurie Sabin, Clerk of Council

/jkw