



CLEVELAND HEIGHTS

November 19, 2018 Minutes

COMMITTEE OF THE WHOLE

6:25 – 7:20 p.m.

Mayor Roe presiding

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

Staff present: Boland, Briley, Butler, Juliano, Lambdin, McRae, Mecklenburg, Mannarino, Niermann O’Neil, Smith, Trupo, Wong

Topics discussed: Report of City Council Members, Legislation Overview, Staff Reports, Energy Efficiency Update and 2019 Budget Overview

Executive Session

7:20 – 7:32 p.m.

Vice Mayor Yasinow made a motion to begin Executive Session, which was seconded by Councilman Stein, 1) To consider the terms of a lease of City-owned real property; and 2) To discuss the appointment of a public official.

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

Vice Mayor Yasinow made a motion to end Executive Session which was seconded by Councilman Stein.

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

CITY COUNCIL

7:30 – 8:21 p.m.

Mayor Roe presiding

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

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

The minutes of the Special Council Meeting held on Monday, October 22, 2018 and the regular Council meeting held Monday, November 5, 2018 were approved with corrections submitted.

Personal communications from citizens

Mark Poltesker made a statement regarding the municipal broadband feasibility study.

Lee Chilcote made a statement regarding building permits and a Board of Zoning Appeals case for 2611 Fairmount Boulevard.

Jim Cull made a statement regarding the permits and approvals for 2611 Fairmount Boulevard.

Debra Kirby made a statement regarding the changes to the property at 2611 Fairmount Boulevard and her property that neighbors it.

Don Kirby made a statement regarding the changes to the property at 2611 Fairmount Boulevard.

Joyce Reiki made a statement regarding outsourcing the Building Department.

Tony LaHood made a statement regarding the Tobacco 21 legislation and requested an exemption for on-premise only use for ages 18-20. Mayor Roe requested he submit his request in writing so it may be considered in 2019.

Steve Reiki made a statement regarding Top of the Hill site plans. The City will continue to update information at www.clevelandheights.com.

Report of the City Manager

Sealed bids were received for the Cuyahoga-Edgehill/Overlook-TLCI project on November 9, 2018. Liberta Construction of Akron, Ohio's combined Base and Alternate-A bid of \$215,340.70 has been found to be the lowest and best responsible bid.

Matter of Record

Request Permission to go to bid for the 2019 Street Resurfacing & ADA Curb Ramp Replacement Program.

Matter of Record

Vice Mayor Yasinow moved to grant permission for the City Manager to go to bid for the 2019 Street Resurfacing & ADA Curb Ramp Replacement Program. The motion was seconded by Councilwoman Dunbar.

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

Nays: None

Motion Passed

Request Permission to go to bid for the 2019 Surface Treating Program.

Matter of Record

Councilwoman Dunbar moved to grant permission to the City Manager to go to bid for the 2019 Surface Treating Program. The motion was seconded by Vice Mayor Yasinow.

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

Motion Passed

Request Permission to go to bid for the 2019-2020-2021 Pavement Striping Program.

Matter of Record

Councilwoman Dunbar moved to grant the City Manager permission to go to bid for the 2019-2020-2021 Pavement Striping Program. The motion was seconded by Vice Mayor Yasinow. Councilman Seren asked if this would include Complete Streets. The City Manager responded that the City typically receives a bid for price by mile and that's how it is determined what the striping budget will include.

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

Motion Passed

Report of the Director of Finance/Clerk of Council

Notify Council that notices have been received from the Ohio Department of Liquor Control advising that applications have been made by the following:

- Emily's Angels LLC, 3962 Mayfield Road, Cleveland Heights, OH 44121, transfer D5 permit from Dolce Wraps of North Royalton LLC, 13000 Royalton Road & Patio, North Royalton, Ohio 44133
- Multi Investments LLC, 2221 Noble Road, Cleveland Heights, Ohio 44112, transfer D5 permit from Hill Top Lounge LLC, dba Hill Top Lounge, 2221 Noble Road, Cleveland Heights, Ohio 44112

Matter of Record

Refer to: Public Safety and Health Committee of Council, the City Manager, and the Director of Law

Councilwoman Stephens requested a letter from the Police Department to be submitted. Law Director Jim Juliano stated it is submitted.

Councilman Stein moved to oppose the liquor permit application for transfer of permit from Hill Top Lounge to Multi Investments LC citing the reasons set forth in the memo from Chief Mecklenburg dated November 19. The motion was seconded by Vice Mayor

Councilman Seren made a statement regarding the letter submitted - that people who have committed crimes in the past and have paid for those crimes should be afforded the opportunity to return to society after they've paid their debt and have fulfilling whole lives where they're allowed to pursue vocations. His concerns are based on other business activities that are current and police calls that have been logged.

Vice Mayor Yasinow made a statement that while taking into account a person's history that, while they've paid their debt, and people deserve second chances, doesn't necessarily mean that they deserve every single chance. Also, as presented by the Chief's letter, the individual that owns the establishment as of 9 months ago was sentenced to 12 months of community control sanctions under the supervision of the Adult Probation Department; all this following a rather lengthy criminal record including 74 Police calls logged at his other establishment in the past year.

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

Committee Reports

PLANNING AND DEVELOPMENT COMMITTEE

RESOLUTION NO. 124-2018 (PD). A Resolution authorizing the City Manager to apply for grant funding under the Cuyahoga County Department of Development's Community Development Supplemental Grant program to install security cameras in the Cain Park Village Commercial District

Introduced by Vice Mayor Yasinow, Seconded by Council Member Stein

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

Legislation Passed

RESOLUTION NO. 125-2018 (PD), First Reading. A Resolution authorizing the City Manager to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2019

Introduced by Vice Mayor Yasinow

Vice Mayor Yasinow made a statement reflecting on the Tree of Life shootings and recognizing the shooting at Thousand Oaks, California and read the names of the victims. Vice Mayor Yasinow made a statement regarding reporter Nikki Delamotte's murder who was a resident of Cleveland Heights. She read the proclamation that will be presented to her family. Vice Mayor Yasinow made a statement regarding the murder of Aisha Fraser, a sixth-grade teacher in Shaker Heights.

RECREATION, COMMUNITY AND EXTERNAL RELATIONS COMMITTEE

ORDINANCE NO. 126-2018 (RCER), *First Reading*. An Ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2019.

Introduced by Council Member Seren

ORDINANCE NO. 127-2018 (RCER), *First Reading*. An Ordinance amending the use regulations and rates for admission and other services for the Cleveland Heights Community Center, city parks, and Cumberland Pool for the 2019 winter, spring and summer seasons, and repealing Ordinance No. 120-2017.

Introduced by Council Member Seren

RESOLUTION NO. 128-2018 (RCER). A Resolution declaring November 24, 2018, "Small Business Saturday;"

Introduced by Council Member Seren, Seconded by Council Member Stein

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

Legislation Passed

SAFETY AND MUNICIPAL SERVICES COMMITTEE

RESOLUTION NO. 122-2018 (SMS), *Second Reading*. A Resolution authorizing the City Manager to enter into an agreement with the County of Cuyahoga to perform certain services to help maintain the City's sanitary and storm sewers.

Introduced by Council Member Stein, Seconded by Vice Mayor Yasinow

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

Legislation Passed

ORDINANCE NO. 129-2018 (SMS). An Ordinance authorizing the renewal of an agreement with the Cuyahoga County General Health District for the provision of public health services to the City and its residents; providing compensation therefor

Introduced by Council Member Stein, Seconded by Vice Mayor Yasinow

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

Legislation Passed

ADMINISTRATIVE SERVICES COMMITTEE

ORDINANCE NO. 123-2018 (AS), *Second Reading.* An Ordinance amending Section 137.11, “Appointments, Promotions and Probation,” of Chapter 137, *Civil Service*, the Codified Ordinances of Cleveland Heights

Introduced by Council Member Stein, Seconded by Vice Mayor Yasinow

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

Legislation Passed

Council Member Stein stated his farewell wishes to Council Member Cheryl Stephens noting her contributions and accomplishments improving the City of Cleveland Heights. Cleveland Heights.

HOUSING AND TRANSPORTATION COMMITTEE

RESOLUTION NO. 132-2018 (HT). A Resolution to suspend enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2019, or at such earlier time as Council may subsequently prescribe, on the following-described streets; providing for on-street overnight permit parking on specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads

Introduced by Council Member Dunbar, Seconded by Vice Mayor Yasinow

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

Legislation Passed

RESOLUTION NO. 133- 2018 (HT). A Resolution authorizing the Ohio Department of Transportation (“ODOT”) to complete a project installing signs for bus routes within Cleveland Heights

Introduced by Council Member Dunbar, Seconded by Vice Mayor Yasinow

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

Legislation Passed

Councilwoman Dunbar stated on December 2, 4:00 p.m. at Nighttown, the Heights Bicycle Coalition will host a meeting. Richard Wong will be recognized at that meeting for his contributions in making the city more bicycle friendly.

FINANCE COMMITTEE

ORDINANCE 130-2018 (F), *First Reading*. An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2019 through December 31, 2019

Introduced by Council Member Stephens

ORDINANCE 131-2018 (F), *First Reading*. An Ordinance to amend certain subparagraphs of Ordinance 123-2017 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2018

Introduced by Council Member Stephens

Councilwoman Stephens read a letter stating her experience and love for living in and working for the City of Cleveland Heights. As she moves on to become a County Council Member for District 10, her resignation as Council Member for the City of Cleveland Heights is official as of midnight, November 19, 2018.

Councilman Stein moved to accept Cheryl Stephens’ resignation as outlined in her letter. Councilwoman Dunbar seconded the motion. Councilman Seren, Vice Mayor Yasinow

and Councilwoman Dunbar made farewell statements to her. Mayor Roe made a statement and presented her with a gift.

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

Motion Passed

Mayor's Report

Mayor Roe stated she had an accident and broke three bones in her ankle. She thanked the Police, Fire Department, City Manager, Metro staff, Councilwoman Dunbar, her friends and the residents of the city that helped her.

Adjournment

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

NEXT MEETING OF COUNCIL: MONDAY, DECEMBER 3, 2018

Respectfully submitted,

Carol Ann Roe, Mayor

Susanna Niermann O'Neil, Acting Clerk of Council
/jkw