
MEMORANDUM

TO: Members of Council
FROM: Tanisha R. Briley, City Manager
DATE: July 27, 2018
RE: July 30, 2018

MEETINGS & REMINDERS

Monday, July 30 - 6:15 p.m. - Use Variance hearing
- 7:30 p.m. - Special meeting of Council
- 7:45 p.m. - Housing and Transportation
Committee

Council will have a recess for the month of August. The next City Council meeting will be September 4, 2018.

Thursday, August 2 - 6:00 p.m. - Meet Your Police
- 7:00 p.m. - Charter Review Commission

Tuesday, August 7 - 7:00 p.m. - Architectural Board of Review
- 7:00 p.m. - Citizens Advisory Committee

Wednesday, August 8 - 7:00 p.m. - Planning Commission

Thursday, August 9 - 6:00 p.m. - Meet Your Police
- 7:00 p.m. - Immigration Task Force

Tuesday, August 14 - 7:00 p.m. - Citizens Advisory Committee

Wednesday, August 15 - 7:00 p.m. - Board of Zoning Appeals

Thursday, August 16 - 6:00 p.m. - Meet Your Police
- 7:00 p.m. - Charter Review Commission

Tuesday, August 21 - 7:00 p.m. - Architectural Board of Review

Thursday, August 23 - 6:00 p.m. - Meet Your Police

Thursday, August 30 - 6:00 p.m. - Meet Your Police

LEGISLATION

1. Objecting to 2018-2019 Liquor Renewal - KS Klub
2. Objecting to 2018-2019 Liquor Renewal – Hookah
3. CRA, *Fourth Reading*
4. Cedar Lee SID Resolution of Necessity
5. Cedar Lee SID Assessment Equalization Board
6. Meadowbrook and Lee, *Second Reading*
7. Ohio Historic Preservation Tax Credit Pipeline, *Second Reading*
8. FutureHeights
9. State Bicycle Route 80 Resolution
10. Tucker Ellis

GENERAL INFORMATION

1. Enclosed is an update from the City Manager and Agenda.
2. Enclosed is an update from the Vice City Manager.
3. Enclosed is an update from the Public Works Director.
4. Enclosed is an update from the Planning and Development Director.
5. Enclosed is an update from the Economic Development Director.
6. Enclosed is an update from the Parks and Recreation Director.
7. Enclosed is the weekly activity report from the Fire Chief.
8. Enclosed is the weekly activity report from the Police Chief.
9. Enclosed are minutes from the Architectural Board of Review.

TRB/jkw
Enclosures



COUNCIL UPDATE

JULY 27, 2018

1. LEGISLATION

- **CRA Ordinance, Fourth Reading.** This legislation implements Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of Cleveland Heights, State of Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council and a tax incentive review council.
- **Meadowbrook Lee MOU, Second Reading.** This legislation authorizes the City Manager to negotiate a non-binding Memorandum of Understanding with Cedar Lee Connection, LLC, concerning the Meadowbrook & Lee development.
- **Ohio Historic Preservation Tax Credit Pipeline, Second Reading.** This legislation authorizes the City Manager to apply for a grant through the Ohio Historic Preservation Tax Credit Pipeline Initiative to nominate a five-building historic district at Taylor Road and Superior Park Road, historically known as "Stadium Square," including 1932-46 S. Taylor Road (PPN 684-27-001), 1912-26 S. Taylor Road (PPN 684-26-012), 1908 S. Taylor Road (PPN 684-26-011), 3433 Superior Park Drive (PPN 684-26-013), and 3440 Superior Park Drive (PPN 684-27-009). ****3rd Reading requested by staff to schedule an additional neighborhood meeting.****
- **Cedar Lee SID Resolution of Necessity.** This legislation declares the necessity of implementing a public services plan for the Cedar Lee Special Improvement District.
- **Cedar Lee SID Assessment Equalization Board.** This legislation appoints an Assessment Equalization Board to hear objections relative to the estimated assessments for public services plans for the Cedar Lee Special Improvement District.

- **Objecting to 2018-2019 Liquor Renewal KS Klub.** This legislation objects to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to KS Klub, LLC dba B Side Liquor Lounge & Arcade, 2785 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.
- **Objecting to 2018-2019 Liquor Renewal Hookah.** This legislation objects to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.
- **State Bicycle Route 80 Resolution.** This legislation expresses approval and support for the development of State Bicycle Route 80.
- **Tucker Ellis Agreement.** This legislation authorizes the City Manager to enter into an agreement with Tucker Ellis LLP to serve as counsel to the City in connection with the Meadowbrook & Lee development.
- **FutureHeights Agreement.** This legislation authorizes the City Manager to enter into a development services agreement with FutureHeights.

2. SPECIAL MEETING FOR USE VARIANCE

- Please review the enclosed materials in preparation for the Use Variance hearing scheduled for Monday, July 30, 2018. The materials include the procedures for the meeting and background on the case.

3. COUNCIL RECESS

- Council packets will cease during the August recess. The next packet will be distributed on Friday, September 1, 2017.

TO : TANISHA R. BRILEY, CITY MANAGER

FROM: SUSANNA NIERMANN O'NEIL, ASSISTANT CITY MANAGER

RE: COMMUNITY OUTREACH UPDATE

DATE: JULY 27, 2018

COMMUNITY RELATIONS:

- **Block party : Saturday July 28th RUSHLEIGH (noon to dusk)**
- **Reminder: Safety Night is Tuesday August 7th from 6:00-9:00pm at the Community Center.**
- **Heights Library Community Soccer and Potluck Picnic on Saturday September 8th 3:30-6:00pm at Denison Park. A neighborhood event.**

Staff (LoConti, Wong, O'Neil) met with Joan Fox the President of the Forest Hill Homeowners Association. We discussed ways to continue to improve communication regarding various issues having to do with permits in the Forest Hill neighborhood.

The WizBang circus (the creation of 2 Cleveland Heights residents) will perform under a circus tent at Meadowbrook and Lee on Saturday , August 4th . There will likely be 2 shows with times to be determined.

Responded to NOPEC inquiries , Basically First Energy is a fixed rate for 3 years and NOPEC is a variable rate that allows for savings as the rate fluctuates.

COMMUNICATION INITIATIVES:

Staff (Trupo) has coordinated 1 on 1 interviews and focus group meetings with members of the community as we go forward with the Branding/promotional initiative.

SOCIAL MEDIA:

- **FB- Cumberland Water Show July 31st at 8:30pm; WizBang circus; postings of various water main breaks.-**



To: Tanisha Briley, City Manager
From: Alex Mannarino – Public Works Director
Collette Clinkscale – Assistant Public Works Director
Date: July 27, 2018

Forestry:

- Tree Tracker work history from July 19, through July 25, 2018.
 - YTD: Trimmed 220 trees, removed 211, planted 186 trees, stumps ground 163, and dumped 113 loads of woodchips and 47 loads of logs

Sewer:

- Repaired storm sewer main on Chestnut Hills
- Repaired sewer lateral on Lee Road @ Bradford
- Cemented sink hole at 3163 Fairmount
- Manhole inspection performed in SSES Work Area 1
- Painted fire hydrants on North Park and on Hampshire @ Edgehill due to resident requests

Sewer Service Calls:

- 2572 Guilford, 3799 Woodridge, 876 Selwyn, 3559 Berekley, 3341 Sylvanhurst, 3637 Shannon, 2171 Chatfield, 14315 Superior, and 3130 Monticello

Refuse:

- Transported 303.30 (19 loads) of refuse to Shiloh landfill
- Transported 33.21 (4 loads) of yard waste to Maddon Bros
- Transported 49.70 tons (5 loads) of mixed recycling to Kimble

Streets Maintenance:

- **Asphalt:** 2961 Essex, **3001 Essex**, Forest Hills Parking Lot, 2729 Derbyshire, 2258 Delamere, Ardleigh at Fairmount, 2358 Ardleigh, 2883 Clarkson, 2419 Lee Rd., Ivydale at Mayfield, Lamberton at Clarkson, 2711 Colchester (CWD cutout), 1581 Ivydale (basin), 3877 Montevista (road repair), 2466 Demington, Coventry (2176), 14450 Superior, 14420 Superior (CWD cutout), 3165 Fairmount (sinkhole repaired), Overlook at Edgehill (potholes)
- **Crackseal:** cutouts – 3737 Bendemeer. 1025 Hereford, 1025 Burlington, 2588 Queenston, 2418 Queenston, 3555 Birchtree, 1404 Edendale, Ivydale at Mayfield
- **Streets:** Kew completed
- **Construction Crew:** Ivydale at Mayfield (CWD cutout, concrete 18x18), 3326 Ormond (CWD cutout, concrete 6x4), 2256 Oakdale (basin), Ardleigh at Fairmount (CWD cutout, concrete 6x6), 1883 Clarkson (CWD cutout, concrete 5x7), 2729 Derbyshire (CWD cutout, concrete 6x6), 2200 Colchester (CWD cutout, concrete 5x7) 2258 Delamere (CWD cutout, concrete 6x8), 2358 Ardleigh (CWD cutout, concrete 5x5), 14284 Superior (CWD cutout, concrete 8x8), Somerton at Superior (CWD cutout, concrete 8x8), 14450 Superior (CWD cutout, concrete 5x5), Redwood at Superior (CWD cutout, concrete 7x7),

Parkway at Edgehill (CWD cutout, concrete 8x8), 1904 Parkway (CWD cutout, concrete 8x8)

- **Miscellaneous:** Idlewood, 2215 Devonshire, 1912 Staunton (T/L),
Sawcutting-CWD cutouts (3520 Nordway, Parkway at Edgehill, Redwood at Parkway,
144550 Superior
Block Party – 1103 Castleton
- **Sweepers:** City Hall, City Garage, Mayfield, Warrensville, Forest Hills Park, North Park,
Marlindale Section, Washington (islands), Euclid Hts.
- **Hauling:** Grinding leaves, woodchips, hauling mulch, yard waste (Akron, Bremec,
Midwest, Kurtz Bro.)
Tractor Trailer – to Kurtz Bro. Tandem Dumps – 20 from cemetery

Public Works Other:

- All Public Works employees attended Harassment Training

MEMORANDUM

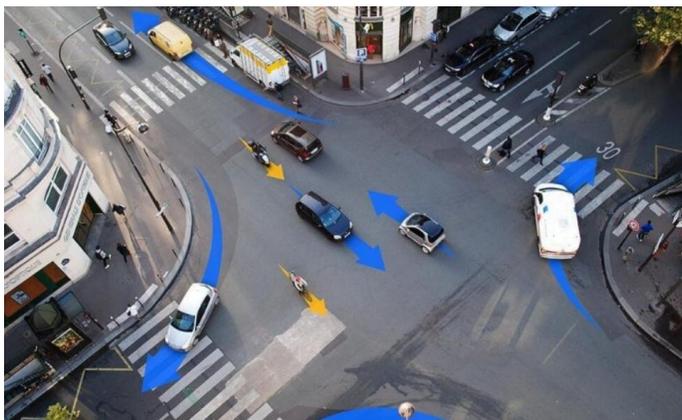
To: Tanisha Briley, City Manager
From: Richard Wong, Planning Director
Date: July 27, 2018
Subject: Weekly Update

Transportation Advisory Committee

Much of the discussion was about improving a pedestrian's ability to cross the road at a crosswalk with no stop sign or traffic light. Engineer Gayle Lewin cited a gently raised crosswalk and road narrowing in University Heights at Belvoir Boulevard at John Carroll University. The 25 mph speed limit supports a placid walking experience to enhance the college and residential neighborhood's livability.



An update was provided on the Mayfield Multimodal Plan. A postcard was sent to every Mayfield Road property in the City. The card encourages recipients to check out NOACA's website for more information and a questionnaire.



NOACA Permanent Counters

Joe Kickel and I were at NOACA to learn about the 14 pedestrian and bicycle counters one of which will be at Cedar Hill's trail. Miovision SmartSense use artificial intelligence to process video from a 360-degree camera. Data includes turning movement counts with vehicle classification, pedestrian and bicycle counts, and intersection safety data. The equipment can

operate a newer traffic controller to provide vehicle detection and actuation at a signal, as well as provide greater time for the vulnerable such as pedestrians, wheelchair users and bicyclists.

Cleveland Heights
Economic Development



To: City Manager Tanisha Briley
From: Economic Development Director Tim Boland
Subject: Activities Report – July 27, 2018

Activities and Initiatives:

1. Community Reinvestment Area Re-Design Update

The 4th Reading of this legislation is included in your packet for consideration at the July 30 Council meeting.

2. Meadowbrook & Lee Site Redevelopment Update

The Administration and Council, through a thorough vetting process culminating in the June 11 finalist presentations and interview process, have identified a very strong Development Partner in Cedar Lee Connections LLC to negotiate a Memorandum of Understanding (MOU) with in order to take the first step towards successful redevelopment of this critical site. One of the partners, the Snavelly Group, has a tremendous track record of desirable past projects. An example is “The Quarter” development in Ohio City.

The proposed plan is for a retail and residential mixed use building with co-working space and chef driven restaurant space having a unique and exciting design including a “V” shaped plaza along Lee Road. Projected capital investment of \$19,000,000+/- is proposed, with an estimated increase in annual income tax revenue to the City of \$228,000.

Legislation to negotiate an MOU with Cedar Lee Connections LLC and enter into an engagement letter with Tucker-Ellis for outside legal counsel related to this project is ready for consideration at the July 30 Council meeting.

3. Cedar Lee SID Renewal

There are two pieces of legislation in your packet related to the renewal of the **Cedar Lee Special Improvement District**: a resolution declaring the necessity of implementing the SID plan and a resolution creating an Assessment Equalization Board to hear objections in the event one or more are filed by property owners in the District. Jeff Rink, Leonard Horowitz, and Michelle Kolbe have agreed to serve on the board, which would meet on Wednesday, August 29 at 9am at City Hall if there are objections filed. The final pieces of legislation for the Cedar Lee renewal would then need to be passed at the September 4 Council meeting.

4. Taylor Road Historic District – Ohio Preservation Tax Credit Pipeline Initiative

Included in your packet for a second reading is legislation authorizing the City Manager to apply for a grant through the **Ohio Historic Preservation Tax Credit Pipeline Initiative** to nominate the “Stadium Square” district along Taylor Road, which includes the Taylor Tudor buildings, for inclusion in the National Register of Historic Places. Being listed on the Register would make those properties eligible for Federal and State historic tax credits. No action for this legislation is asked for at the July 30 Council meeting.

Staff from the Planning and Economic Development Departments held a public meeting on Thursday, July 26 to inform, receive input and answer questions from the commercial property owners along the corridor. None of the 40-plus commercial property owners invited attended the meeting, although two residents from the surrounding area and Deanna Fisher from Future Heights did attend. Feedback and questions were generally related to the long term process of rehabilitating the Taylor Tudor properties and not the formation of a historic district.

Staff will hold an additional public meeting in August for the single family portion of the original “Monroe Allotment” to consider expanding the district beyond the five commercial/multi-family parcels originally indicated for inclusion. Based on the outcome and feedback from that meeting, action would be requested by Council on this legislation after the August recess.



Thank you,
Timothy M. Boland
 Timothy M. Boland
 Economic Development Director

Memorandum

To: Tanisha Briley, City Manager
From: Joseph P. McRae, Parks and Recreation Director
Subject: Parks and Recreation Department Update
Date: July 27, 2018

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

General Announcements

- The Cumberland Pool Annual Water Show will take place on Tuesday, July 31 at 7:30pm.
- Safety Forces Night Out will take place at 7pm on Tuesday, August 7 at the Community Center.
- The Community Center will close for Cleaning Week the last week of August and reopen September 4 with new fitness center equipment.
- Repair work on the sinkhole on the north lawn of the Community Center continues. The area has been closed to the public. The project will last approximately 2-3 months.

Ice Programs

- The new ammonia based ice refrigeration systems, as well as the new dehumidification system, were delivered and installed at the Community Center. Contractors have begun connecting the North and South Rinks.
- The North Rink is scheduled to be completed by the end of August. The South Rink will be operational in October, per the usual schedule.

Cain Park

- The O'Jays will perform at the Evans Amphitheater this Friday, July 27 at 8pm.
- Morris Day and the Time featuring The Ohio Players will perform at the Evans Amphitheater this Saturday, July 28 at 8pm.
- The complete entertainment lineup for the 80TH summer season at Cain Park can be found on the new Cain Park website, www.cainpark.com.



Cleveland Heights Fire Department

Weekly Activity Report

Total Emergency Calls Year To Date	4,011
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Total Emergency Calls for Period	141
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Report Date Period: 07/20/2018 - 07/27/2018

Fire Data

	<u>Current Period</u>	<u>Year to Date</u>	<u>Last Year to Date</u>	<u>Current Year % of Run Count</u>
Emergency Fire Run Count	29	815	681	21.22 %
Emergency Structure Fire Count	1	44	45	
Emergency Non Structure Fire Count	28	766	633	
Emergency Vehicle Fire Count		5	3	

Emergency Medical Data

Total Emergency Run Count	112	3,196	2,980	78.78 %
Emergency Medical Run Count	108	3,087	2,902	
Automobile Accident Run Count	4	109	78	
Advanced Life Support Run Count	38	814	834	
Basic Life Support Run Count	74	2,358	2,141	
Total EMS Transports	64	2,099	1,969	
Total EMS Non Transports	47	946	886	

Mutual Aid Run Count to Date

Mutual aid received	SEFD A - 35 SHFD A - 29 ECFD A - 12 UHFD A - 33
Mutual aid given	SEFD A - 35 SHFD A - 30 ECFD A - 16 UHFD A - 7
Automatic aid received	SEFD A - 4 SHFD A - 14 ECFD A - 6 UHFD A - 9
Automatic aid given	SEFD A - 2 SHFD A - 9 ECFD A - 0 UHFD A - 3

<u>Fire Prevention</u> <u>Bureau</u>	<u>Current</u> <u>Period</u>	<u>Year to</u> <u>Date</u>
Total Completed Fire Inspections	44	958
Company Fire Inspections	24	373
Fire Prevention Fire Inspections	1	10
Fire Alarm Test Inspections		
Kitchen Supression Test Inspections		
Sprinkler Test Inspections		
Other Inspections	19	575
Smoke Detectors Distributed		84

CITY OF CLEVELAND HEIGHTS



DEPARTMENT OF POLICE

ANNETTE M. MECKLENBURG, CHIEF

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

MEMORANDUM

To: Tanisha R. Briley, City Manager

From: Annette Mecklenburg, Chief of Police

Date: July 27, 2018

Subject: Weekly Update

On the afternoon of Thursday, July 26th, the Police Department received several calls of a male brandishing a firearm on the Football Field at Cleveland Heights High School. Several Officers in the area arrived on the scene and the 51 year old male in possession of the firearms was quickly detained and the firearm secured. Upon further investigation Officers discovered that the suspect had responded to the school after receiving a call from his teenage son that he was being harassed by several males who had assaulted him the week before and stole his money. The suspect then drove to the school and fearing the other males were going to attack his son, he brandished the firearm. The suspect was arrested and is facing charges of Aggravated Menacing and Inducing Panic. The suspect was found to have a CCW Permit. One of the males at the scene, after being identified as being involved in the assault of the suspect's son last week, was also taken into custody and is facing charges. Detectives are continuing to investigate this incident.

Below are the UCR Crime Stats for the first two quarters of 2018, along with a comparison of the stats for the first two quarters of 2017:

	MURDER	RAPE	ROBBERY	AGG. ASSAULT	BURGLARY	THEFT	AUTO THEFT	ARSON
First Quarter 2017	0	5	18	6	34	167	28	0
First Quarter 2018	1	6	12	9	13	108	27	0

Data updated 4-25-2018

	MURDER	RAPE	ROBBERY	AGG. ASSAULT	BURGLARY	THEFT	AUTO THEFT	ARSON
Second Quarter 2017	1	3	18	8	29	172	20	0
Second Quarter 2018	0	2	6	8	13	166	25	3

CITY OF CLEVELAND HEIGHTS



DEPARTMENT OF POLICE

ANNETTE M. MECKLENBURG, CHIEF

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

Applications for the Citizens Police Academy and the Youth Academy have been steadily rolling in. To date, the Police Department has received 12 applications for the Citizens Academy and 11 applications for the Youth Academy. We still have room for several more in the Citizens Academy and room for at least a few more in the Youth Academy, so we are hopeful that both academies will be full before they begin.

On the evening of Tuesday, July 24th, an Officer was flagged down by several kids who wanted to talk with the Officer and ask a few questions. Before they knew it, a couple other Officers dropped by and even more kids came over to visit with the Officers. Even K9 Jax could not resist joining the fun. Officers answered all their questions and the kids received some Junior Police badges from the Officers.



We are continuing to receive much interest in the Safety Forces Night Out scheduled for the evening of August 7, 2018. In addition to having members from the CHPD and CHFD, we will also have representatives from Moms Demand Action, Cuyahoga County Office of Emergency Management, and Metro Health Hospital. They will have lots of information about gun safety, emergency preparedness, and senior safety tips. We will also have a 911 simulator for kids to learn and practice call 9-1-1 in the event of an emergency. Hope to see all of you there!

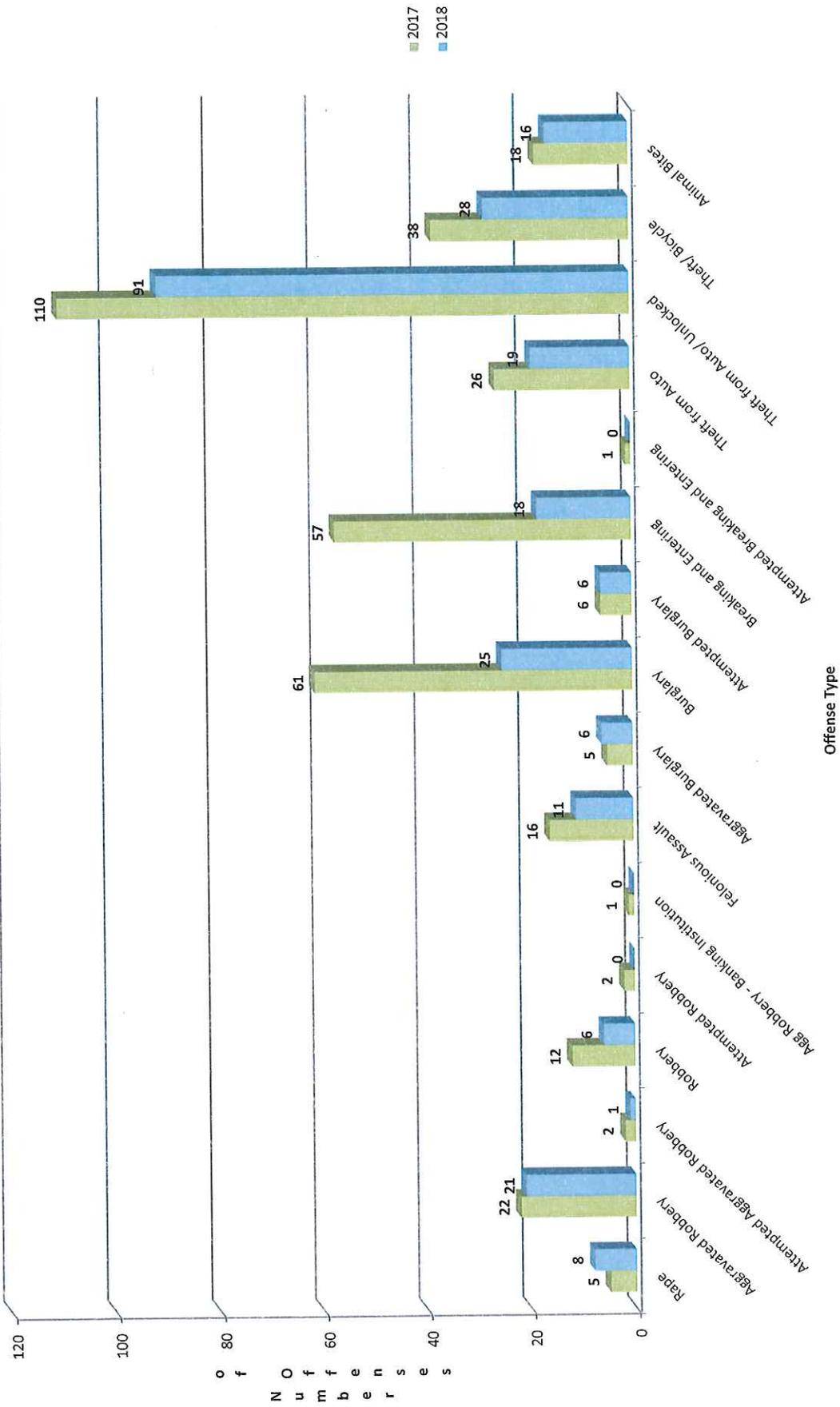
Upcoming Events:

Youth Police Academy - August 6 – 10, 2018

Safety Forces Night Out – Community Center August 7, 2018 6:00 pm – 9:00 pm

Citizens Police Academy – August 14 – September 26, 2018

Crime Comparison:
January 1 - July 27, 2017 Compared to January 1 - July 27, 2018





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CITY OF
CLEVELAND HEIGHTS
DIVISION OF POLICE

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 * Telephone (Area Code 216) 291-4974
ANNETTE M. MECKLENBURG, CHIEF

July 27, 2018

Laurie Sabin
Clerk of Council

Dear Ms. Sabin,

As the Chief Law Enforcement Officer for the City of Cleveland Heights, please present to City Council my objection to the 2018-2019 renewal of a liquor permit to KS Klub LLC for the premises located at 2785 Euclid Heights Blvd., dba B-Side Liquor Lounge (hereinafter B-Side Lounge) for Permit #4422120.

Over the past couple of years, the Police Department has experienced a significant increase in the number of calls for service to the B-Side Lounge. In 2016, officers responded to over 60 calls, including no less than 15 calls for disturbances, seven suspicious activity calls, four simple assaults, one felonious assault, two thefts, one aggravated menacing, one underage liquor possession, and one robbery. In 2017, the Police Department experienced an increase in the number of calls for service from the previous year. The over 80 calls consisted of no less than 20 disturbances/fights, 15 suspicious activity complaints, two thefts, one intoxication complaint, and one assault. As of July 17, 2018, Officers have already responded to over 40 calls for service at the B-Side Lounge. The calls thus far this year have consisted of 16 disturbances/noise complaints, and 10 suspicious activity complaints. In addition, given the increase in calls for service to the B-Side Lounge over the past couple of years, it has become necessary for increased Officer patrols, presence, and business checks in the area of this establishment in order to keep the peace and maintain good order of the neighborhood in which the B-Side Lounge is located.

All total, since January 1, 2016, the Police Department has responded to over 180 calls for service at the B-Side Lounge.

Some of the more recent and serious incidents that have occurred at The B-Side Lounge include the following:

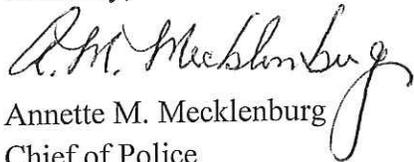
- On June 22, 2018, at 1:43 am Officers responded to a complaint of a disturbance. While on scene Officers learned a patron at B-Side was carrying a firearm in the waistband of his pants. Officers located the male inside B-Side and he was detained. While the male did have a valid CCW permit, he was also found in possession of an alcoholic beverage in his hand and appeared intoxicated. The male was arrested and charged with Carrying a Weapon While Intoxicated and Carrying a Weapon in a Liquor Permit Premises due to the fact signs were clearly posted prohibiting concealed firearms.
- On November 15, 2017, a report was filed regarding an assault that occurred in the early morning hours of November 10, 2017. According to the victim she was pulled to the ground by another female, hit in the head, and sustained a concussion as a result. The assailant was never identified.
- On June 4, 2017, Officers responded to a complaint from employees at Bodega, a neighboring business, about marijuana smoke coming from the back patio at B-Side. In turn, several patrons at Bodega left the establishment. Upon arrival, Officers could smell the odor of marijuana in the area. Officers contacted security personnel at B-Side who confirmed that they were having a problem with patrons smoking marijuana on the back patio, but they could not determine who was responsible. After several minutes, security closed down the patio area and moved all patrons indoors. There were approximately 100-125 people on the patio at the time of the incident.
- On May 1, 2017, at 1:21 am Officers observed a male running in the area of Coventry and Euclid Heights Blvd. without a shirt and who was very agitated. Upon further investigation, it was learned that the male attempted to break up a fight inside B-Side. Another male was also found to have injuries to his face as a result of the fight. The male was transported to the hospital for treatment. Officers were unable to determine what had occurred, as no one was willing to cooperate.
- On October 17, 2016, a female reported being assaulted and robbed around 1:00 am on the back patio of the B-Side Lounge. The victim reported she was struck in the face several times by an unknown male and her purse was stolen. The female suffered facial injuries, including a broken nose, as a result of the assault. A second victim reported a similar incident on the same night. According to the second victim, he was assaulted by six males who took his cell phone and was treated at the hospital for injuries sustained during the assault. The police were never contacted by employees at B-Side about this

incident and only became aware of it after the victims were treated at the hospital. No suspects were identified.

- On September 30, 2016, Officers responded to a reported fight inside B-Side involving 20 people. Upon arrival, no one was actively fighting, but reports indicate a male pulled out a handgun during the fight. The male was located and found to be in possession of a b.b. gun. He was arrested and charged with Aggravated Menacing.
- On August 16, 2018, Officers processed three individuals for Underage Liquor Violations that occurred at B-Side Lounge on July 29, 2016. The violations were the result of citations issued by the Department of Public Safety, Division of Liquor Control.
- On May 16, 2016, Officers were called to B-Side on a report of an unconscious male on the ground. According to witnesses, the male and his friends were inside B-Side when the victim exchanged words with another male. When they attempted to exit the bar they were surrounded by 15 males and one of the males punched the victim in the face. The victim was transported to the hospital for treatment. The suspect(s) were never identified.
- On March 26, 2018, at 12:09 am Officers responded to B-Side on a report of a male being assaulted. The victim reported that he was inside the bar and had purchased alcoholic beverages when he turned around and was punched in the face without provocation. The suspect was arrested and charged with assault. The victim sustained a concussion and facial injuries as a result of the assault.

The Police Department has serious concerns about the renewal of the liquor permit for the B-Side Lounge, especially in light of the overwhelming number of calls for service that have been experienced in the past couple of years. In addition, many of these calls require follow up investigation by officers and/or detectives, which is a strain on police resources. The renewal of this liquor permit would only lead to continued interference with the safety and welfare of residents and require additional police resources in order to maintain peace and order to the area.

Sincerely,


Annette M. Mecklenburg
Chief of Police



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CITY OF
CLEVELAND HEIGHTS
DIVISION OF POLICE

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118 * Telephone (Area Code 216) 291-4974
ANNETTE M. MECKLENBURG, CHIEF

July 27, 2018

Laurie Sabin
Clerk of Council

Dear Ms. Sabin,

As the Chief Law Enforcement Officer for the City of Cleveland Heights, please present to City Council my objection to the 2018-2019 renewal of a liquor permit Zooz Limited, for the premises located at 2781 Euclid Heights Blvd. dba City & East Hookah Bar ("City & East") for Permit #9961333.

Over the past several years, the Police Department has experienced a significant increase in the number of calls for service to City & East. In 2016, there were over 20 calls for service including no less than six disturbances, four reports of theft/missing property, and six follow-up investigations. In 2017, the Police Department experienced an increase in the number of calls for service from the previous year. The over 40 calls consisted of no less than 18 disturbances, three suspicious activity complaints, and two Assaults. In addition, Officers needed to respond back to this establishment on four additional occasions to conduct follow-up investigations. As of July 20, 2018, officers have already responded to over 40 calls for service to City & East. The calls thus far this year have consisted of 17 disturbances, three suspicious activity complaints, and one assault. In addition, given the substantial increase in calls for service to City & East over the past couple years, it has become necessary for increased Officer patrols, presence, and business checks in the area of this establishment in order to keep the peace and maintain good order of the neighborhood in which City & East is located.

All total, for the past two and a half years, the Police Department has responded to over 105 calls for service at City & East.

Some of the more recent incidents at City & East include the following:

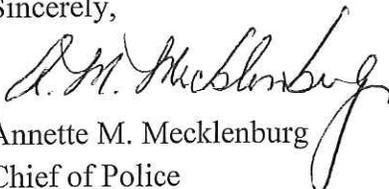
- On June 14-15, 2018, Officers observed large crowds gathered immediately outside City & East, which eventually led to several fights. Due to the overwhelming amount of persons gathered outside the establishment, twelve Officers from the Cleveland Heights Police Department, and numerous other Officers from surrounding municipalities (University Heights, Shaker Heights, and South Euclid) responded to the area. Officers estimated over 200 people exited the bar. Notwithstanding the vast amount of Officers on scene, it took over thirty minutes to disperse the large crowds from the area and restore the peace.
- On June 10, 2018, at 2:00 am Officers in the area of City & East witnessed a fight break out during which a male became extremely aggressive and made threats to get a gun. The male, who was intoxicated and trying to re-enter City & East, was arrested for disorderly conduct.
- On April 20, 2018, at 2:10 am Officers were flagged down regarding a disturbance at City & East, during which a male threatened to shoot everyone in the establishment. One male was arrested for Aggravated Menacing.
- On March 16, 2018, at 12:12 am Officers responded to City & East for a reported disturbance. Security guards on the scene advised that an intoxicated male attempted to cut in line to get in the establishment and was told to leave. When the male became combative, one of the security guards used a taser to subdue the male and then placed him in handcuffs. Upon police arrival, the security guard refused to pursue any criminal charges against the male. However, the male was arrested for voluntary intoxication and an outstanding warrant.
- On March 11, 2018, at 1:50 am a male reported to Officers that he was threatened by another male with a gun while leaving City & East.
- On February 23, 2018, at 1:49 am Officers in the area of City & East observed two females involved in an altercation out front. The females were both combative and one appeared to be intoxicated. Both had an "X" on their hand, which is used at City & East to indicate underage customers. The females were arrested for Disorderly Conduct and Underage Liquor Restrictions.
- On February 16, 2018, at 1:15 am Officers responded to a disturbance at City & East. It was reported that security guards encountered a problem with three patrons who were

denied admission into the establishment. During an altercation with the three patrons, security guards pepper sprayed two of the parties. All three were arrested.

- On December 29, 2017, at 2:04 am Officers in the area observed a large crowd gathering in front of City & East and shortly thereafter an altercation ensued. Two males were arrested; one for Carrying a Concealed Weapon (firearm) and Possession of Marijuana and the other for Underage Consumption of Liquor. It was later confirmed that both males had been inside City & East earlier and were escorted out by security following a disturbance.
- On June 30, 2017, at 12:05 am Officers responded to City & East after dispatch received information about an unknown person going to “shoot up” the establishment. Upon arrival Officers received a second call of a male claiming to have been assaulted by the security guards. Officers attempted to resolve the situation however one male was uncooperative and belligerent. He was issued a criminal violation for Disorderly Conduct.
- On April 1, 2017, at 11:19 pm Officers responded to a disturbance at City & East. Upon arrival Officers discovered that security guards were detaining a male on the ground after he was found to be in the bar drinking from his own personal alcohol bottle and became combative with security when being escorted out of the bar. The male was arrested for Criminal Trespass and Underage Persons Liquor Restrictions.

The Police Department has serious concerns about the renewal of the liquor permit for City & East, especially in light of the overwhelming number of calls for service that have been experienced in the past two-and-a-half years. The large disturbances that have occurred at this establishment require several officers to handle and at times even require the additional assistance of neighboring Police Departments to help disperse. In addition, many of these calls require follow-up investigation by officers and/or detectives, which is a strain on police resources. The renewal of City & East’s liquor permit will only lead to continued interference with the safety and welfare of residents and require additional police resources in order to maintain peace and order to the area.

Sincerely,


Annette M. Mecklenburg
Chief of Police

**CITY OF CLEVELAND HEIGHTS
ARCHITECTURAL BOARD OF REVIEW
MINUTES OF THE MEETING
JULY 3, 2018**

MEMBERS PRESENT:

Melissa Fliegel, Chair
Michael Wellman
Greg Goss

STAFF PRESENT:

Richard Wong, Planning Director

CALL TO ORDER

Mr. Wong called the meeting to order at 7:00 PM at which time all members were present.

APPROVAL OF THE JUNE 19, 2018 MINUTES

Members had no comments or questions so the minutes were approved as submitted and were signed by Ms. Fliegel.

**PUBLIC HEARING
JULY 3, 2018**

ABR 2018-331: Deera Unlimited LLC, 3519 Shannon Road, requests to install vinyl siding without matching existing siding's lap size.

- H&K Inc.'s Harold Schneider, 13320 Chillicothe Road, 44026, said the house would be sided in Certainteed Encore vinyl, double 4" Light Maple color to match the siding of the recently built detached garage. Responding to a question from Ms. Fliegel, he said window casings will be wrapped in aluminum.

ACTION: Ms. Fliegel moved to approve the double-4" Certainteed Encore siding per the applicant's plans received June 11, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-349: Wes Schaub, 2181 North Taylor Road, requests to build 3'-high wood post and rail wood fence along sidewalk.

- Wes Schaub said he wanted a post and rail fence to replace a variety of shrubs along the sidewalk. While he submitted designs for two and three rails, he liked the three-rail more. The wood will probably be cedar that will naturally weather.

ACTION: Ms. Fliegel moved to approve the two- and the three-rail fence designs as shown on the applicant's plans, received June 12, 2018.

ABR 2018-350: Cuyahoga County Land Reutilization Corporation, 3378 Henderson Road, requests to build a 2-car, detached garage.

- PLC Construction's Paul Coblenz and D.I.G. Management's Michael Duckworth, 17325 Euclid Avenue, 44112, presented the request. Mr. Coblenz said a 4" Dutch lap vinyl siding on the garage would match the red color of the house.

ACTION: Ms. Fliegel moved to approve the garage as shown on the plans by PLC Construction, received June 5, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-351: DAPCEL, Inc., 2310 South Overlook Road, requests to install vinyl siding without matching existing siding's lap size.

- H&K Inc.'s Harold Schneider, 13320 Chillicothe Road, 44026, said a sand colored vinyl siding is proposed.

ACTION: Mr. Wellman moved to approve the Allside double-4" vinyl siding per the applicant's plans, received June 11, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-352: Polina Guth, 2540 Arlington Road, requests to build rear 2-story addition and demolish existing detached garage.

- LMS Design's Mikhail Sudnitsyn, 33205 Cannon Road, 44139, said the project included demolition of a detached garage, an addition and restoration of various deteriorated elements of the house. The walls will be cedar shake and stucco. No EIFS will be used.
- Mr. Wellman and Ms. Fliegel asked for specifics on the new windows.
- Mr. Sudnitsyn said the windows will match the existing home's windows.

ACTION: Mr. Wellman moved to approve the addition as shown on the plans by LMS Design, received June 6, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-353: Casa Sophia Properties, LLC, 2548 Kingston Road, requests to build a 2-car, detached garage.

- DCB Construction's Dave Schecter, 2232 Cranston Road, 44118, said the garage would use a clay colored double-5" vinyl siding. Although the plans show a standard gable, it will be a reversed gable instead.

ACTION: Mr. Goss moved to approve the garage as shown on the plans by DCB Construction, received June 7, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.

ABR 2018-354: Diane McLaughlin, 1380 Westover Road, requests to replace windows without matching old windows.

- Julie Hall, 1380 Westover Road, 44118, said grids will be included in the new windows to match existing windows elsewhere on the house. The Forest Hill Homeowners already approved the windows.

ACTION: Mr. Wellman moved to approve the windows as shown on the plans by Window Universe, received June 12, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.

ABR 2018-355: Dennis and Kimberly Kless, 3266 Hyde Park Avenue, request to build a 2-car, detached garage.

- New Creation Builders' Diane Bija, 818 East 73rd Street, 44103, said the siding and shingle will match the house and the trim will be white. She showed samples of the colors that will be used.

ACTION: Mr. Wellman moved to approve the garage as shown on the plans by New Creation Builders, received June 14, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-356: Frank Kuhar, 3990 Delmore Road, requests to build a 2-car, detached garage, rear deck, windows and siding.

- Frank Kuhar, 2613 Wellington Road, 44118, said this house was abandoned and needed to be fully rehabbed. A new, detached 2-car garage will be vinyl sided in one of the four colors on a sample board. All windows will be replaced with ones that match. A rear deck will be pressure-treated wood. A lattice will be below the deck in pressure treated wood or vinyl.

ACTION: Mr. Wellman moved to approve the garage, deck and other alterations as shown on the plans by Frank Kuhar, received June 14, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-357: Frank Kuhar, 3442 Desota Avenue, requests to build a 2-car, detached garage.

- Frank Kuhar, 2613 Wellington Road, 44118, said this house will receive a new roof, electrical, plumbing and 20'-by-22', 2-car garage. He is working with the City's Lead Safe program on the windows and doors.

ACTION: Ms. Fliegel moved to approve the garage and other alterations as shown on the plans by Frank Kuhar, received June 14, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-358: Nicholi Evans, 1626 Crest Road, requests to build 12'x10' back yard gazebo.

- Nicholi Evans said the gazebo would be of cedar wood. She asked if the gazebo could be closer to the house. The location may be adjusted to avoid damage to tree roots.

ACTION: Mr. Goss moved to approve the gazebo as shown on the plans by Nicholi Evans, received June 15, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-359: Nematollah Alidoosti and Dana Glicksman, 2706 Edgehill Road, request to replace windows without matching old ones.

- Nematollah Alidoosti and Dana Glicksman said they proposed to replace all of their windows. Many do not work and have clouded glass. The new windows would not have grids. In response to a question from Ms. Fliegel, they said the windows would be white with a brown trim.
- Mr. Wellman said white with brown trim would be a severe contrast. As the photos show, neighbors' white windows had white trim, not brown trim.
- Ms. Fliegel questioned the brown trim, too.
- Mr. Goss said matching colors for the window and trim would be better.
- In response to the applicants' citing that their downspouts, gutters and front screen door were brown, Ms. Fliegel said her own house had white windows and trim with brown downspouts and gutters.
- Mr. Alidoosti said brown was their first color choice but the extra \$2000 to \$3000 was prohibitive.
- Ms. Glicksman said the front middle of three windows was remaining leading them to wrap the trim in brown.
- Mr. Wellman pointed out the one window that was remaining had mullions and all the new windows had no mullions.
- Ms. Fliegel suggested using brown windows with mullions and brown trim on the front.
- Mr. Wellman said he was inclined to deny the proposal because the white windows without grids will be a negative change. The combination of brown and white at each window would not look good and he did not believe that the owners would be happy with the appearance.
- Ms. Fliegel said keeping the middle window of the three in front was also an issue.

ACTION: Mr. Wellman moved to continue the request for the applicant to propose an alternative solution. Seconded by Ms. Fliegel, the motion was unanimously approved.

ABR 2018-360: Midfirst Bank, 970 Whitby Road, requests to build a 2-car, detached garage.

- Eastern Hills Contracting's David VanBenschoten, 10686 Aspen Place, 41091, said the garage vinyl siding color would match the house.

ACTION: Mr. Wellman moved to approve the garage as shown on the plans by Eastern Hills Contracting, received June 18, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.

ABR 2018-361: Serge Mikhaylov, 991 Caledonia Avenue, requests to build 12'x7' rear deck.

- Renew Contracting's William Audrick, 3346 West 82nd Street, 44102, said the deck would be of stained or painted pressure treated wood.
- Mr. Goss asked if deck skirting was a requirement.

- Mr. Wong didn't know if skirting was required but the Building Department would check this [subsequent to the meeting, the Building Department said that skirting was not required].
- Members didn't want to require skirting if it was not required.

ACTION: Mr. Goss moved to approve the deck as shown on the plans by Renew Contracting, received June 19, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.

ABR 2018-362: Julie West, 2774 Euclid Heights Boulevard, requests to build 4'-high brick retaining wall in front of existing failing retaining wall.

- Gilbert Masonry's Gregory Gilbert, 3029 South Moreland Boulevard, proposed to build a retaining wall in front of the collapsed wall so that the trees would not be affected. The steps would be tuck-pointed. The wall would be of Belden brick that matches the existing wall. A brick rowlock would be on top.
- Mr. Wong explained that they would fill between the existing wall and new wall.

ACTION: Mr. Wellman moved to approve the wall as shown on the plans by EBA Inc., received June 19, 2018. Seconded by Ms. Fliegel, the motion was unanimously approved.

ABR 2018-363: Philip Muzzillo, 840 Beverly Road, requests to replace windows without matching old ones.

- Philip Muzzillo said he wanted new double-hung windows in front of the existing French casement windows on the first floor in front. The casement windows open inward and will remain because they are of wood and add character to the interior of his home. Double-hung windows were proposed because the rest of the home's windows were double-hung. No mullions would be proposed.
- Mr. Goss suggested proportioning the double-hung windows so the frames match the mullion height of the casement windows.
- Ms. Fliegel said such a double-hung window is referred to as a "Cottage Sash."

ACTION: Ms. Fliegel moved to approve the windows as shown in the plans by Window Nation with the condition that the meeting rail of the double-hung sash be proportioned to match the mullion height of the interior casement windows. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-364: Peggy Vanbuskirk, 972 Montford Road, requests to replace windows without matching old ones.

- Peggy Vanbuskirk said four windows will be replaced in the rear addition. Grids will be added to match the rest of the house.

- Ms. Fliegel said since sliders were already in place, she'd accept the new replacement sliders.

ACTION: Mr. Wellman moved to approve the windows as shown on the plans by Window Nation, received June 19, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-365: Noelle and Paul Schoenhagen, 2544 Wellington Road, request to replace wood exterior steps using brick.

- Noelle and Paul Schoenhagen explained that the proposed steps were replacing wood steps. Addressing Mr. Wong's comment about the need for a 3' landing, she said insufficient space existed. It would be of brick to match the house. She was not planning to provide a foundation below grade, either.
- Ms. Fliegel said this stair could be approved by ABR as shown with an understanding that a 3' landing was also ABR-approved. The stairs will probably need a foundation that is deep enough to be below the frost line.
- Mr. Wong said a 42" depth is needed because of the poor soil bearing conditions generally found in Cleveland.
- Ms. Fliegel emphasized to the owners that the ABR's approval was for aesthetics and the steps still needed to be approved by the Building Department for building codes.

ACTION: Mr. Wellman moved to approve the steps as shown on the plans by Noelle Schoenhagen, received June 19, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-366: Bill Finn, 2585 Dartmoor Road, requests to build 2-story addition in back.

- SKS Designs' Sharon Sanders, 2372 Delamere Drive, 44106, said the owners recently purchased the home. A bumped-out, two-story rear section will be rebuilt larger, matching the existing vinyl siding and brick foundation. Windows will be Anderson vinyl clad wood with simulated divided lite similar to the other windows. Casement windows are proposed in the kitchen, resembling the existing windows. It is likely that the entire asphalt roof will be replaced. A pressure treated wood deck will be altered to work with the door from the addition.
- Mr. Wellman asked about matching the existing roof's false thatched curved edges.
- Ms. Sanders said the addition's roof would have a curved edge in a "softer" version than the existing roof.

ACTION: Ms. Fliegel moved to approve the addition and alterations as shown on the plans by SKS Designs, received June 19, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-367: Sharon Everett, 3123 Monticello Boulevard, requests to replace tile roof using asphalt shingles.

- Mr. Wong said correspondence from contractor Stephen Hazlett and from homeowner Clyde Henry about this case was forwarded to the ABR members and paper copies will be distributed at this time. People other than the applicant were present to speak, too. He showed slides of the block from Burlington to Eastwick because Ms. Everett had mentioned that similar homes nearby had replaced a tile roof using asphalt shingle. Seven asphalt shingle roofs and five tile or slate roofs were shown. A slide showed the permit that had been issued by the Building Department to Mr. Lowder for Ms. Everett's roof. The form had no place to mention that the material of the existing roof was tile. Mr. Wong will propose changes to that form.
- Gossman Development LLC's Michael Lowder, 36605 Meadowdale Drive, 44139, said he had received a Building Department approval and started the work before the issue of needing ABR's approval had been brought to his attention.
- Sharon Everett said she had looked at neighbors' roofs when selecting her roof for compatibility. Her home was built in 1956 and she had water damage. She had spent thousands in repairs and presented receipts showing the frequency of repairs. Maintaining this was too expensive.
- Mr. Wong, in response to a question from Ms. Fliegel, shared material samples of the Ludowici tile that had been removed and the asphalt shingle that had been installed. In response to a question from Mr. Goss, he explained how numerous tile and slate roofs were changed to asphalt shingle. The permit application had no way for the City to know what was being removed. For many years, a permit was not required by the Building Department for replacing the roof of a home. The Building Department has just recently agreed to require a photo of the roof being replaced before issuing a roofing permit so that tile and slate removals will be correctly referred to the ABR.
- Ms. Fliegel said the new roof's color appears to be in keeping with the coloring of the previous roof. At this point, the meeting was opened to public comments.
- Tony Rupcic said he was with the Forest Hill Homeowners' Association and lives at 3363 Seaton Road. He saw threats to the Cleveland Heights' architectural legacy. This can be illustrated by what has transpired in connection to the architectural sabotage of 3123 Monticello. It's shocking; what was once a fine home graced with a tile roof is now a home with no tile roof. The home has been marred with a low-grade asphalt roof. He has heard people complain about [roofs like] that. He questioned what would possess someone to remove a \$50,000 roof. He knew that the roof was in good condition and maintained by her mom because he knew Ms. Everett's mom.

- Ms. Everett said her mother made a decision to replace the roof but became ill and passed away. Ms. Everett said she was fulfilling her mom's wish by following through with the roof replacement.
- Mr. Lowder said he found numerous failed tiles.
- Mr. Rupcic said often a bad tile can be replaced but sometimes replacement of the underlayment is necessary including removal and reinstallation of all the tiles. The roof would then be leak-proof indefinitely. The cost of this is about the same as a new asphalt roof. Annual inspections are recommended. Slate and tile roofs are a hallmark of a fine home found in upscale, fashionable neighborhoods. All the homes in the Forest Hill neighborhood once had a slate, tile or wood shake roof. Roughly 75 percent still have slate or tile. The ones lost were largely due to unscrupulous roofers or predatory, hyper-aggressive, so-called home improvement dealers. He's seen a number of homes on their second asphalt roof that had slate or tile. Old slate roofs are highly desirable and restorable. He is an ardent architectural preservationist who has restored every detail of his home to its original condition. His home was built in 1940 and has its original slate roof. It doesn't leak and will last indefinitely. His mother's home in Europe has a tile roof that is 110 years old and is still maintained perfectly and doesn't leak. Increasingly across America people appreciate the value of historic properties. Like antiques, the closer to the original, the higher the value. The best homes in the neighborhood are the ones maintained with original material and with the original design characteristics. It's likely that this tile roof isn't going to go back up, but these roofs are maintained and on other streets in Forest Hill, such as Rutherford or Carver, all the tile roofs are intact. What you see is a domino effect in this little area. He knows [Stephen] Hazlett has given a statement.
- Ms. Everett said Hazlett's tile roof repair did not fix the leaking. She and her mother could have had two roofs for the money they put into it. Her home is beautiful and her roof was horrible before the new roof. She has mold and plaster damage to fix.
- Forest Hill Homeowners' president Joan Fox said the City has many fine slate roofs. She would love to see a way to preserve slate roofs. She wondered why permits for roof removal are issued without questions. She was concerned that residents were not getting protection from unscrupulous contractors. She was not saying that was what happened here but we might be hearing about another one in a couple weeks. We lost three roofs in Forest Hill in one week. A resident doesn't know that they could potentially lose a \$60,000, good slate roof. This is affecting the value of the homes in Cleveland Heights. A Forest Hill electronic database includes the type of roof and it would be easy for their database to reject a permit. She offered to note the location of all slate and tile roofed homes in the City because of the

importance of those homes. Forest Hill homes are built of amazing quality and she didn't want the City to issue all of these permits to let Forest Hill destroy itself with cheap vinyl windows and siding. She gets the sense that Cleveland Heights has something against Forest Hill. She wanted the City to stop issuing permits without first having Forest Hill have a look because they have a system in place whether it was roofs or windows or whatever it is. We go out and look and we talk to the residents. We might suggest the Cleveland Restoration Society go talk with the residents. There is a low-percentage grant; suggestions to use quality material at the same price instead of decreasing the value of their homes. When we have residents of Cleveland Heights falsify permits and not admit to what they are doing; that is serious. How many slate roofs are we going to lose in Cleveland Heights? Every time we lose one, the value of the housing is going down. This can affect the value of neighbors' homes and the value of the housing stock in Cleveland Heights.

- Ms. Fliegel said she appreciated the feedback but the ABR was not the avenue for changing the process. ABR guidelines would need City Council approval. Many times a lack of understanding of permit requirements may occur. She didn't question that this homeowner lawfully applied for and received a permit. There could be revisions to that process. We all have different opinions on the value of a home. The color of the new roof was thoughtful.
- Mr. Wong noted that new Ludowici tiles are warranted 75 years, so he asked the Ludowici company about the effect of aging on a tile roof. The technical person stated to him that the physical properties of the clay deteriorate over time. Tile becomes less resistant to absorbing water and loses resistance to breaking. Tiles don't get better over time. Mr. Rupcic was right that the underlayment and flashing on an old tile roof becomes the layer that keeps water out.

ACTION: Ms. Fliegel moved to approve the asphalt shingle roof that was represented by the roof shingle samples and photos of its installed appearance, received June 19, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-368: Jim and Patti Smith, 3010 Coleridge Road, request to build 1-story screened porch in back.

- Lyndhurst Lumber's Lenny Serwatka, 1511 Commodore Road, 44124, said the addition would be sided in cedar shake to match the house. The project was approved for a Cleveland Restoration Society Home Heritage Loan.

ACTION: Mr. Wellman moved to approve the screened addition as shown on the applicant's plans, received June 19, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

ABR 2018-369: Katy Holzheimer, 3095 North Park Boulevard, requests to build 1-story front entry vestibule addition and rear addition.

- Fay Architecture’s Jack Fay, P.O. Box 1002, 44026, said the remodeling will provide a substantially improved master bedroom. A new foyer vestibule in front and a garage extension conform to the front setbacks of neighboring homes. The garage loses some depth to the master bedroom but regains depth with the front extension.
- Ms. Fliegel questioned the garage gable roof protruding past the ridge of the main roof.
- Katy Holzheimer asked if a lower pitch would be better.

ACTION: Ms. Fliegel moved to approve the addition and alterations as shown in the plans by Fay Architecture, received July 19, 2018. Seconded by Mr. Wellman, the motion was unanimously approved.

ABR 2018-370: Tom Cooper, 3412 East Fairfax Road, requests to build a 2-car, detached garage.

- Contractor Paul Rozewski, 5507 Becker Avenue, 44060, said the proposed garage would be the same as the neighbor’s garage that he built ten years ago.

ACTION: Mr. Wellman moved to approve the screened addition as shown on the applicant’s plans, received June 13, 2018. Seconded by Mr. Goss, the motion was unanimously approved.

Old Business

No old business was raised.

New Business

No new business was raised.

Adjournment

The meeting was adjourned at 9:38 PM.

Respectfully Submitted,



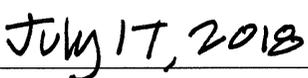
Michael Wellman, Vice Chair



date



Richard Wong, Secretary



date



CLEVELAND HEIGHTS

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

Monday, July 30, 2018
Special Meeting
7:30 p.m.

Cleveland Heights City Hall
40 Severance Circle
Cleveland Heights, Ohio

- 1) **Roll Call of Council Members**
- 2) **Excuse absent members**
- 3) **Approval of the minutes of the regular Council meeting held Monday, July 16, 2018.**
- 4) **Personal communications from citizens**
- 5) **Report of the City Manager**
- 6) **Report of the Director of Finance/Clerk of Council**
- 7) **Committee Reports**

a.) SAFETY AND MUNICIPAL SERVICES COMMITTEE

RESOLUTION NO. 93-2018 (SMS). A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to KS Klub, LLC dba B Side Liquor Lounge & Arcade, 2785 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio

Introduced by Council Member _____

Vote	_____	_____	_____
	For	Against	No. Reading

RESOLUTION NO. 94-2018 (SMS). A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio

Introduced by Council Member _____

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
MONDAY, JULY 30, 2018**

Vote _____
For Against No. Reading

b.) ADMINISTRATIVE SERVICES COMMITTEE

c.) FINANCE COMMITTEE

ORDINANCE NO. 77-2018 (F), *Fourth Reading*. An Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of Cleveland Heights, State of Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council and a tax incentive review council

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 95-2018 (F). A Resolution declaring the necessity of implementing a public services plan for the Cedar Lee Special Improvement District

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 96-2018 (F). A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for public services plans for the Cedar Lee Special Improvement District

Introduced by Council Member _____

Vote _____
For Against No. Reading

d.) HOUSING AND TRANSPORTATION COMMITTEE

e.) PLANNING AND DEVELOPMENT COMMITTEE

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
MONDAY, JULY 30, 2018**

RESOLUTION NO. 79-2018 (PD), Second Reading. A Resolution authorizing the City Manager to negotiate a non-binding Memorandum of Understanding with Cedar Lee Connection, LLC, concerning the Meadowbrook & Lee development

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 92-2018 (PD), Second Reading. A Resolution authorizing the City Manager to apply for a grant through the Ohio Historic Preservation Tax Credit Pipeline Initiative to nominate a five-building historic district at Taylor Road and Superior Park Road, historically known as “Stadium Square,” including 1932-46 S. Taylor Road (PPN 684-27-001), 1912-26 S. Taylor Road (PPN 684-26-012), 1908 S. Taylor Road (PPN 684-26-011), 3433 Superior Park Drive (PPN 684-26-013), and 3440 Superior Park Drive (PPN 684-27-009)

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 97-2018 (PD). A Resolution authorizing the City Manager to enter into a development services agreement with FutureHeights for the performance of certain work

Introduced by Council Member _____

Vote _____
For Against No. Reading

RESOLUTION NO. 98-2018 (PD). A Resolution expressing approval and support for the development of State Bicycle Route 80

Introduced by Council Member _____

Vote _____
For Against No. Reading

**AGENDA (tentative) CITY OF CLEVELAND HEIGHTS
MONDAY, JULY 30, 2018**

RESOLUTION NO 99-2018 (PD). A Resolution authorizing the City Manager to enter an agreement with Tucker Ellis LLP to serve as counsel to the City in connection with the Meadowbrook & Lee development

Introduced by Council Member _____

Vote _____ _____ _____
 For Against No. Reading

**f.) RECREATION, COMMUNITY AND EXTERNAL RELATIONS
COMMITTEE**

8) Mayor's Report

9) Adjournment

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

NEXT MEETING OF COUNCIL: TUESDAY, SEPTEMBER 4, 2018

COUNCIL WILL HAVE A RECESS FOR THE MONTH OF AUGUST.

Proposed: 7/30/2018

RESOLUTION NO. 93-2018 (SMS)

By Council Member

A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to KS Klub, LLC dba B Side Liquor Lounge & Arcade, 2785 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio; and declaring an emergency.

WHEREAS, in the matter of KS Klub, LLC dba B Side Liquor Lounge & Arcade, 2785 Euclid Heights Blvd., Cleveland Heights, Ohio 44106, the applicant has operated the permit premises in a manner that demonstrates disregard for the laws, regulations, and local ordinances of the State of Ohio and the City of Cleveland Heights, the location of the establishment substantially interferes with public decency, sobriety, peace, and good order of the neighborhood where the premises is located, and the premises does not conform to the building, safety or health requirements of the City of Cleveland Heights; and

WHEREAS, the City Manager, Chief of Police, and Director of Law have determined that it would be in the best interests of the City and its residents to object to the renewal of all existing liquor permits for said establishment.

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

SECTION 1. This Council hereby presents the objections and concerns of the officials of the City of Cleveland Heights, Ohio to the granting of the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control for the premises operated by KS Klub, LLC dba B Side Liquor Lounge & Arcade, 2785 Euclid Heights Blvd., Cleveland Heights, Ohio 44106, on the basis that the applicant has operated the liquor premises in a manner that demonstrates disregard for the laws, regulations, and local ordinances of the State of Ohio and City of Cleveland Heights, the location of said establishment substantially interferes with the public decency, sobriety, peace, and good order of the neighborhood where the premises is located, and the premises does not conform to the building, safety, or health requirements of the City of Cleveland Heights within the meaning of Division (A) of Section 4303.292 of the Ohio Revised Code.

SECTION 2. This Council hereby requests that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.

SECTION 3. The Director of Law is specifically authorized to pursue this objection, or to resolve same, if in the best interest of the City.

RESOLUTION NO. 93-2018 (SMS)

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

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

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 7/30/2018

RESOLUTION NO. 94-2018 (SMS)

By Council Member

A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio; and declaring an emergency.

WHEREAS, in the matter of Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106, the applicant has operated the permit premises in a manner that demonstrates disregard for the laws, regulations, and local ordinances of the State of Ohio and the City of Cleveland Heights, the location of the establishment substantially interferes with public decency, sobriety, peace, and good order of the neighborhood where the premises is located, and the premises does not conform to the building, safety or health requirements of the City of Cleveland Heights; and

WHEREAS, the City Manager, Chief of Police, and Director of Law have determined that it would be in the best interests of the City and its residents to object to the renewal of all existing liquor permits for said establishment.

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

SECTION 1. This Council hereby presents the objections and concerns of the officials of the City of Cleveland Heights, Ohio to the granting of the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control for the premises operated by Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106, on the basis that the applicant has operated the liquor premises in a manner that demonstrates disregard for the laws, regulations, and local ordinances of the State of Ohio and City of Cleveland Heights, the location of said establishment substantially interferes with the public decency, sobriety, peace, and good order of the neighborhood where the premises is located, and the premises does not conform to the building, safety, or health requirements of the City of Cleveland Heights within the meaning of Division (A) of Section 4303.292 of the Ohio Revised Code.

SECTION 2. This Council hereby requests that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.

SECTION 3. The Director of Law is specifically authorized to pursue this objection, or to resolve same, if in the best interest of the City.

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

RESOLUTION NO. 94-2018 (SMS)

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

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 6/18/2018

ORDINANCE NO. 77-2018 (F), *Fourth Reading*

By Council Member Stephens

An Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of Cleveland Heights, State of Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council and a tax incentive review council; and declaring an emergency.

WHEREAS, the Council of the City of Cleveland Heights (hereinafter “Council”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development throughout the City of Cleveland Heights in specific areas that have not enjoyed reinvestment from remodeling or new construction;

WHEREAS, a survey of housing, a copy of which is on file in the City’s Departments of Planning and Development and Economic Development, as required by Ohio Revised Code (“ORC”) Section 3735.66, has been prepared for the area to be included in the proposed Community Reinvestment Area;

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities;

WHEREAS, the previously enacted legislation establishing eight (8) Community Reinvestment Areas, listed in attached Exhibit C, is hereby terminated and superseded by this ordinance, provided, however, that certain properties and projects listed in Exhibits C.1, C.2, and C.3 shall be governed by the applicable past and current ordinances, as the case may be, until the dates of termination set forth in Exhibits C.1, C.2, and C.3; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

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

SECTION 1. The area designated as the Cleveland Heights Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

SECTION 2. Pursuant to ORC Section 3735.66, the Cleveland Heights Community Reinvestment Area is hereby established in the following described area:

ORDINANCE NO. 77-2018 (F)

The Community Reinvestment Area shall be located within and bounded by the existing corporation limits of the City of Cleveland Heights.

The Community Reinvestment Area is approximately depicted as the shaded area on the map attached to this Ordinance (see Exhibit A) and by this reference incorporated herein.

Only residential, mixed use, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program. Mixed use development is higher density commercial and/or residential development of a tract of land, building or structure having a variety of complementary and integrated uses such as, but not limited to, residential, office, and retail.

SECTION 3. All properties identified in Exhibit A as being within the designated Community Reinvestment Area are eligible for this incentive, subject to the combination of project types listed below in Section 4. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Cleveland Heights intends to undertake supporting public improvements in the designated area.

SECTION 4. Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to mixed use, commercial and industrial real property, and the term of those exemptions, shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3735.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer in the following percentage amounts and periods.

The following housing, mixed use, commercial and industrial activities in the Community Reinvestment Area are declared to be a public purpose:

- a. The construction of new single family owner-occupied dwellings containing not more than one housing unit, as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below:

The owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of five (5) years for twenty-five percent (25%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

ORDINANCE NO. 77-2018 (F)

If such housing activities are certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category, or substantially equivalent rating system including Enterprise Green Communities, as developed by Enterprise Community Partners, or the National Association of Home Builders National Model Green Home Building Guidelines ("Sustainability Requirement"):

The owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of ten (10) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If the aforementioned new single family owner-occupied dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned new single family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- b. The construction of new two family dwellings containing not more than two housing unit, as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below:

The owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of five (5) years for twenty-five percent (25%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If such housing activities are certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category or substantially equivalent rating system including Enterprise Green Communities, as developed by Enterprise Community Partners, or the National Association of Home Builders National Model Green Home Building Guidelines ("Sustainability Requirement"), the owner of any such real property in the Community Reinvestment Area may file an application for

ORDINANCE NO. 77-2018 (F)

exemption from real property tax for a period of ten (10) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities as described in ORC Section 3735.67.

If the aforementioned Sustainability Requirement Certified new two-family dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned Sustainability Requirement Certified new two-family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- c. The construction of dwelling units consisting of new fee simple owner-occupied townhome or condominium structures, as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below:

The fee simple owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of five (5) years for twenty-five percent (25%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If such housing activities are certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category or substantially equivalent rating system including Enterprise Green Communities, as developed by Enterprise Community Partners, or the National Association of Home Builders National Model Green Home Building Guidelines ("Sustainability Requirement"):

The fee simple owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for sixty-five percent (65%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The fee simple owner of any such owner-occupied real property in the Community Reinvestment Area having a per unit investment of no less than \$400,000 for each unit, may file an application for exemption from real property tax for a period of fifteen (15) years for

ORDINANCE NO. 77-2018 (F)

one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The fee simple owner of any such owner-occupied real property in the Community Reinvestment Area meeting five (5) of the target reinvestment criteria listed in Exhibit B, and having a per unit investment of no less than \$335,000 for each unit, may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The fee simple owner of any such owner-occupied real property in the Community Reinvestment Area meeting six (6) or more of the target reinvestment criteria listed in Exhibit B, and having a per unit investment of no less than \$270,000 for each unit, may file an application for exemption from real property tax for a period of fifteen (15) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- d. The construction of new multiple-family building dwelling units having three (3) or more units as described in ORC Section 3735.67, with the term and percentage of the exemption from real property taxation as stated below, with such housing activities required to be certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category or substantially equivalent rating system including Enterprise Green Communities, as developed by Enterprise Community Partners, or the National Association of Home Builders National Model Green Home Building Guidelines ("Sustainability Requirement"):

The owner of any such real property in the Community Reinvestment Area, having a minimum investment level of \$75,000 per unit or costs greater than \$1,500,000 for the total residential portion of the project, may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The owner of any such real property in the Community Reinvestment Area that is part of a development project that upon completion constitutes an investment of no less than \$3,000,000 per development project may file an application for exemption from real property tax for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- e. The construction of new mixed use, commercial and/or industrial real property shall be

ORDINANCE NO. 77-2018 (F)

eligible for a tax exemption up to and including one hundred percent (100%) and the term of those exemptions being up to fifteen (15) years on the increase in the assessed valuation resulting from the improvements, shall be negotiated on a case-by-case basis in advance of construction occurring according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. Such activities must be as a result of a development plan that upon completion constitutes an investment of no less than \$3,000,000. Such activities shall be required to be certified through third-party verification of compliance by a certified rater as meeting or exceeding the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) "Silver" level category or substantially equivalent rating system including Enterprise Green Communities, as developed by Enterprise Community Partners, or the National Association of Home Builders National Model Green Home Building Guidelines ("Sustainability Requirement").

- f. Remodeling construction activities resulting in the remodeling of existing single family owner-occupied dwellings containing not more than one housing unit, as described in ORC Section 3735.67, where the per unit cost of the improvements is at least \$10,000, the term and percentage of the exemption from real property taxation resulting from such remodeling activities shall be as stated below:

The owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing single family dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of ten (10) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing single family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner-occupant of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- g. Remodeling construction activities resulting in the remodeling of existing two-family dwellings containing not more than two housing units, as described in ORC Section 3735.67,

ORDINANCE NO. 77-2018 (F)

where the per unit cost of the improvements is at least \$10,000, the term and percentage of the exemption from real property taxation resulting from such remodeling activities shall be as stated below:

The owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing two-family dwelling meets five (5) of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of ten (10) years for seventy-five percent (75%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

If the aforementioned existing two-family dwelling meets six (6) or more of the target reinvestment criteria listed in Exhibit B, the owner of any such real property in the Community Reinvestment Area may file an application for exemption from real property tax for a period of twelve (12) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- h. Remodeling construction activities, as described in ORC Section 3735.67, resulting in the conversion of existing two-family dwelling unit structures to owner-occupied single family dwelling units or attached single family dwelling units, or owner-occupied condominiums, or renovation construction activities resulting in the conversion of existing two-family dwelling unit structures to owner-occupied condominiums, where the cost of the improvements is at least \$25,000 may file an application for exemption from real property tax for a period of twelve (12) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.
- i. Remodeling construction activities, as described in ORC Section 3735.67, resulting in the rehabilitation of an owner-occupied single or a two-family building, and/or a multiple-family building residential dwelling units in a contributing building in any National Register Historic District or is a locally designated historic landmark located within the City of Cleveland Heights that follows the Secretary of the Interior's Standards for Rehabilitation; and that has a minimum investment of \$10,000 in rehabilitation costs; the owner of such property may file a real property tax exemption application for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

ORDINANCE NO. 77-2018 (F)

- j. Remodeling construction activities, as described in ORC Section 3735.67, resulting in the remodeling of multi-family building dwelling units having three (3) or more units, with the term and percentage of the exemption from real property taxation as stated below:

The owner of any such real property in the Community Reinvestment Area, having a minimum investment level of \$25,000 per unit or costs greater than \$500,000 for the total residential portion of the project, may file an application for exemption from real property tax for a period of seven (7) years for fifty percent (50%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

The owner of any such real property in the Community Reinvestment Area that is part of a development project that upon completion constitutes an investment of no less than \$1,000,000 per development project may file an application for exemption from real property tax for a period of ten (10) years for one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the housing activities described in ORC Section 3735.67.

- k. Remodeling construction activities to existing mixed use, commercial and/or industrial real property shall be eligible for a tax exemption up to twelve (12) years and up to and including one hundred percent (100%) on the increase in the assessed valuation resulting from the improvements for the activities described in ORC Section 3735.67, and shall be negotiated on a case-by-case basis in advance of construction occurring according to the rules outlined in the ORC Section 3735.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. Such activities must be as a result of a development plan that upon completion constitutes an investment of no less than \$250,000.

For the purposes of the above described Community Reinvestment Area, structures exclusively used for residential purposes and composed of one (1) or more units shall be classified as residential structures.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

To be eligible for a tax exemption within this Community Reinvestment Area, the construction activities stated above shall not demolish or intentionally physically destroy the architectural character and distinguishing features of any contributing building or structure located in an

ORDINANCE NO. 77-2018 (F)

established National Register Historic District, or is a locally designated historic landmark as identified in Exhibit B Map B-V. However, if said building or structure so designated is determined by the City to have reached a condition rendering the building uninhabitable or unusable, said building or structure could be demolished and the new construction improvements would be eligible for tax abatement as described in this Section.

SECTION 5. All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually unless waived.

SECTION 6. To administer and implement the provisions of this Ordinance, the City's Economic Development Director is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

SECTION 7. ORC Section 3735.69 states that a "Community Reinvestment Area Housing Council" shall be created, and the City of Cleveland Heights has previously created said Housing Council which will continue to serve as the Housing Council for this Community Reinvestment Area, consisting of two members appointed by the Mayor of the City of Cleveland Heights, two members appointed by the Council of the City of Cleveland Heights, and one member appointed by the Planning Commission of the City of Cleveland Heights. The majority of the members shall then appoint two additional members who shall be residents within the area. Terms of the members of the Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner as the initial appointment was made. The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Housing Council shall also hear appeals under Section 3735.70 of the ORC.

A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85, and the City of Cleveland Heights has previously established said Tax Incentive Review Council which will continue to serve as the Tax Incentive Review Council for this Community Reinvestment Area, and shall consist of three representatives appointed by the Cuyahoga County Executive with the concurrence of County Council, two representatives of the municipal corporation, appointed by the Municipal CEO with City Council concurrence, the county auditor or designee and a representative of each affected Board of Education. At least two members must be residents of the City of Cleveland Heights. The Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to City Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

SECTION 8. The Council reserves the right to re-evaluate the designation of the Cleveland

ORDINANCE NO. 77-2018 (F)

Heights Community Reinvestment Area after December 31, 2019 and annually thereafter, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC. Furthermore, the Cleveland Heights Community Reinvestment Area program shall be reviewed by City Council at least once every five (5) years to evaluate the results and overall performance of the program.

SECTION 9. The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Housing Council shall also hear appeals under 3735.70, of the ORC.

SECTION 10. Under ORC Section 3735.68, the City, upon receiving a recommendation from the Tax Incentive Review Council, may terminate the tax exemption after the first year if the Housing Officer finds that the property is not being properly maintained or repaired due to the neglect of the owner; and once terminated shall not reinstate the tax exemption. The Housing Officer shall include this requirement on the application for tax exemption signed by the applicant.

SECTION 11. The City, upon receiving a recommendation from the Tax Incentive Review Council, may terminate the tax exemption after the first year if the Housing Officer finds that the property taxes have become delinquent; and once terminated the City shall not reinstate the tax exemption. The Housing Officer shall include this requirement on the application for tax exemption signed by the applicant.

SECTION 12. The previously enacted legislation establishing eight (8) Community Reinvestment Areas, listed in attached Exhibit C, is hereby terminated and superseded by this ordinance, provided, however, that properties and projects listed in Exhibits C.1, C.2, and C.3 shall be governed by the applicable past and current ordinances, as the case may be, until the date of termination set forth in Exhibits C.1, C.2, and C.3, respectively.

SECTION 13. The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

SECTION 14. The City Manager of the City of Cleveland Heights is hereby directed and authorized to petition the Director of the Ohio Development Services Agency for approval and confirmation of the findings contained within this Ordinance.

SECTION 15. This Ordinance shall take effect and be in force from and after the earliest period allowed by law ~~orand~~ upon the effective date of approval and confirmation by the Director of the Ohio Development Services Agency of the findings of this Ordinance, whichever date is later

ORDINANCE NO. 77-2018 (F)

(the “Effective Date”). The owner of real property located in the Community Reinvestment Area and eligible for exemption from taxation pursuant to this Ordinance may file an application for an exemption from real property taxation of a percentage of the assessed valuation of a new structure, or of the increased assessed valuation of an existing structure after remodeling began, if the new structure or remodeling is completed after the Effective Date.

SECTION 16. Notice of the passage of this Ordinance shall satisfy the requirements of ORC Section 3735.66 and Cod. Ord. 111.23 by publishing the full text of the Ordinance without exhibits, the exhibits being available for review, in a newspaper of general circulation in the City, once a week for two consecutive weeks immediately following its adoption.

SECTION 17. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to implement said agreement as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Exhibit A

Map of

Cleveland Heights Community Reinvestment Area

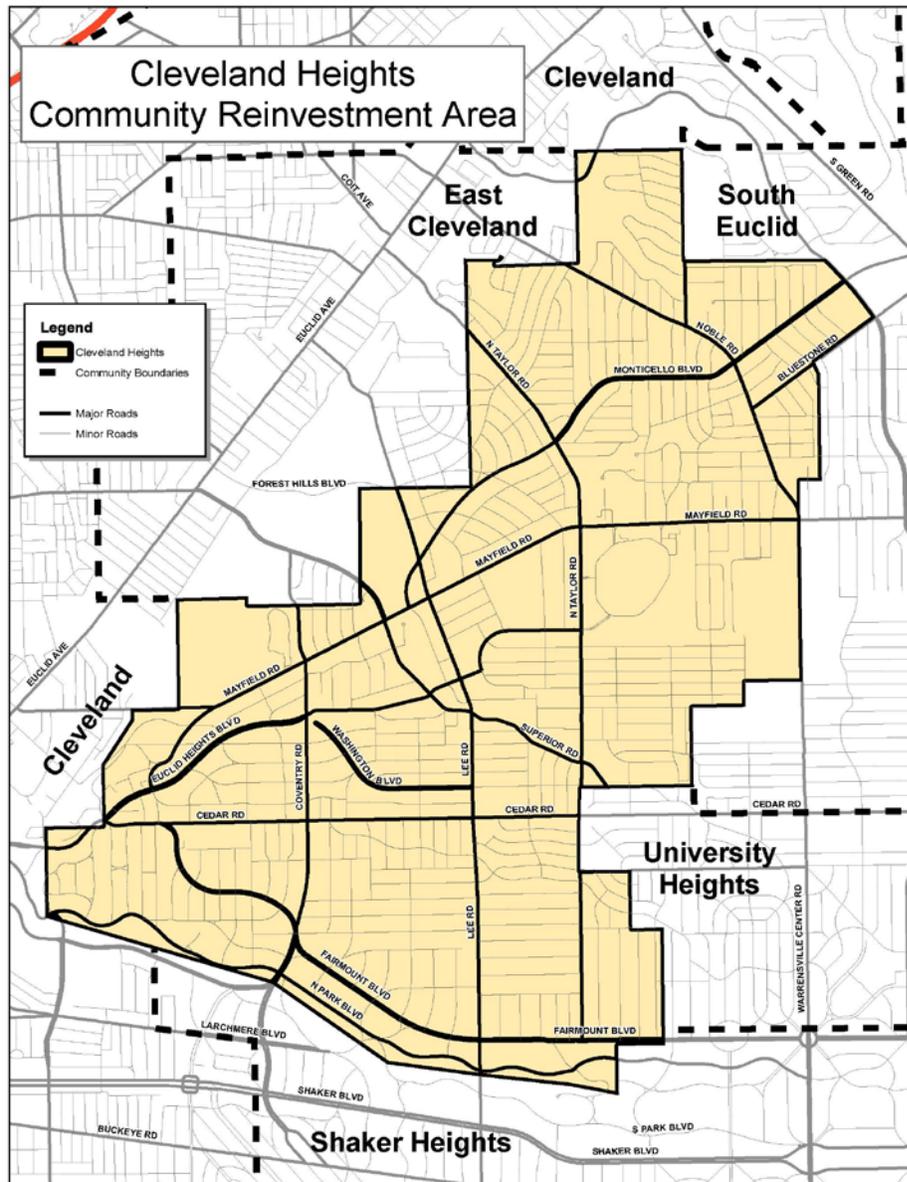
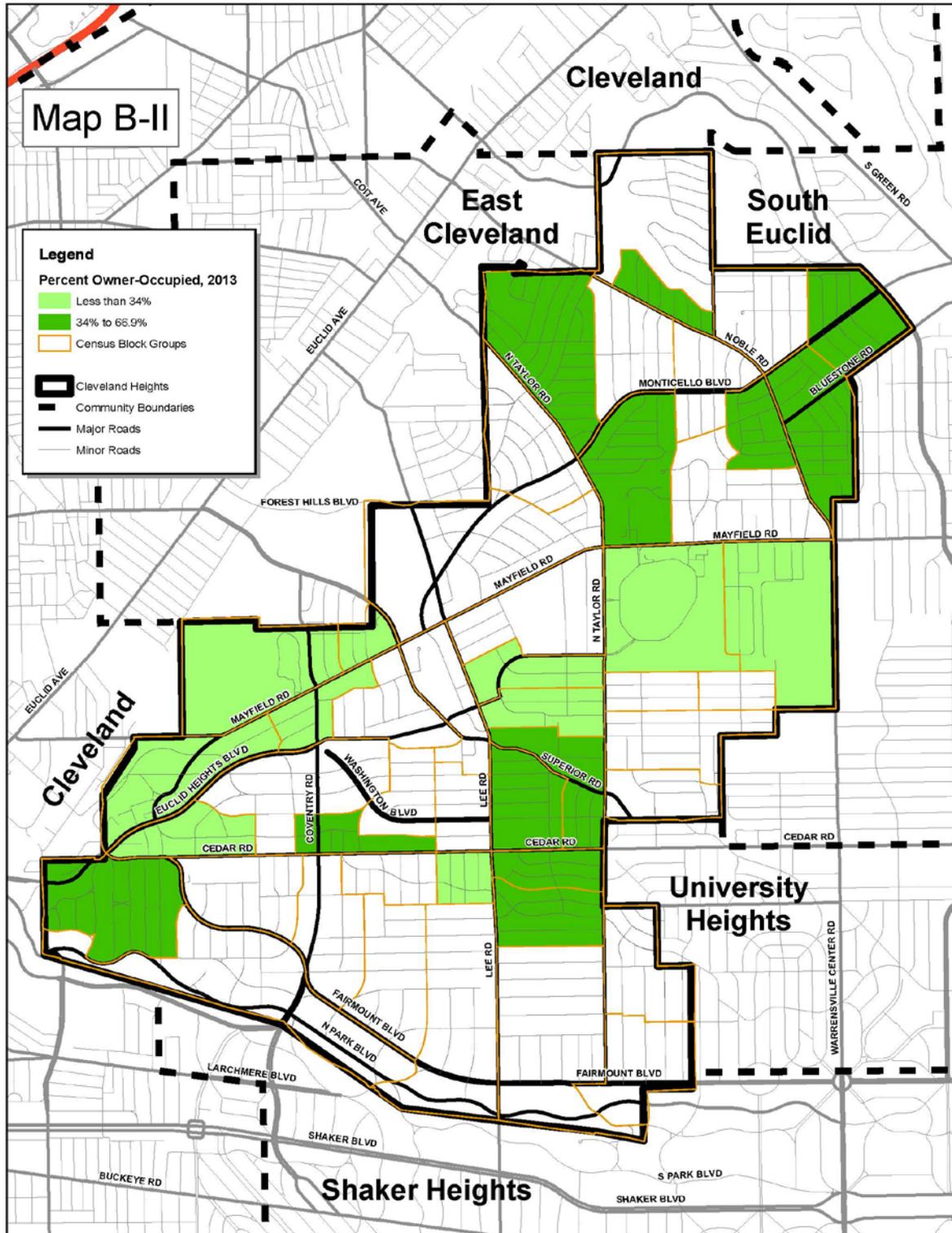


Exhibit B

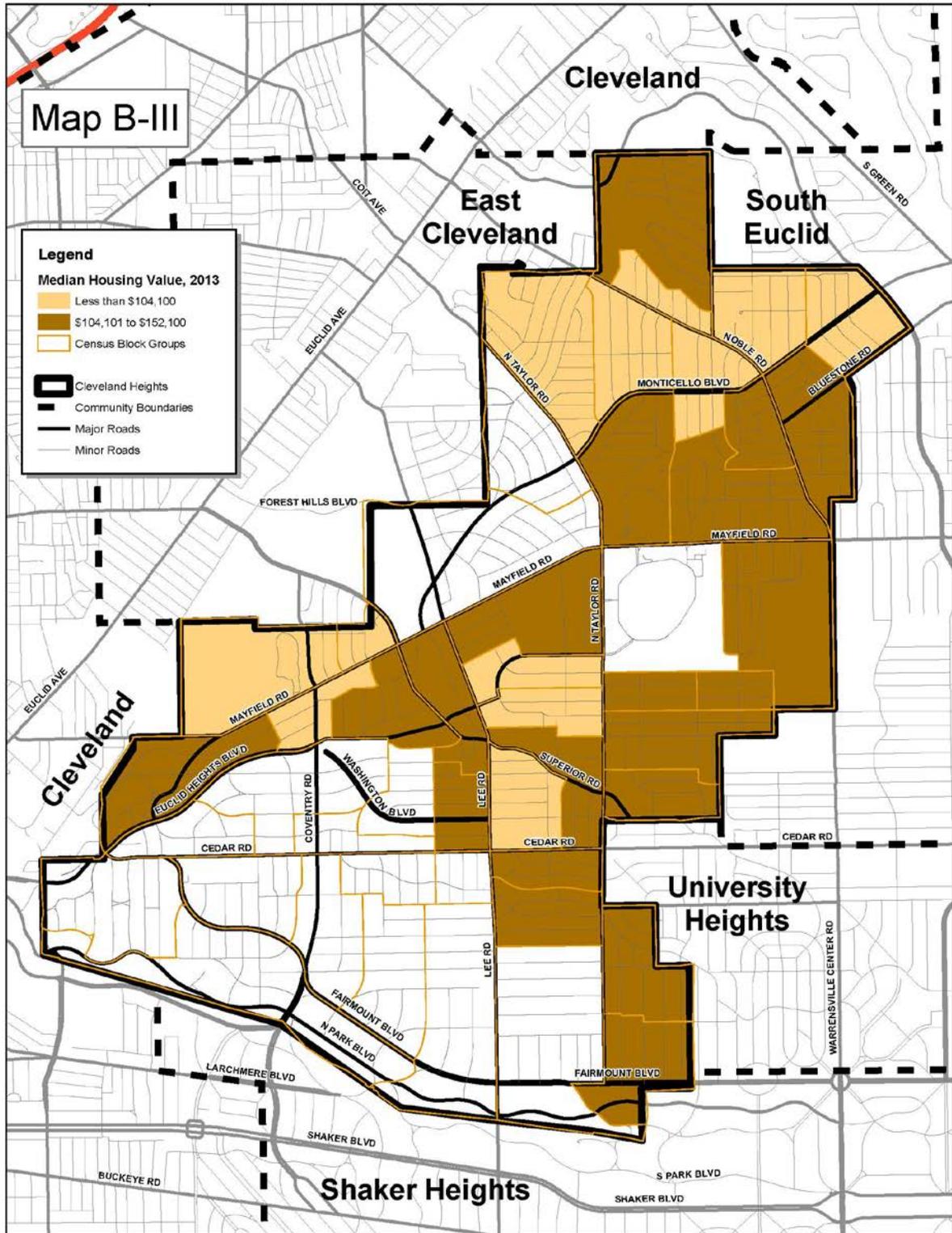
Target Reinvestment Criteria

- I. Declining property values – (refer to Map B-I);
- II. Less than 66.9% owner occupancy rates – (refer to Map B-II);
- III. Median housing value rates less than \$152,100 (refer to Map B-III);
- IV. High residential vacancy rates – rates equal to or exceeding 7.2 % (refer to Map B-IV);
- V. Designated National Register of Historic Places District (refer to Map B-V);
- VI. Designated neighborhood redevelopment areas, having high concentrations of City-owned vacant properties resulting from Neighborhood Stabilization Program demolitions. These areas include the following neighborhoods:
 - The Altamont / Desota / Berkley Neighborhood (refer to Map B-VI);
 - The North Coventry Neighborhood (refer to Map B-VI);
 - The North Taylor / Noble / Rushleigh / Monticello Neighborhood (refer to Map B-VI);
- VII. Median Household Income – (refer to Map B-VII);
- VIII. CDBG Eligible Areas – (refer to Map B-VIII);
- IX. Commercial Vacancy Rate – (refer to Map B-IX);
- X. Strength of Housing Market – (refer to Map B-X).

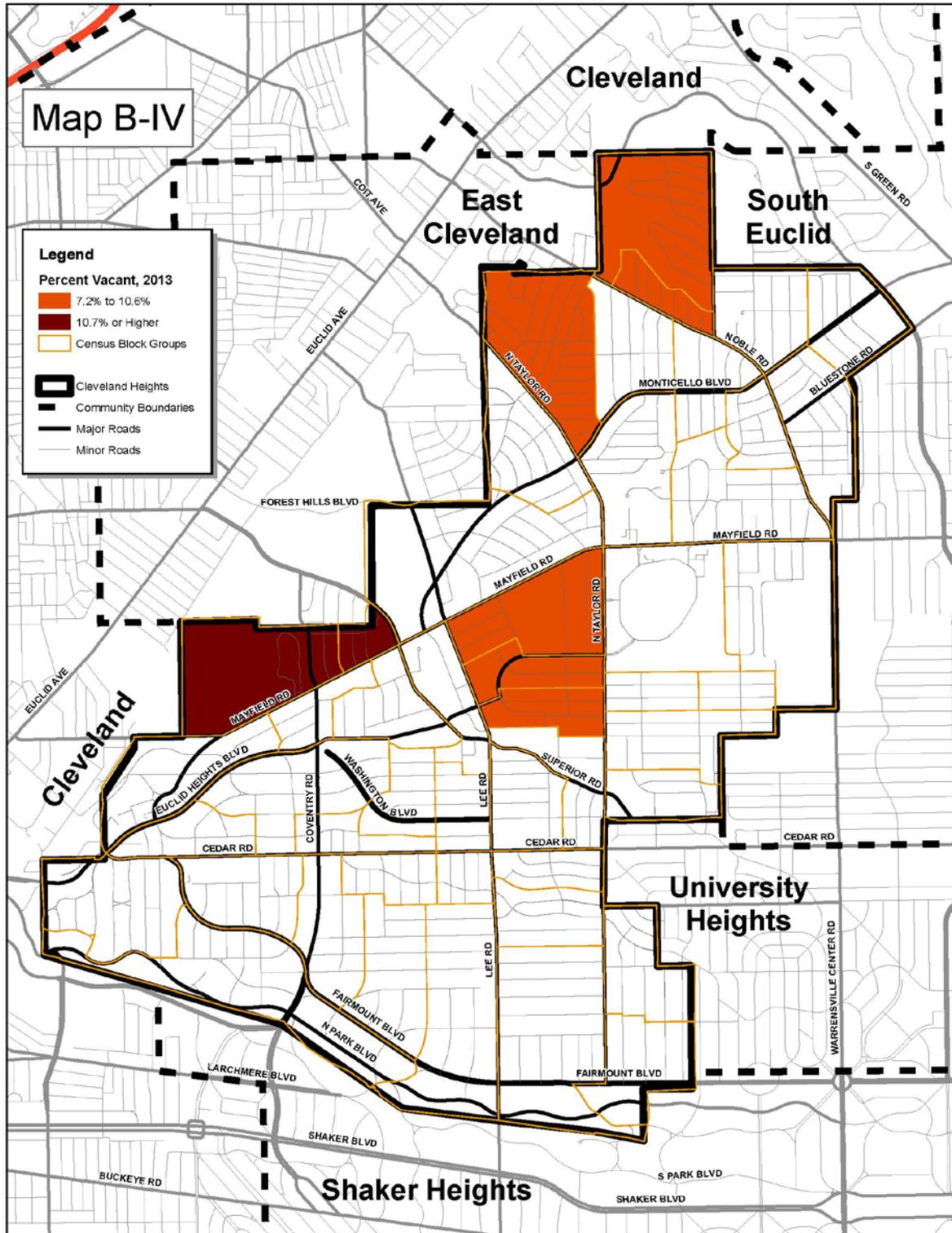
ORDINANCE NO. 77-2018 (F)



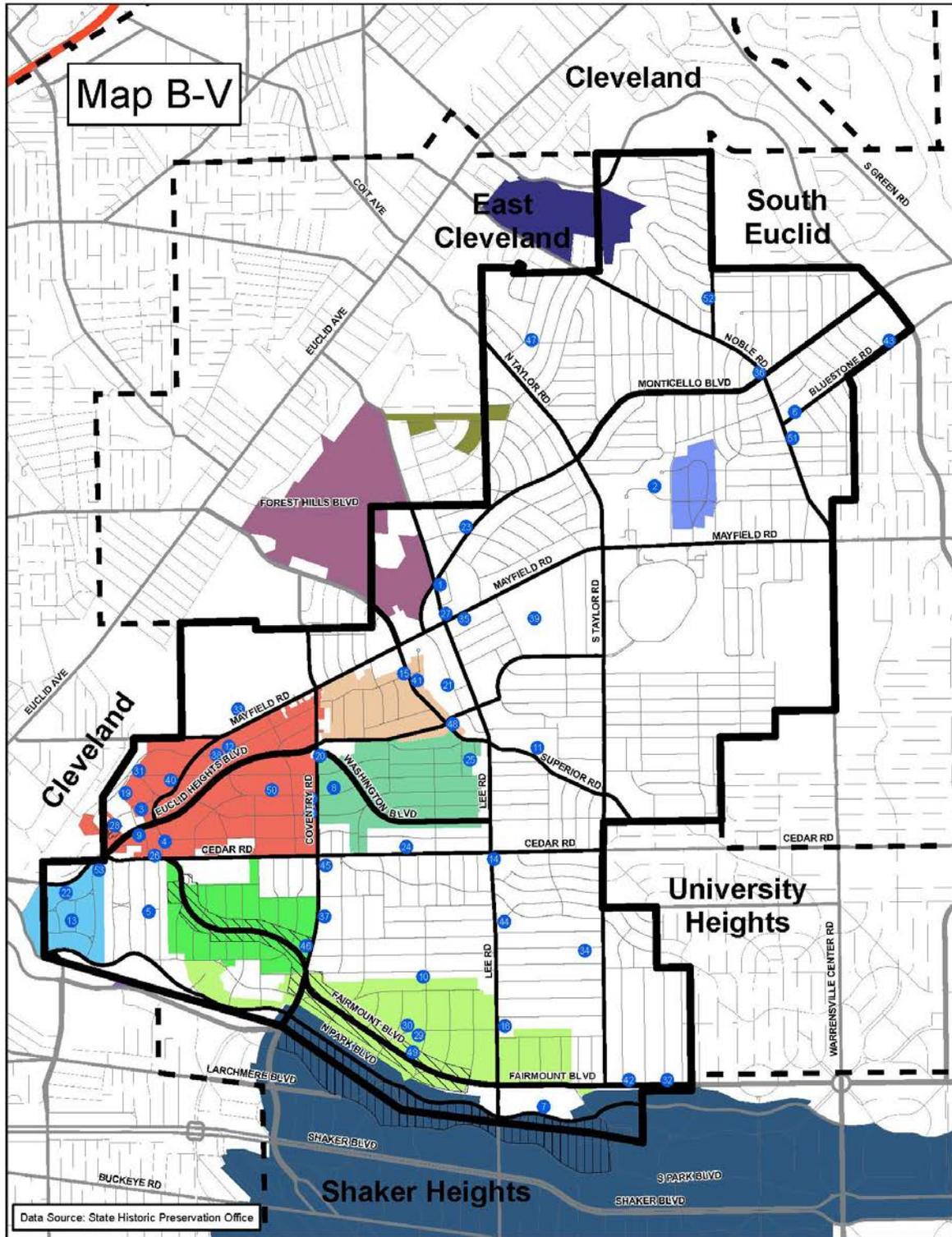
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ORDINANCE NO. 77-2018 (F)

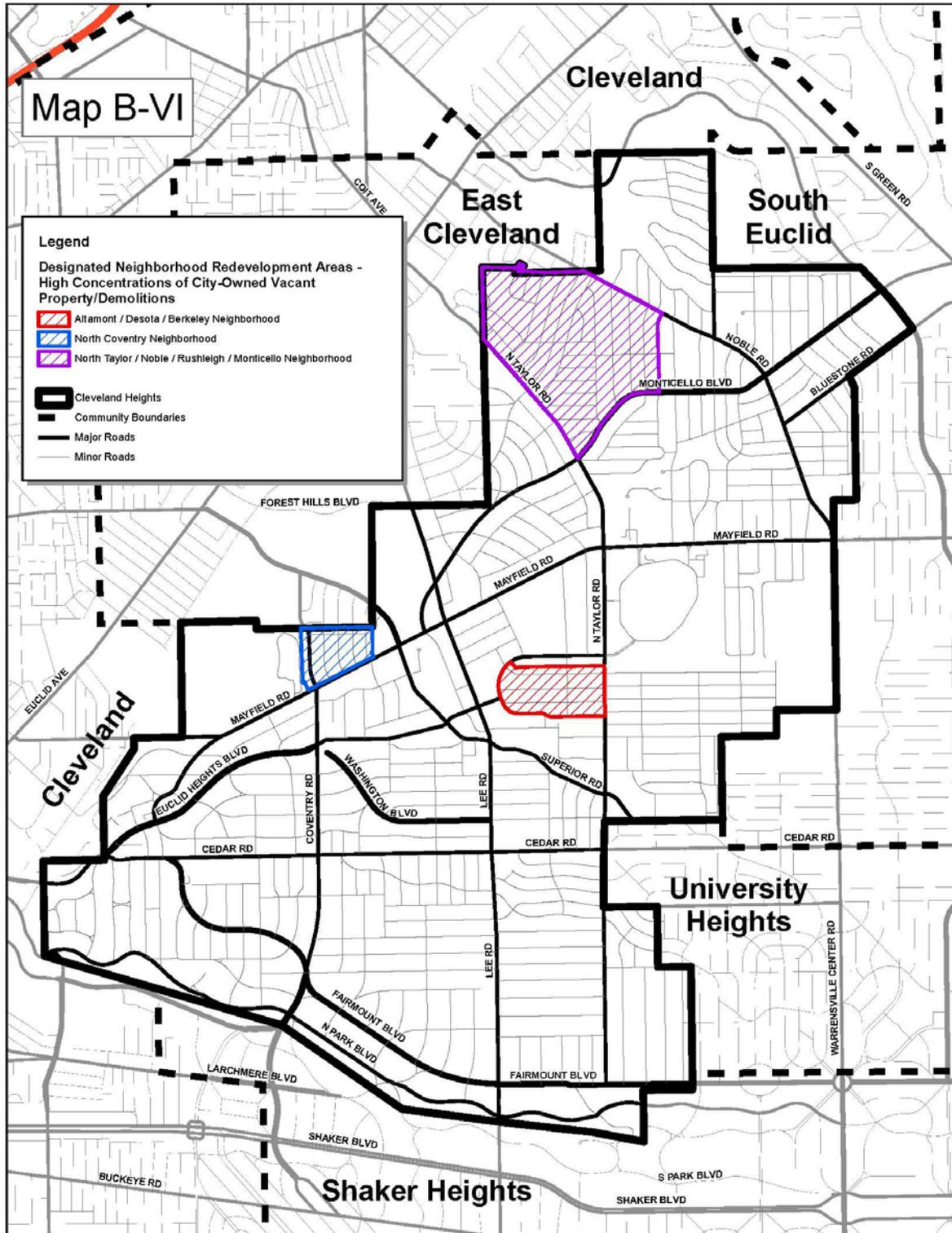


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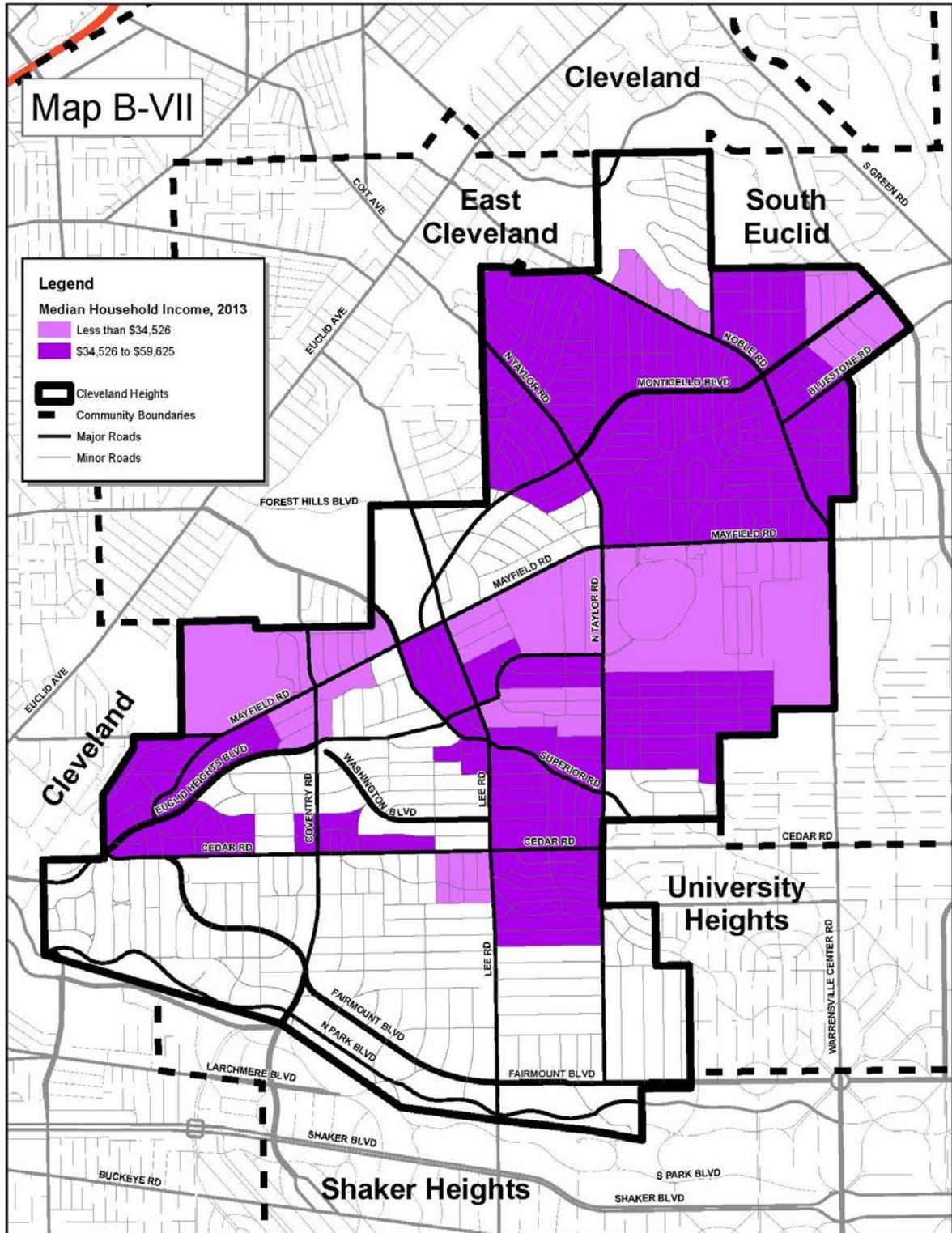
Cleveland Heights Landmarks		
1 Abeyton Realty Corporation Forest Hill Real Estate Office	18 Clapp-Curran Estate (Gardener's Cottage)	36 Noble Road Fire Station
2 Adams House	19 The College Club	37 Nutt House & Carriage House
3 Adella Prentiss Hughes House	20 Coventry Library	38 Overlook Place Condominiums
4 Alcazar Hotel	21 Cumberland Park	39 Park Synagogue
5 Alfred E. & Flora Cook House	22 Elizabeth Keyes Churchill House	40 Patrick Calhoun House
6 Asa Cady House	23 Finneburgh House	41 Preyer House
7 Beaumont School/Painter Estate	24 Grace Lutheran Church	42 Richard Penty House
8 Bramson House	25 Grant W. Deming House	43 Schroeder House
9 Braverman-Brantley Building	26 Heights Center Building	44 Slsby Road Fire Station
10 Burdick House	27 Heights Rockefeller Building	45 St. Ann Church Group/Communion of Saints Parish
11 Cain Park	28 Herrick Mews	46 St. Paul's Church
12 Campbell-Euclid Heights Realty House	29 James C. Beardlee & Cornelia Wadhams Beardlee House	47 Start Right Church of God in Christ
13 Canfield House	30 Jeavons House	48 Superior Schoolhouse
14 Cedar-Lee Theatre Building	31 John Hartness Brown House	49 Tremaine-Gallagher House
15 Christ Our Redeemer A.M.E. Church	32 John Hecker House	50 Warner-Racca House and Carriage House
16 Church of the Saviour	33 Lake View Cemetery	51 Willard Wight House
17 Clapp-Curran Estate	34 Lanphear-Callander Sears House	52 William Quilliam House
	35 New Spirit Revival Center	53 Zerbe-Hale House

Designated National Register of Historic Places Districts	
	Ambler Heights Historic District
	Euclid Golf Historic District
	Euclid Heights Historic District
	Fairhill Road Village Historic District
	Fairmount Boulevard District
	Forest Hill Historic District
	Forest Hill Park
	Grant Deming's Forest Hill Allotment Historic District
	Inglewood Historic District
	Mayfield Heights Historic District
	Nela Park Historic District
	North Union Shaker Site
	Overlook Road Carriage House District
	Shaker Farm Historic District
	Shaker Village Historic District
	Cleveland Heights
	Community Boundaries
	Major Roads
	Minor Roads

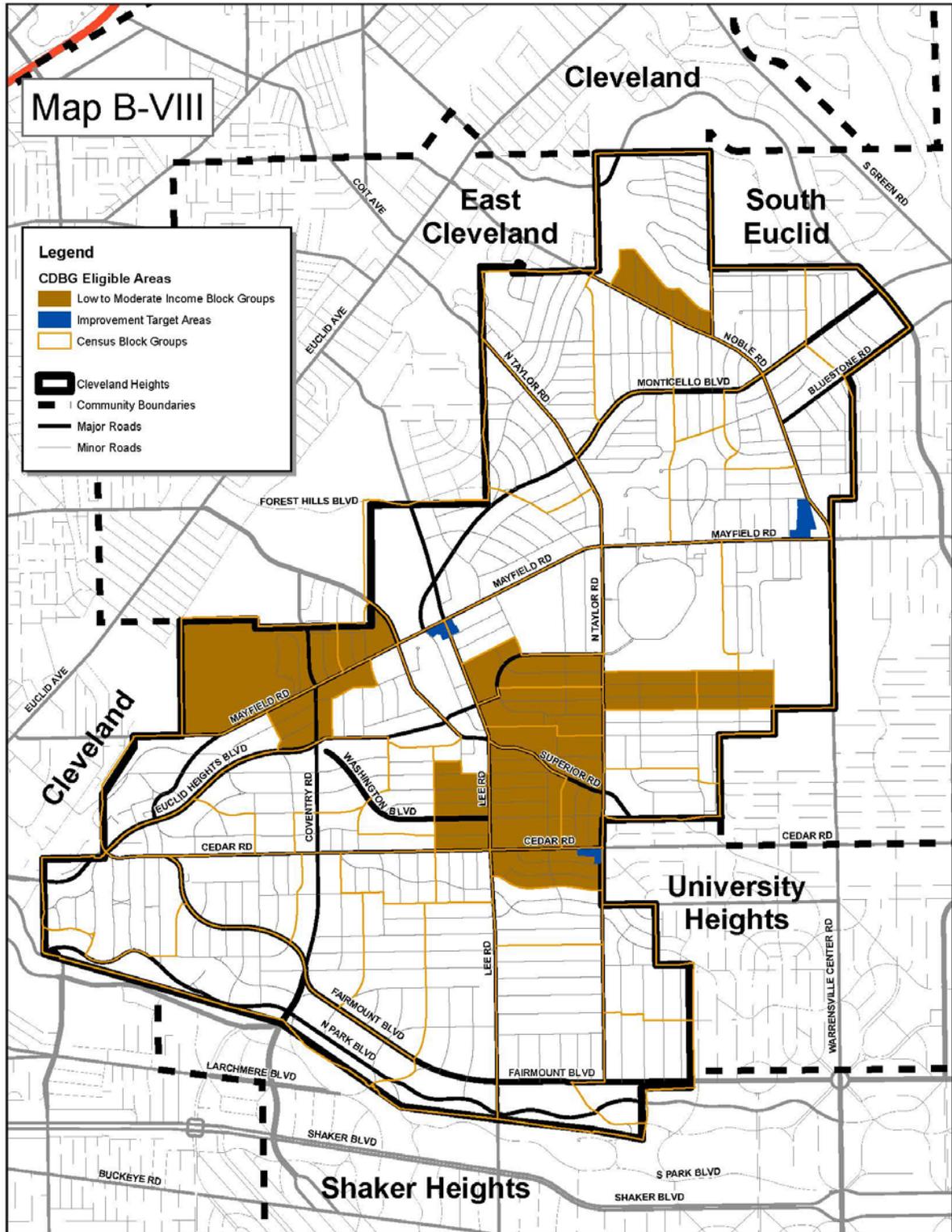
ORDINANCE NO. 77-2018 (F)

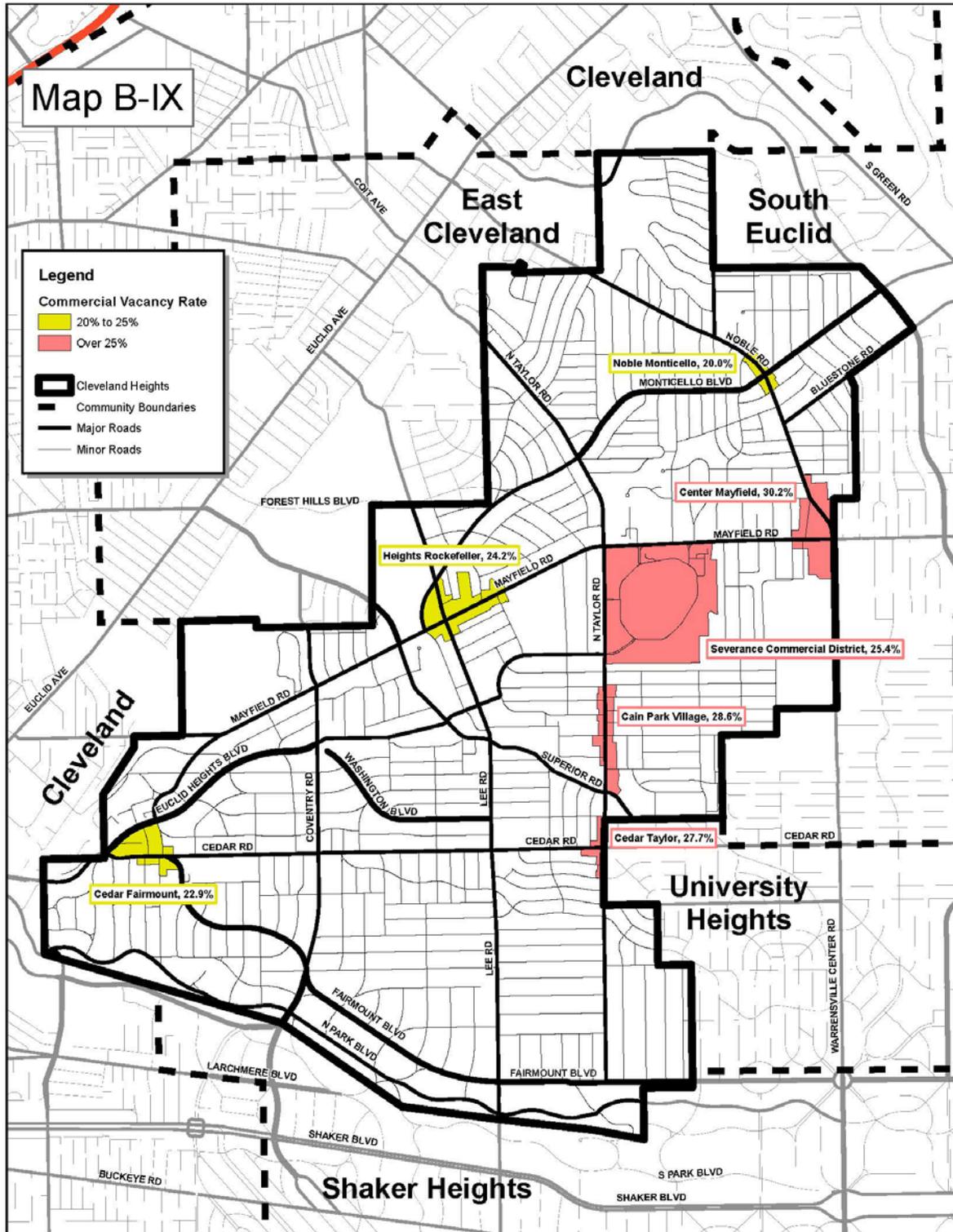


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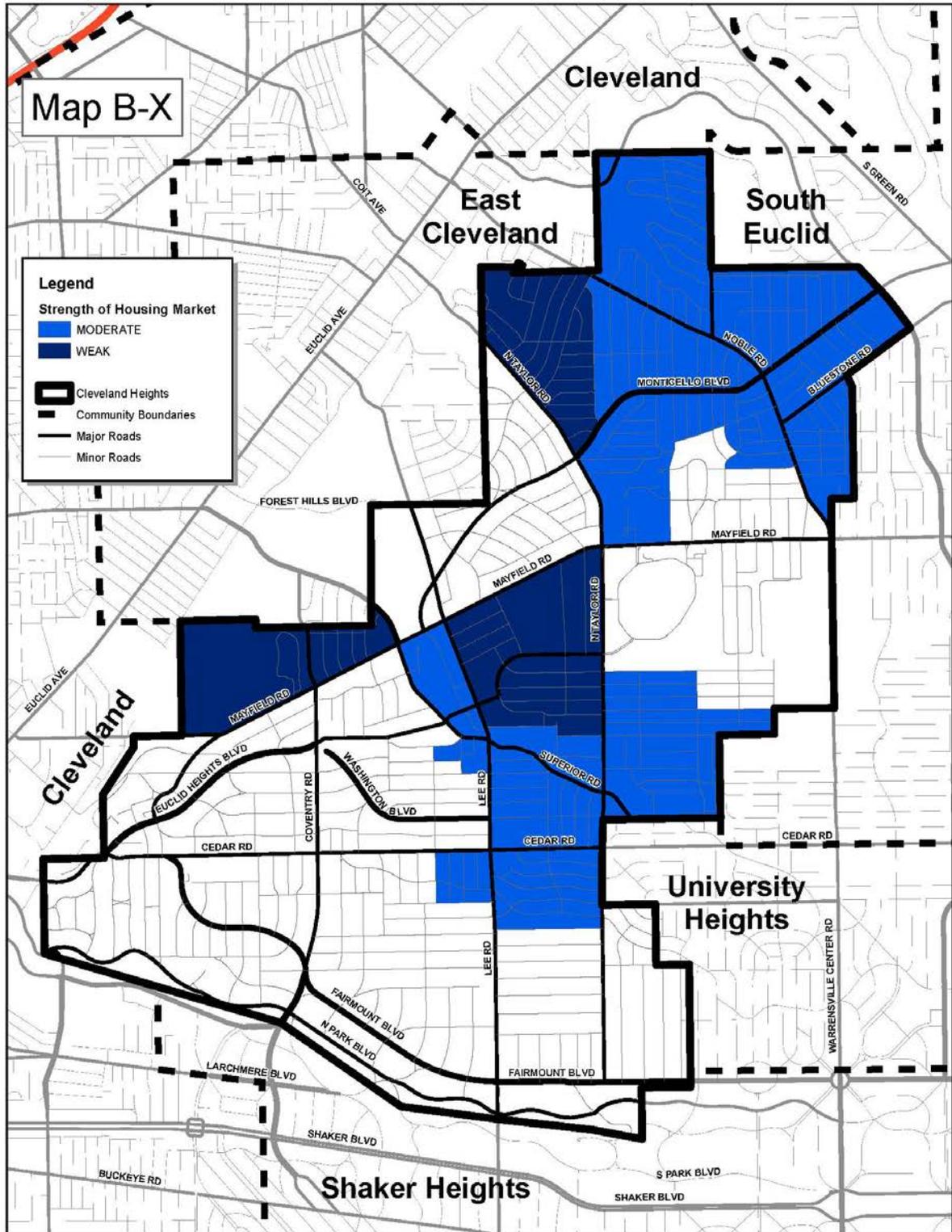


ORDINANCE NO. 77-2018 (F)





ORDINANCE NO. 77-2018 (F)



ORDINANCE NO. 77-2018 (F)

Exhibit C:					
Cleveland Heights Community Reinvestment Areas (CRA)					
	CRA Name & Projects	CRA Number	CH Ordinance	Date	Termination Date
1	<u>CAIN PARK</u>	035-16014-04	98-2003	23-Jun-03	Terminated upon effective date of Ord No. 77-2018
2	<u>EAST DERBYSHIRE</u>	035-16014-06	34-2008	7-Apr-08	Terminated upon effective date of Ord No. 77-2018
3	<u>VILLA CARABELLI</u>	035-16014-01	52-2001	16-Apr-01	Terminated upon effective date of Ord No. 77-2018
4	<u>LEE/EUCLID HEIGHTS</u>	035-16014-03	145-2002 amended 98-2008	5-Aug-02 7-Jul-08	Terminated upon effective date of Ord No. 77-2018
5	<u>MEADOWBROOK LEE</u>	035-16014-05	153-2003 amended 183-2003	07-Oct-03 15-Dec-03	Terminated upon effective date of Ord No. 77-2018
6	<u>KENSINGTON</u> -	NOT ACTIVE	109-1988	5-Dec-88	Terminated upon effective date of Ord No. 77-2018
7	<u>SEVERANCE</u> Severance Place Bluestone	035-16014-02	74-2002 13-2005 165-2005 183-2001 97-2008 22-2017	6-May-02 18-Jan-05 19-Dec-05 5-Nov-01 7-Jul-08 3/20/2017	Termination upon effective date of Ord No. 77-2018, with exceptions in Exhibit C.1 Termination upon effective date of Ord No. 77-2018, with exceptions in Exhibit C.2
8	<u>Turkey Ridge</u> College Club		8-2014	3-Mar-14	Termination upon effective date of Ord No. 77-2018, with exceptions in Exhibit C.3

EXHIBIT C.1 -- Exceptions to Severance CRA
Each shall terminate as of July 7, 2023

PPN	address	suite
683-25-314	500 Severance Place	207
683-25-337	500 Severance Place	507
683-25-302	500 Severance Place	102
683-25-303	500 Severance Place	103
683-25-305	500 Severance Place	105
683-25-307	500 Severance Place	107
683-25-310	500 Severance Place	203
683-25-311	500 Severance Place	204
683-25-312	500 Severance Place	205
683-25-313	500 Severance Place	206
683-25-317	500 Severance Place	303
683-25-318	500 Severance Place	304
683-25-319	500 Severance Place	305
683-25-320	500 Severance Place	306
683-25-321	500 Severance Place	307
683-25-324	500 Severance Place	402
683-25-325	500 Severance Place	403
683-25-326	500 Severance Place	404
683-25-327	500 Severance Place	405
683-25-328	500 Severance Place	406
683-25-329	500 Severance Place	407
683-25-331	500 Severance Place	501
683-25-332	500 Severance Place	502
683-25-333	500 Severance Place	503
683-25-334	500 Severance Place	504
683-25-335	500 Severance Place	505
683-25-336	500 Severance Place	506
683-25-301	500 Severance Place	101

ORDINANCE NO. 77-2018 (F)

EXHIBIT C.2 - Exceptions to Bluestone CRA
Each shall terminate as of July 7, 2023

PPN	address
681-30-052	1377 Slate Ct
681-30-056	1369 Slate Ct
681-30-060	1361 Slate Ct
681-30-061	1359 Slate Ct
681-30-062	1357 Slate Ct
681-30-063	1355 Slate Ct

ORDINANCE NO. 77-2018 (F)

**EXHIBIT C.3 - Exceptions to Turkey Ridge CRA
Each shall terminate as of July 1, 2025**

PPN	Location
685-03-043	College Club - being converted to rental units
685-03-042	site plan shows parcels A, B , C, D, E, F, G, H, I, J, K, L, M and common area N

Proposed: 7/30/2018

RESOLUTION NO. 95-2018 (F)

By Council Member

A Resolution declaring the necessity of implementing a public services plan for the Cedar Lee Special Improvement District; and declaring an emergency.

WHEREAS, this Council has received a petition for adoption of a five-year public services plan which was executed by the owners of over sixty percent (60%) of the property in the Cedar Lee Special Improvement District, as determined by front footage; and

WHEREAS, by Resolution No. 75-2018, this Council approved said public services plan; and

WHEREAS, estimated first-year assessments for the affected properties, as well as the total costs of the plan, are now on file with the Clerk of Council.

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

SECTION 1. This Council hereby declares it necessary to implement a five-year public services plan for the Cedar Lee Special Improvement District, with such plan being attached hereto as Exhibit A and incorporated herein.

SECTION 2. One hundred percent (100%) of the cost of the public services plan shall be paid for by special assessments.

SECTION 3. The parcels of property to be assessed for the public services plan are as follows:

684-17-018	684-17-026	684-17-027
684-17-028	684-22-019	684-22-020
684-22-021	684-22-022	684-22-023
684-22-024	684-23-022	684-23-023
684-23-024	684-23-025	684-23-027
684-25-028	684-25-029	684-25-030
684-25-031	686-13-018	686-13-019
686-13-020	686-13-049	686-14-011
686-14-012	686-14-013	686-14-014
686-14-015	686-14-016	686-14-017
686-14-018	686-14-019	686-14-021
686-14-023	686-14-025	687-01-024
687-01-026	687-01-029	687-01-033
687-02-029	687-02-033	687-02-034

RESOLUTION NO. 95-2018 (F)

687-02-036	687-06-001	687-06-002
687-06-003	687-06-004	687-06-005
687-06-006	687-06-007	687-06-008
687-06-011	687-06-012	687-06-014
687-08-008	687-08-007	687-08-009
687-08-010	687-08-011	687-08-012
687-08-013	687-08-014	687-08-015
687-08-081	687-08-016	687-08-017
687-08-080	687-08-005	687-08-006

SECTION 4. The method of levying the special assessment shall be by a percentage of the tax value of the property assessed, with such assessments being recalculated on an annual basis over the five-year period to accommodate fluctuating property values due to improvements and new construction.

SECTION 5. The costs of the public services plan and the estimated first-year assessments for affected properties are presently on file with the Clerk of Council and available for inspection.

SECTION 6. The Clerk of Council be, and she is hereby, authorized and directed to serve notice of the passage of this Resolution upon the owners of each of the properties included in the Special Improvement District in the manner provided by law, and to make appropriate record of proof of service.

SECTION 7. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 8. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet county taxing deadlines. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 7/30/2018

RESOLUTION NO. 96-2018 (F)

By Council Member

A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for public services plans for the Cedar Lee Special Improvement District; declaring an emergency.

WHEREAS, this Council, by Resolution No. 95-2018 declared the necessity of assessing the expense of public services plans for the Cedar Lee Special Improvement District; and

WHEREAS, pursuant to Ohio Revised Code Section 727.16, this Council is required to appoint an Assessment Equalization Board to hear objections to the proposed assessments in the event any property owner files timely written objections to said assessments and to fix the time and place for the hearings on said objections.

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

SECTION 1. Jeff Rink, Leonard Horowitz and Michelle Kolbe, who are disinterested freeholders in the City of Cleveland Heights but outside the Cedar Lee Special Improvement District, are hereby appointed to act as an Assessment Equalization Board to hear and determine any timely written objections to the estimated assessments on file with the Clerk of Council and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in Resolution No. 95-2018, and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 2. In the event timely written objections are filed, the Board shall meet to hear such objections at 9:00 a.m., Wednesday, August 29, 2018, at Cleveland Heights City Hall, 40 Severance Circle, and, upon the completion of each such equalization, shall report its recommendations to the City Council.

SECTION 3. Notice of the time and place of the hearing shall be given by Certified Mail pursuant to Section 727.16 of the Ohio Revised Code.

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

RESOLUTION NO. 96-2018 (F)

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

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 7/2/2018

RESOLUTION NO. 79-2018 (PD), *Second Reading*

By Council Member Stein

A Resolution authorizing the City Manager to negotiate a non-binding Memorandum of Understanding with Cedar Lee Connection, LLC, concerning the Meadowbrook & Lee development; and declaring an emergency.

WHEREAS, the City has identified the opportunity to develop the site known as “Meadowbrook & Lee,” located at 2223 Lee Road, PPN 687-08-001, bounded by Lee Road, Meadowbrook Boulevard, and Tullamore Road in the Cedar Lee business district; and

WHEREAS, the City issued Requests for Qualifications and Preliminary Development Proposals, with responses received by April 16, 2018; and

WHEREAS, this Council hereby determines that it is in the City’s best interest to move forward with negotiation of a non-binding Memorandum of Understanding with Cedar Lee Connection, LLC.

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

SECTION 1. The City Manager be, and she is hereby authorized to, negotiate a non-binding Memorandum of Understanding with Cedar Lee Connection, LLC, c/o Statutory Agent Keith R. Krause, 60 S. Park Place, Painesville, Ohio, 44077, concerning the development of the site located at 2223 Lee Road, PPN 687-08-001, bounded by Lee Road, Meadowbrook Boulevard, and Tullamore Road, commonly referred to as “Meadowbrook & Lee.” Documents relating to this negotiation shall be approved as to form by the Director of Law.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to enter negotiations in good faith. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 79-2018 (PD)

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 7/16/2018

RESOLUTION NO. 92-2018 (PD), *Second Reading*

By Council Member Stein

A Resolution authorizing the City Manager to apply for a grant through the Ohio Historic Preservation Tax Credit Pipeline Initiative to nominate a five-building historic district at Taylor Road and Superior Park Road, historically known as "Stadium Square," including 1932-46 S. Taylor Road (PPN 684-27-001), 1912-26 S. Taylor Road (PPN 684-26-012), 1908 S. Taylor Road (PPN 684-26-011), 3433 Superior Park Drive (PPN 684-26-013), and 3440 Superior Park Drive (PPN 684-27-009), and declaring an emergency.

WHEREAS, City Council intends that the City Manager be authorized to proceed with application for available funding through the Ohio Historic Preservation Tax Credit Pipeline Initiative.

WHEREAS, as owner of 1932-46 S. Taylor Road (PPN 684-27-001), the City intends to express its support of the historic district designation, along with other owners within the historic district, thereby achieving a majority of those owners five-building historic district at Taylor Road and Superior Park Road, historically known as "Stadium Square," including 1932-46 S. Taylor Road (PPN 684-27-001), 1912-26 S. Taylor Road (PPN 684-26-012), 1908 S. Taylor Road (PPN 684-26-011), 3433 Superior Park Drive (PPN 684-26-013), and 3440 Superior Park Drive (PPN 684-27-009); and

WHEREAS, City Council intends that the City Manager be authorized to consent to the designation of City-owned parcels within the Stadium Square Historic District boundaries for listing on the National Register of Historic Places.

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

SECTION 1. The City Manager is hereby authorized to apply for the Ohio Historic Preservation Tax Credit Pipeline Initiative grant for financial support to nominate the Stadium Square Historic District to the National Register of Historic Places.

SECTION 2. On behalf of the City, as owner of 1932-46 S. Taylor Road (PPN 684-27-001), the City Manager is hereby authorized to support the application for the Ohio Historic Preservation Tax Credit Pipeline Initiative.

SECTION 3. The City Manager is hereby authorized to issue support on behalf of the

RESOLUTION NO. 92-2018 (PD)

City as the local jurisdiction in which the Stadium Square Historic District is located.

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

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to accelerate the steps to achieve the financial support outlined above. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 7/30/2018

RESOLUTION NO. 97-2018 (PD)

By Council Member

A Resolution authorizing the City Manager to enter into a development services agreement with FutureHeights for the performance of certain work; and declaring an emergency.

WHEREAS, pursuant to Resolution No. 97-2017, the City Manager was authorized to appoint a working group for the purpose of forming a contractual relationship with FutureHeights, an Ohio not for profit corporation, to perform services as a community development corporation for the City and to set the initial agenda for said working group; and

WHEREAS, pursuant to Resolution No. 25-2018, Council authorized the City Manager to engage in negotiations with FutureHeights to finalize the terms of the contractual relationship between the City and FutureHeights; and

WHEREAS, Council has determined it would be in the best interests of the City and its residents to finalize a development services agreement with FutureHeights under the terms set forth herein.

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

SECTION 1. The City Manager be, and she is hereby, authorized to enter into a development services agreement (“Agreement”) with FutureHeights, a copy of which is on file with the Clerk of Council. The term of the Agreement shall be for a period of two (2) years, commencing and expiring as provided by the Agreement, and the total funds allocated to FutureHeights under said Agreement shall not exceed One Hundred Forty Thousand Dollars (\$140,000). The Agreement shall be approved as to form by the Director of Law.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for FutureHeights to render said services to the City as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 97-2018 (PD)

CAROL ANN ROE, Mayor
President of the Council

LAURIE SABIN
Clerk of Council

PASSED:

Proposed: 7/30/2018

RESOLUTION NO. 98-2018 (PD)

By Council Member

A Resolution expressing approval and support for the development of State Bicycle Route 80; and declaring an emergency.

WHEREAS, bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists; and

WHEREAS, the American Association of State Highway and Transportation Officials (“AASHTO”) has designated a series of corridors crossing Ohio to be developed as various US Bicycle Routes; and

WHEREAS, the Ohio Department of Transportation (“ODOT”) has designated a series of corridors crossing Ohio to be developed as various State Bicycle Routes; and

WHEREAS, ODOT is supportive of the AASHTO designated bicycle routes through Ohio, subject to ongoing collaboration with affected jurisdictions to inventory, analyze, and designate specific facilities the routes will traverse; and

WHEREAS, the City of Cleveland Heights and the Adventure Cycling Association, with the cooperation of the ODOT and other stakeholders, have proposed specific routes to be designated as State Bicycle Route 80, a map of which is attached hereto as Exhibit A; and

WHEREAS, City staff has investigated the proposed route and found it to be a suitable route and have recommended its designation by AASHTO; and

WHEREAS, this Council desires that said route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in the City of Cleveland Heights; and

WHEREAS, Council acknowledges the route may change over time because new facilities are being constructed that are more suitable for bicyclists.

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

SECTION 1. This Council, on behalf of the City of Cleveland Heights, hereby expresses its approval and support for the development of State Bicycle Route 80, a map of which is attached hereto as Exhibit A and incorporated fully by reference as if set forth herein. This Council further requests that the appropriate officials see to it that State Bicycle Route 80 is officially designated by American Association of State Highway and Transportation Officials (“AASHTO”). This Council hereby recognizes that once the Route is approved by AASHTO, there may be efforts to

RESOLUTION NO. 98-2018 (PD)

publicize the route via internet maps, incorporating the Route on local maps, etc., and that tourism agencies may be involved in these efforts.

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

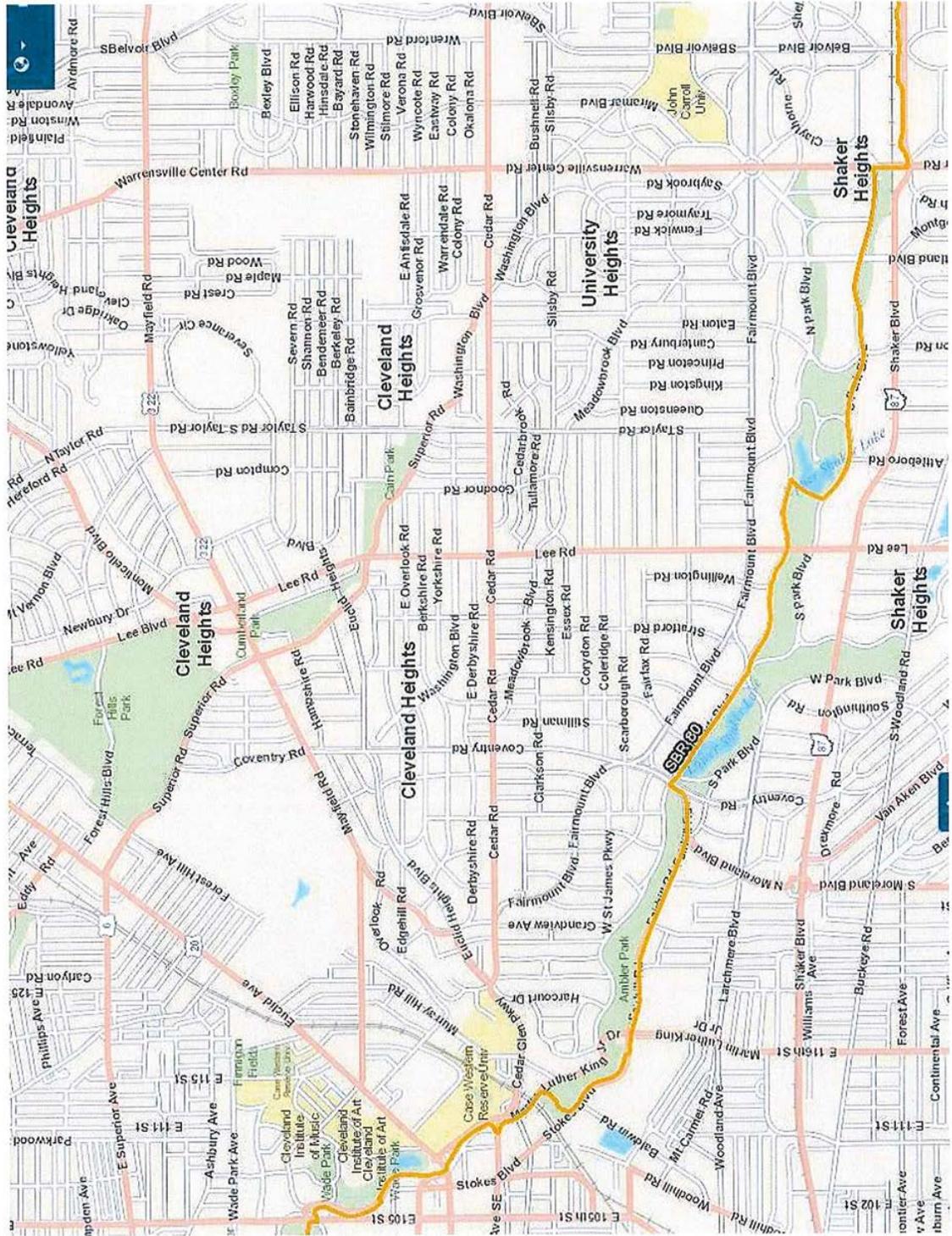
SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to meet ODOT's deadline of August 1, 2018. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CAROL ANN ROE, Mayor
President of Council

LAURIE SABIN
Clerk of Council

PASSED:

EXHIBIT A



Proposed: 7/30/2018

RESOLUTION NO. 99-2018 (PD)

By Council Member

A Resolution authorizing the City Manager to enter an agreement with Tucker Ellis LLP to serve as counsel to the City in connection with the Meadowbrook & Lee development; and declaring an emergency.

WHEREAS, the City has identified the opportunity to develop the site known as “Meadowbrook & Lee,” located at 2223 Lee Road, PPN 687-08-001, bounded by Lee Road, Meadowbrook Boulevard, and Tullamore Road in the Cedar Lee business district; and

WHEREAS, by Resolution No. 79-2018, this Council decided to move forward with the negotiation of a non-binding Memorandum of Understanding with Cedar Lee Connection, LLC for the development of Meadowbrook & Lee; and

WHEREAS, the City Manager has determined that it is in the City’s best interest to retain outside counsel to act on the City’s behalf concerning said negotiations and related actions; and

WHEREAS, the City recently retained Tucker Ellis LLP for legal representation in regard to the “Top of the Hill” development; and

WHEREAS, the City Manager and other city staff have determined that the services of Tucker Ellis, LLP have been satisfactory and would likely well serve the City concerning this similar development project; and

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

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

SECTION 1. The City Manager shall be and is hereby authorized to execute an engagement letter with Tucker Ellis LLP in connection with the development of the site commonly referred to as “Meadowbrook & Lee,” located at 2223 Lee Road. The agreement shall have substantively the same terms as the proposed engagement letter submitted by Tucker Ellis LLP, dated July 6, 2018, copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall be paid for work actually performed at the rates described therein and in no event shall exceed a total compensation of Eighty-Five Thousand Dollar (\$85,000). All agreements hereunder shall be approved as to form by the Director of Law

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely

RESOLUTION NO. 99-2018 (PD)

commence negotiations. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

CAROL ANN ROE, Mayor
President of Council

LAURIE SABIN
Clerk of Council

PASSED:



CLEVELAND HEIGHTS

July 16, 2018 Minutes

COMMITTEE OF THE WHOLE

6:24 – 7:00 p.m.

Mayor Roe presiding

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

Staff present: Boland, Briley, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O’Neil, Sabin, Trupo

Topics discussed: Report of City Council Members, Legislation Overview, Staff Reports, and Meadowbrook/Lee Development Update

2019 TAX BUDGET PUBLIC HEARING

7:00 – 7:30 p.m.

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

Staff present: Boland, Briley, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O’Neil, Sabin, Trupo

City Manager Tanisha Briley gave a presentation about the 2019 Tax Budget. That presentation may be viewed at <https://www.youtube.com/watch?v=ZXytyeHTFSY>.

CITY COUNCIL MEETING

7:36 – 8:54 p.m.

Mayor Roe presiding

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

Staff present: Boland, Briley, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O’Neil, Sabin, Trupo

The minutes of the regular Council meeting held Monday, July 2, 2018 were approved.

Personal communications from citizens

Representative Janine Boyd made a statement about Kinship Care Navigator Program Bill going statewide. She said the Boyd family was grateful for the renaming of the park.

Report of the City Manager

Nothing to report

Report of the Clerk of Council/Director of Finance

Nothing to report

Master Plan Update

The City Manager, Tanisha Briley, gave a presentation about the Master Plan. The presentation and Q&A is available at <https://www.youtube.com/watch?v=VKL9gafkLbI>.

Committee Reports

Recreation, Community and External Relations Committee

Councilman Seren made a statement about the second meeting of the Immigration Task Force where legislation and policy was discussed. Upcoming meeting dates are July 26, August 9, September 6 and September 20 at 7:00 p.m.

RESOLUTION NO. 86-2018 (RCER). A Resolution authorizing the City Manager to enter into an agreement with designFitness of Lewis Center, Ohio for fitness equipment for the Community Center and to enter into a lease/purchase transaction agreement with Lease Servicing Center, Inc. (dba National Cooperative Leasing) of Alexandria, Minnesota

Introduced by Councilman Seren, Seconded by Councilman Ungar

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar
Nays: None

Legislation Passed

RESOLUTION NO. 87-2018 (RCER). A Resolution renaming Caledonia Park, “Barbara H. Boyd Park.”

Councilwoman Stephens made a statement recognizing Barbara Boyd’s contributions to the City. Councilman Seren concurred.

Introduced by Councilwoman Stephens, Seconded by Councilwoman Dunbar

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Ungar, Dunbar
Nays: None

Legislation Passed

Safety And Municipal Services Committee

ORDINANCE NO. 82-2018 (SMS), *Second Reading*. An Ordinance enacting Chapter 943, "Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures," of Part Nine, *Streets, Utilities and Public Services Code* of the Codified Ordinances of Cleveland Heights

Introduced by Councilman Ungar, Seconded by Councilman Stein

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

Nays: None

Legislation Passed

Administrative Services Committee

Nothing to report

Finance Committee

ORDINANCE NO. 77-2018 (F), *Third Reading*. An Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of Cleveland Heights, State of Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council and a tax incentive review council

Introduced by Councilwoman Stephens

RESOLUTION NO. 85-2018 (F), *Second Reading*. A Resolution approving the adoption of the 2019 Tax Budget

Introduced by Councilwoman Stephens, Seconded by Councilwoman Dunbar

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

Nays: None

Legislation Passed

ORDINANCE NO. 88-2018 (F). An Ordinance determining to proceed with the implementation through assessment of a public services plan for the Cedar Fairmount Special Improvement District, Inc. ("Cedar Fairmount SID")

Introduced by Councilwoman Stephens, Seconded by Councilwoman Dunbar

Roll Call: Ayes: Stephens, Ungar, Dunbar, Roe, Seren, Stein
Nays: None

Legislation Passed

ORDINANCE NO. 89-2018 (F). An Ordinance levying an assessment for a public services plan for the Cedar Fairmount Special Improvement, Inc. (“Cedar Fairmount SID”)

Introduced by Councilwoman Stephens, Seconded by Councilwoman Dunbar

Roll Call: Ayes: Ungar, Dunbar, Roe, Seren, Stein, Stephens
Nays: None

Legislation Passed

RESOLUTION NO. 90-2018 (F). A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights

Introduced by Councilwoman Stephens, Seconded by Councilwoman Dunbar

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar
Nays: None

Legislation Passed

RESOLUTION NO. 91-2018 (F). A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights

Introduced by Councilwoman Stephens, Seconded by Councilman Ungar

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Ungar, Dunbar
Nays: None

Legislation Passed

Housing and Transportation Committee

Councilwoman Dunbar stated that FutureHeights was hosting a meeting at Bottle House Brewing Company on July 17. Also, the North Coast Beer Runners will meet at the Wine Spot on July 17.

Next Sunday, there is a family bike ride from 1:00 to 3:00 p.m. starting at Coventry PEACE Park to Horseshoe Lake. On Sunday, August 5, there is an Explore University Heights by Bike Ride.

Planning and Development Committee

Councilman Stein asked if businesses and Schools on Taylor were part of discussions for planning in that area. Tanisha Briley stated they were not and explained that the City was applying for grant dollars to pursue the designation. There has to a majority of ownership and staff was able to accomplish that. Councilman Stein stated that since Taylor and Noble did not have a SID, we needed to engage those districts. Councilman Seren requested clarification about our obligation and Tanisha Briley stated that this legislation would give us access for technical assistance and experts that know how to write the applications for the district. Tim Boland made a statement about some informational meetings held and the process of application.

Councilwoman Dunbar made a statement about preserving the Tudor buildings.

Councilman Seren made a motion to postpone the resolution to July 30. Councilman Stein seconded on the condition that the City could meet with organizations in that area by that meeting date. Jim Juliano stated that the Mayor could have tonight's reading as a first reading and put the second reading on July 30. Councilman Seren withdrew his motion.

RESOLUTION NO. 92-2018 (PD), *First Reading*. A Resolution authorizing the City Manager to apply for a grant through the Ohio Historic Preservation Tax Credit Pipeline Initiative to nominate a five-building historic district at Taylor Road and Superior Park Road, historically known as "Stadium Square," including 1932-46 S. Taylor Road (PPN 684-27-001), 1912-26 S. Taylor Road (PPN 684-26-012), 1908 S. Taylor Road (PPN 684-26-011), 3433 Superior Park Drive (PPN 684-26-013), and 3440 Superior Park Drive (PPN 684-27-009)

Introduced by Councilman Stein

Mayor's Report

There will be a Special Meeting of Council on July 30. Council will recess for the month of August. The next meetings of Council after that will be Tuesday, September 4 due to a holiday.

The Mayor made a statement about the Cedar Taylor Merchants meeting and the collaboration with merchants, University Heights and Cleveland Heights for improvements.

The Mayor commended staff for a job well done on the Cain Park Arts Festival.

Respectfully submitted,

Carol Roe, Mayor

Laurie Sabin, Clerk of Council
/jkw

DRAFT