



COUNCIL UPDATE

JUNE 7, 2019

MEETINGS & REMINDERS

Saturday, June 8	-		-	Cain Park Splash Pad Opens
Tuesday, June 11	-	6:15 p.m.	-	Committee of the Whole
Wednesday, June 12	-	8:00 a.m. – 9:30 a.m.		and 6:00 p.m. – 7:00 p.m.
				CRA Tax Abatement
				Informational Open House
	-	7:00 p.m.	-	Planning Commission
Thursday, June 13	-	6:00 p.m.	-	Meet Your Police
	-	6:00 p.m.	-	Refuse & Recycling Task
				Force (meeting offsite for a tour of Kimble)

LEGISLATION

- **Top of the Hill Parking.** An Ordinance authorizing the implementation of the parking plan during construction of the Top of the Hill development.
- **NatureWorks.** A Resolution authorizing the City Manager to file a NatureWorks application with the Ohio Department of Natural Resources.
- **Community Development Block Grant (CDBG) Funds.**
 - **Bhutanese Community of Greater Cleveland,** a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Job Training Program - \$8,000
 - **Central Bible Baptist Church (CBBC),** for the use of Community Development Block Grant funds to provide funding for assistance with its Neighborhood Seniors Resource Center - \$8,000
 - **Cedar Taylor Development Association,** a non-profit corporation, for the use of Community Development Block Grant funds for assistance with the costs of the

Association relative to the implementation of streetscape enhancements for the business district - \$10,000

- **Family Connections of Northeast Ohio** a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Family School Connections Program - \$20,000
- **FutureHeights**, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Community Capacity Building Program - \$33,000
- **FutureHeights**, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Cedar Lee Mini-Park Placemaking Project - \$10,000
- **Gesher**, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses - \$8,000
- **Heights Emergency Food Center**, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating and capital improvement expenses - \$25,510
- **Home Repair Resource Center** (“HRRC”), a non-profit corporation, for the use of Community Development Block Grant Funds for assistance with HRRC’s housing counseling, home-repair and home-improvement programs - \$117,327 for HRRC Program Delivery Expenses; \$10,000 for Assist Incentive Grants; \$10,000 for Deferred Loan Match; \$8,000 for the Senior Home Stability Grant; \$500 for the Assist 0% Benefit Program; and \$25,000 for Housing Counseling; for a total of \$170,827.
- **Heights Youth Club, Inc.**, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Learning Place Program - \$10,000
- **Lake Erie Ink**, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization’s Ink Spot After School Program - \$12,015
- **Open Doors Academy**, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization’s year-round enrichment program for youth living at risk - \$15,000
- **Severance Tower Local Advisory Council**, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Accessible Community Garden Project - \$10,800

- **Start Right Community Development Corporation**, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses for their Food Bank Program - \$10,000

UPDATES

- **Charter Review**

Please find enclosed a redlined draft version of the First Amended Charter which reflects Council's discussions to date. There are still several outstanding research questions that the Law Department is working to address. This draft will be discussed at Monday's meeting.

- **Recent Criminal Activity**

There has been interest and concern expressed regarding robberies that have occurred recently. Please find enclosed a memo from Police Chief Mecklenburg outlining an overview of her strategy to combat these issues.

- **Boards & Commission Member Recruitment**

Advertisement for vacant Planning Commission and Board of Zoning Appeals seats was posted on the City's website on May 31, 2019.

- **NOPEC Update**

Staff is working with NOPEC staff to prepare an update on the City's partnership with NOPEC.

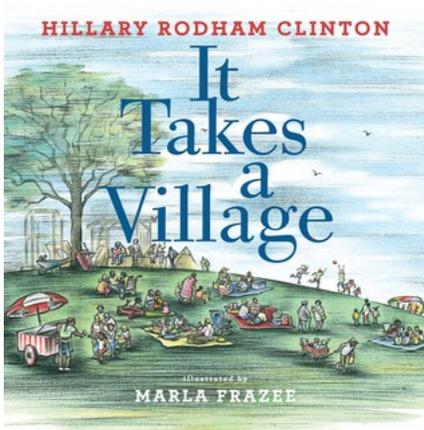
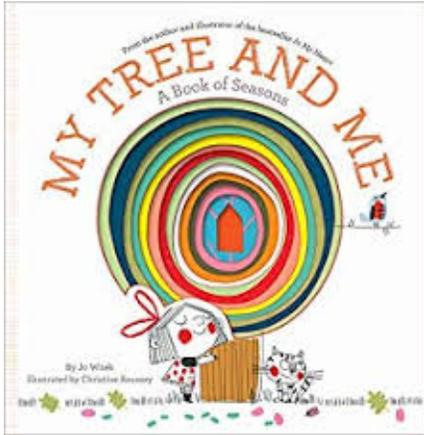
- **EPA Infrastructure Grants**

Staff confirmed that these dollars are available to communities for project design and construction. Part of the evaluation criteria includes a rating of "readiness to proceed". As our planning process matures over the next couple of years, we will be better positioned for these funds and plan to pursue them, though there may be some exceptions we can exploit that we are investigating with our outside counsel and engineer that could benefit us sooner. We will provide additional feedback as we learn more information.

- **Student Loan Incentive Program Research**

The memo outlining research prepared by Business Development Manager Brian Anderson regarding student loan repayment incentive programs is enclosed. Given the schedule for the next few meetings, this information will be reviewed at a meeting following the summer recess.

- **Apple Tree Books.** City Manager Tanisha Briley and Dan Krizner from Forestry read at Storytime at Apple Tree Books this week.





CLEVELAND HEIGHTS

Committee of the Whole

June 11, 2019

Agenda

1. Report of City Council Members 6:15 p.m. – 6:30 p.m.
Goal: Mayor and City Council members will provide updates on items of interest
2. Legislation Discussion 6:30 p.m. – 6:40 p.m.
Goal: Review upcoming legislation
3. Top of the Hill Temporary Parking Plan 6:40 p.m. – 7:00 p.m.
Goal: Staff will present the plan for temporary parking during TOH construction
4. Charter Review Recommendations 7:00 p.m. – 8:15 p.m.
Goal: Mayor and City Council members will discuss the recommendations of the Charter Review Commission
5. Break 8:15 p.m. – 8:25 p.m.
6. Executive Session 8:25 p.m. – 9:10 p.m.
To discuss, with an attorney for the public body, claims or disputes involving the public body that, in the judgment of such attorney, appear likely to be the subject of a future claim

**FIRST AMENDED CHARTER
OF THE
CITY OF CLEVELAND HEIGHTS, OHIO**

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**FIRST AMENDED CHARTER
OF THE
CITY OF CLEVELAND HEIGHTS, OHIO**

PREAMBLE

We, the people of the City of Cleveland Heights (City), exercising the benefits of home rule and desiring 1) to establish a responsive, effective, and accountable government that maintains the highest level of integrity and provides an outstanding quality of life through excellent municipal services, and through which all voices in our diverse society can be heard, and 2) to establish fair representation and distribution of government resources and a safe, harmonious, and sustainable environment based on principles of liberty and equality, do enact this First Amended Charter.

**ARTICLE ONE NAME AND
BOUNDARIES**

The municipal corporation now existing and known as the City of Cleveland Heights shall continue to be an organized, incorporated governmental entity under the same name and with the same boundaries, with power and authority to change its boundaries and annex other territory contiguous to its existing boundaries in the manner authorized by the general laws of the State of Ohio. However, no territory shall be detached from the City nor shall the City be annexed to any other municipality, without the consent of the Council and of a majority of the registered voters of the City voting on that question.

ARTICLE TWO. FORM OF GOVERNMENT AND POWERS.

- 2.1 Form of Government.
- 2.2 Powers.

**ARTICLE TWO
FORM OF GOVERNMENT AND POWERS**

2.1 FORM OF GOVERNMENT

The municipal government provided by this Charter shall, as reflected more specifically in other provisions of the Charter, be and be known as Council-Manager government.

2.2 POWERS.

The City shall have all powers of local self-government now or hereafter granted to municipalities by the Constitution and laws of Ohio, and such further powers as may now or hereafter be granted by the Constitution and laws of Ohio. All such powers shall be exercised in the manner prescribed by this Charter or, to the extent not inconsistent with this Charter, by ordinances, resolutions, or motions of the Council.

ARTICLE THREE. THE COUNCIL

- 3.1 Powers, Number and Term.
- 3.2 Qualifications.
- 3.3 Removal.
- 3.4 Vacancies.
- 3.5 Salaries.
- 3.6 Appointments.
- 3.7 Meetings.
- 3.8 General Provisions.
- 3.9 Emergency Measures.
- 3.10 Public Utilities and Franchises.
- 3.11 President of Council and Vice President of Council.

**ARTICLE THREE
THE COUNCIL**

3.1 POWERS, NUMBER AND TERM.

Except as otherwise provided by the laws of the State of Ohio or this Charter, the legislative power of the City and such additional powers as may be expressly granted by the Charter or by codified ordinance shall be vested in a council of seven (7) members elected at large (Council). Other than as called for under Section 3.4 of the Charter to address a vacancy, three (3) members shall be elected in the regular municipal election held in the year immediately preceding that in which a United States presidential general election is held, and four (4) members shall be elected in the regular municipal election held in the year immediately following that in which a United States presidential general election is held. The terms of Council members shall begin on the first day of January immediately following their election. The term of each member of Council shall be four (4) years or until that member's respective successor is chosen and qualified, provided that the members of Council in office when the Charter becomes effective shall continue in office until the expiration of their then-existing terms.

3.2 QUALIFICATIONS.

To serve as a member of Council, a person shall reside in, and be registered to vote in, the City at the time of submitting a nominating petition to the election authorities as required under the terms of this Charter, and shall continue to reside in the City while serving on Council. No person serving on Council may hold any employment with the City or any elected public office other than that of precinct committee person or State central committee person.

3.3 REMOVAL.

The Council shall be the judge of the election and qualifications of its own members. It may expel any member for gross misconduct, for malfeasance in or disqualification for office, for conviction of a crime involving moral turpitude while in office, for violation of this Charter, or for persistent failure to abide by the rules of the Council. However, that expulsion may take place only upon Council acting by an affirmative vote of at least five (5) of its members, and only after the accused member has been given an opportunity to be heard. At least ten (10) days before the hearing, the accused member must be given both written notice of the time and place of the hearing and a written statement of the charges advanced as the basis for expulsion.

3.4 VACANCIES.

The procedure for filling a Council vacancy is as follows:

(a) Unless the unexpired term is scheduled to expire earlier, an election regarding a Council vacancy shall be held at the first primary or general election that occurs at least two hundred ten (210) days after the vacancy occurs (Vacancy Election).

(b) Council may, by an affirmative vote of a majority of its members in office at the time of the appointment, fill the vacancy in the first instance by appointment, provided that it does so not later than ~~ninety one hundred fifty~~ (90150) days after the vacancy occurs. Council shall develop a process for making the appointment and include the process in the rules by which it operates. The term of a person who fills a vacancy by appointment shall extend until the earlier of (i) the expiration of the unexpired term, or (ii) the first regular meeting of Council following the certification of electoral results from the Vacancy Election.

(c) If Council does not fill the vacancy in the first instance by appointment as provided above, the vacancy shall be filled in the first instance by election at the Vacancy Election.

(d) The term of a person elected at the Vacancy Election shall begin at the first regularly scheduled meeting of Council following the certification of

electoral results of the Vacancy Election and shall extend for the remainder of the unexpired term.

3.5 SALARIES.

In each year immediately preceding the year in which a United States presidential general election is to be held, Council shall, following receipt and consideration of the report of the Civil Service Commission prescribed by Section 12.4 of this Charter, by ordinance, fix the salaries of all members of Council for the four-year period beginning on January 1 of the year following the year in which the ordinance is adopted. Any ordinance fixing salaries shall be null and void unless adopted at least sixty (60) days before the deadline for filing nominating petitions by candidates for Council for the regular municipal election to be held in the year of adoption, and subject to further provisions of this Charter. Salaries for the six (6) members of Council other than the President of Council shall be identical. The salary for the President of Council shall be larger by twenty-five percent (25%) than the salary for other members.

Comment [AN1]: Council to revisit this section. Question whether Civil Service Commission should be tasked with evaluating Council's salaries.

3.6 APPOINTMENTS.

(a) The Council shall appoint a City Manager. The Council shall evaluate the performance of the City Manager no less frequently than annually and shall, at the first meeting of Council that follows completion of the evaluation, announce that it has been performed and completed.

(b) Unless otherwise provided by ordinance of the Council, the Director of Finance shall serve as ex officio Clerk of the Council, and shall have the duty of keeping Council's records and performing all other duties required of the Clerk by this Charter and by the Council. The Council may also appoint, employ, retain, contract with, and otherwise secure the services of additional persons as Council may deem necessary to advise or assist it in its functions, with all such persons to hold their appointment, employment, retention, or other status at the pleasure of Council.
The City Manager shall take such actions as are necessary to accomplish the Council's directive.

(c) The Council may create and establish any other offices and positions it deems necessary to administer City affairs and for which this Charter does not otherwise provide.

(d) Unless otherwise provided in this Charter, neither the Council nor any of its members or committees may dictate the appointment or removal of any person to office or employment by the City Manager, or in any manner interfere with the City Manager's exercise of judgment in the appointment or removal of officers and employees in the administrative service. Except for the purpose of inquiry, the Council and its members must deal with the administrative service solely through the City Manager and neither the Council nor any member of Council may give orders to any subordinate of the City Manager, unless otherwise provided in this Charter.

(e) In its employment practices, the City is and shall continue to be an equal opportunity employer with respect to all protected classes recognized within the jurisdiction of the City. At least once each year, the City Manager must submit a report to the Council for review concerning the carrying out of this policy. Council must make this report public.

3.7 MEETINGS.

The Council shall meet for the purpose of organization on the first Monday in January following each regular municipal election. In the event the first Monday is a legal holiday, Council shall meet the following day. Thereafter, the Council shall meet at such times and at such ~~public~~ places accessible to the public within the City as may be prescribed by ordinance or resolution. Four members shall constitute a quorum.

3.8 GENERAL PROVISIONS.

The Council shall determine its own rules and order of business, provide for special meetings and keep a record of its proceedings. The Council may by ordinance provide for: legislative procedure; the form and method of enactment of ordinances; a simplified procedure for levying assessments; the method and manner of giving public notice of passage of ordinances or resolutions of a general or permanent nature; the advertisement and sale of bonds and notes; the advertisement and awarding of public contracts; and interpretation of principles of open government for the City, as well as the methods and manners of applying those principles. Ordinances of the type listed immediately above, when once adopted, may not be repealed or amended except by an affirmative vote of at least five (5) Council members or by initiative under ~~Section 8.1 Article 8~~ of this Charter.

3.9 EMERGENCY MEASURES.

An emergency ordinance, resolution, or other measure is one that is necessary for the immediate preservation of the public peace, health or safety in the City. No action of Council can qualify as an emergency ordinance, resolution, or other measure unless it receives the affirmative vote of at least five Council members, and the specific reason or reasons for the need to declare the emergency must be separately set forth in a section of the ordinance, resolution, or other measure.

Comment [AS2]: Research and propose alternate language for 3.9. Research in process.

3.10 PUBLIC UTILITIES AND FRANCHISES.

The Council may by ordinance grant permission to any person to construct and operate a public utility or other franchise on, across, under or above any public street or ground within the City. It may prescribe in the ordinance the kind and quality of service or product to be furnished, the rates to be charged for the service or product, and any other terms considered by Council conducive to the public interest. The grant may be amended or renewed in the manner and subject to the provisions established for original grants. The grant, amendment or renewal shall be for a period of time determined by Council and shall be made subject to Council's continuing right to provide reasonable regulations for the operation of the utility or

other franchise. No ordinance making, amending or renewing a public utility or other franchise may be passed as an emergency measure.

3.11 PRESIDENT OF COUNCIL AND VICE PRESIDENT OF COUNCIL.

(a) The Council shall, at the time of organizing following each regular municipal election, elect one of its members as President, who shall also have the title of Mayor, and another as Vice President, who shall also have the title of Vice Mayor. In the event of a vacancy in either office, or if the Council determines by an affirmative vote of at least four (4) members that either the Mayor President or the Vice Mayor President is unable to fulfill the duties of the respective office, the Council shall immediately proceed to elect one of its members to serve in that office.

(b) The President ~~of Council~~, or in the President's absence the Vice President, shall, consistent with the terms of applicable codified ordinances, prepare the agenda for meetings of the Council. The President ~~of Council~~, or in the President's absence the Vice President, or in the absence of both the President and the Vice President, the President Pro Tem, shall preside at meetings of the Council, and shall have a voice and vote in its proceedings but no veto. A President Pro Tem shall be elected by the affirmative vote of a majority of the Council members present at the meeting. Except as the same are otherwise disposed of or provided for herein, the President, or in the event he is unavailable, the Vice President, shall exercise all powers and discharge all duties imposed upon Mayors of municipalities by the general laws of the State, which are not inconsistent with the provisions of this Charter; but nothing herein provided shall be construed as conferring upon him any administrative or executive functions herein conferred upon other officers. The President ~~of Council~~, or in the President's absence the Vice President, (i) shall ensure that evaluation of the City Manager is completed at least annually with the input of every member of Council, and (ii) shall be recognized as a non-exclusive representative of the City for ceremonial purposes.

[Alternate 3.11]

(a) The Council shall, at the time of organizing following each regular municipal election, elect one of its members as Mayor and another as Vice Mayor, each of whom shall serve at the pleasure of Council. The Vice Mayor shall act as Mayor during the absence or disability of the Mayor. In the event of a vacancy in either the office, or if the Council determines by an affirmative vote of at least four (4) of its members that either the Mayor or the Vice Mayor is unable to or should not fulfill the duties of their respective office, the Council shall immediately proceed to elect one of its members to serve in that office.

(b) The Mayor, or in the Mayor's absence the Vice Mayor, shall, consistent with the terms of applicable codified ordinances, prepare the agenda for meetings of the Council. The Mayor, or in the Mayor's absence the Vice Mayor, shall be a voting member of the Council and attend and preside at meetings of the Council, represent the City in intergovernmental relationships, appoint with the advice and consent of the Council the members of citizen advisory boards and commissions, present an annual state of the city message, appoint the members and officers of Council committees, assign subject to the consent of council agenda items to

committees, and perform other duties specified by the Council. The Mayor, or in the Mayor's absence the Vice Mayor, shall ensure that evaluation of the City Manager is completed at least annually with the input of every member of Council. The Mayor shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative or executive duties.

ARTICLE FOUR. CITY MANAGER.

- 4.1 Appointment, Tenure, Removal.
- 4.2 Powers and Duties.
- 4.3 Vice City Manager.
- 4.4 Acting City Manager.

ARTICLE FOUR CITY MANAGER

4.1 APPOINTMENT, TENURE, REMOVAL.

The Council, acting by a vote of at least four (4) of its members, shall select and appoint a City Manager. The City Manager serves at the will of the Council, which, by an affirmative vote of at least four (4) of its members, may remove or suspend the City Manager with or without cause. No employment agreement between the City and the City Manager may limit the Council's authority to suspend or remove the City Manager, but the agreement may provide for post-employment payments and benefits.

4.2 POWERS AND DUTIES.

The City Manager is the chief executive officer of the City and official head of City government, and is responsible to the Council for the general direction, supervision, management and administration of all City affairs and the enforcement of all laws and ordinances, except as otherwise provided by law or by this Charter. The more particular powers and duties of the City Manager include, but are not limited to, the following:

- ~~(a) To represent the City in intergovernmental relationships;~~
- ~~(ab)~~ To represent the City in its relationships with business and residential interests consistent with the City's master plans and strategies adopted from time to time by Council and with the ordinances, resolutions, and other acts of Council;
- ~~(be)~~ To appoint, promote, suspend, discipline and/or remove all City employees and appointed City officers except as otherwise provided by federal, state or local law or by the Charter, and subject at all times to the terms of applicable collective bargaining agreements.
- ~~(cd)~~ To be the chief conservator of the peace within the City, and to see that all laws and ordinances are enforced;

Comment [AS3]: Old IV-2 residency requirement was stricken by CRC. Research status of the residency requirement. Research in process.

(~~d~~e) To develop and submit to Council policy proposals, including from time to time proposals for new or revised master plans and strategies, and to provide advice to Council on matters of policy;

(~~e~~f) To develop and recommend ordinances and resolutions for consideration by Council and otherwise make recommendations for actions to be taken by the City;

(~~f~~g) To prepare and to submit to Council annually, and to publish promptly in media of ready availability to City residents:

(1) A proposed operating budget for the upcoming fiscal year;

(2) A proposed capital improvements program and budget containing the improvements scheduled for or proposed for the upcoming fiscal year and for each of at least the three (3) following fiscal years;

(3) A written message accompanying the budget proposals that (i) describes the state of the City, including but not limited to its financial condition and its future needs, and identifies any longer term risks the City Manager believes are reasonably likely to have a material impact on the City's future financial status and/or other aspects of its well-being; (ii) makes recommendations for the establishment and achievement of future City goals and deals with the risks identified; and (iii) sets forth the initiatives proposed for the upcoming fiscal year and for each of at least the three (3) following fiscal years;

(~~g~~h) To promote and pursue the vision and plan for the City as determined from time to time by Council in light of and in response to the proposed budgets, the description of condition and needs, the identification of risks, and the proposed goals and initiatives;

(~~h~~i) To execute on behalf of the City all contracts, agreements, memoranda of understanding, conveyances, evidences of indebtedness, and other instruments to which the City is a party;

(~~i~~j) To attend meetings of Council, with the right to participate fully in its discussions and bring matters to its attention but without the right to vote on or to veto any measure, and to attend meetings of any committee of Council and, when permitted or requested by that committee, to bring matters to the committee's attention but without the right to vote on or to veto any measure;

(~~j~~k) To be recognized by the Courts for purposes of receiving service of civil process and by the Governor for military or defense purposes, and as a non-exclusive representative of the City for ceremonial purposes;

(~~k~~l) To perform such other duties as may be prescribed by the Charter or by ordinances or resolutions of Council not inconsistent with the Charter; and

Comment [AS4]: Research if language too broad. Research in process.

(~~lm~~) To delegate to any other City officer, department head, or supervisor, subject to direction of, supervision of, and ultimate responsibility of the City Manager, the authority to exercise any of the City Manager's powers and duties.

4.3 VICE CITY MANAGER.

(a) There shall be a Vice City Manager who is selected and appointed by the City Manager and whose appointment is subject to, and effective only upon, approval by Council acting by an affirmative vote of at least four of its members. The Vice City Manager reports to, is responsible to, and serves at the will of the City Manager, and may be suspended or removed by the City Manager without the approval of Council.

(b) The Vice City Manager assists the City Manager in the operation of the City Manager's office and the execution of the City Manager's powers and duties, subject to the direction of, supervision of, and ultimate responsibility of the City Manager.

During any temporary absence, suspension or disability of the City Manager, the Vice City Manager has and exercises the powers and performs the duties of the City Manager; ~~if, in any circumstance of this kind, the Vice City Manager is also unavailable to exercise the powers or perform the duties of City Manager, the Director of Law shall do so.~~

4.4 ACTING CITY MANAGER.

Upon a vacancy in the office of the City Manager, the Vice City Manager serves as Acting City Manager until another City Manager is appointed or Council appoints a separate person to be Acting City Manager. ~~If the Vice City Manager is serving as Acting City Manager but is unavailable to exercise the powers or perform the duties of City Manager, the Director of Law shall do so.~~ The Council may suspend or remove an Acting City Manager from that office at any time.

ARTICLE FIVE. ADMINISTRATIVE OFFICERS AND DEPARTMENTS

- 5.1 Departments.
- 5.2 Directors.
- 5.3 City Manager as Head of Departments.
- 5.4 Salaries and Bonds.

ARTICLE FIVE ADMINISTRATIVE OFFICERS AND DEPARTMENTS

5.1 DEPARTMENTS.

~~(a) The following administrative departments (Department) are hereby established: (1) Department of Law; (2) Department of Finance; (3) Department of Planning & Development; (4) Department of Public Safety; (5) Department of Public Works; (6) Department of Community Services; and (7) Department of Parks & Recreation.~~

~~(b) The Council shall determine and prescribe the functions and duties of each Department, and, acting by an affirmative vote of at least five (5) of its members via a codified ordinance, may create new Departments, may combine or abolish existing~~

~~Departments including but not limited to Departments established by this Charter, and may establish temporary Departments for special work.~~

The Council may establish City departments, offices, or agencies in addition to those created by this charter and may prescribe the functions of all departments, offices, and agencies. No function assigned by this charter to a particular department, office, or agency may be discontinued or, unless this charter specifically so provides, assigned to any other.

Comment [AS5]: Council considering replacing 5.1(a) and (b) with this paragraph

5.2 DIRECTORS.

(a) There shall be a director of each Department (Director) who supervises and controls the Department, and who is appointed by, and is immediately responsible to, the City Manager for the Department's administration. The City Manager's appointment of each Director is subject to and effective only upon the affirmative

vote of at least four Council members. The City Manager may remove the Director of any Department without Council approval.

(b) The Director of Law must be an attorney at law duly admitted to practice in the State of Ohio. The Director of Finance shall also have the title of City Auditor. Nothing in this Charter shall be construed as preventing the same person from being Director of more than one Department.

5.3 CITY MANAGER AS HEAD OF DEPARTMENTS.

Excepting the Departments of Law, Finance, and Planning & Development, the City Manager may serve as the Director of each and every Department of the City government unless otherwise stipulated by the Council.

Comment [AS6]: Check that 5.2 and 5.3 conform with 5.1 language in final form

5.4 SALARIES AND BONDS.

The Council shall fix by ordinance the salary, rate, or other amount of compensation of all officers and employees of the City, except as otherwise provided in this Charter. The Council may require any officer or employee to give a bond for the faithful performance of that officer's or employee's duties, in such an amount as it may determine, and it may provide that the premium for the bond shall be paid by the City.

ARTICLE SIX. MUNICIPAL COURT

- 6.1 Establishment.
- 6.2 Nomination and Election.
- 6.3 General Provisions.

ARTICLE SIX MUNICIPAL COURT

6.1 ESTABLISHMENT.

The Cleveland Heights Municipal Court (Court) has been created and is in existence pursuant to the laws of the State of Ohio.

6.2 NOMINATION AND ELECTION.

The provisions of Article SEVEN of this Charter shall govern the nomination and election of the Judge of the Court.

6.3 GENERAL PROVISIONS.

Except as otherwise specifically provided this Charter, the Court shall be governed by the laws, rules and regulations of the State of Ohio.

ARTICLE SEVEN. NOMINATIONS AND ELECTIONS

- 7.1 Time of Holding Elections.
- 7.2 Ballots.
- 7.3 Petition for Places on Ballots.
- 7.4 Acceptance.
- 7.5 Write-In Candidates.
- 7.6 Conduct of Elections and Canvass of Votes.
- 7.7 Voting by Members of the Armed Forces and Their Families.

**ARTICLE SEVEN
NOMINATIONS AND ELECTIONS**

7.1 TIME OF HOLDING ELECTIONS.

Regular municipal elections shall be held on the first Tuesday after the first Monday in November in odd numbered years. Any matter that, by the terms of this Charter, may be submitted to the voters of the City at a special election, may also be submitted at the time of a primary election or a general election.

7.2 BALLOTS.

- (a) The ballots used in all elections provided for in this Charter shall be consistent with the election laws of the State of Ohio.
- (b) The ballots used in all elections provided for in the Charter shall be without party marks or designations. The names of all candidates for any office shall be placed upon the same ballot and the names shall be rotated in the manner provided by the election laws of the State of Ohio.

7.3 PETITION FOR PLACES ON BALLOTS.

The name of anyone who meets the qualifications for holding City office must be printed upon the ballot as a candidate if there is filed with the election authorities prescribed by the election laws of the State of Ohio a petition in accordance with the following requirements:

- (a) The petition must state the name and place of residence of the person whose name is presented for a place upon the ballot and the name of the office for which the person is a candidate. The nomination of each candidate must be made by separate petition.

- (b) The petition must be signed by registered voters of the City equal in number to at least two percent (2%) of the total number of persons voting at the last regular municipal election.

Comment [AS7]: Is 2% minimum is too high?
Research in process.

(c) Each person signing a petition must also provide that person's place of residence, with street and number and date of signing. All signatures must be made with ink.

(d) The signatures on a petition need not all be affixed to a single paper, but to each separate paper there shall be attached a signed statement of the circulator of the paper, made under penalty of election falsification, stating the number of signers of the paper, that each person signed the paper in the circulator's presence on the date noted, and that to the best of the circulator's knowledge and belief each signature is the genuine signature of the person whose name it appears to be.

(e) No petition may be signed more than one hundred eighty (180) days before the day of the applicable election, and any signature affixed before that date shall not be counted. The petition must be filed with the election authorities at least ninety (90) days before the day of the election.

7.4 ACCEPTANCE.

Any person whose name has been submitted for candidacy by petition must file an acceptance of candidacy with the election authorities at least eighty-five (85) days before the applicable election; otherwise, that person's name shall not appear on the ballot. The signature of a candidate upon a declaration of candidacy contained as part of a petition filed with the election authorities in accordance with the election laws of the State of Ohio shall constitute compliance with the requirements of this Section.

7.5 WRITE-IN CANDIDATES.

A person seeking election as a write-in candidate must file a declaration of intent with the election authorities at least seventy-two (72) days before the election and must be registered to vote in the City at the time the declaration is filed. The declaration must state the person's name and place of residence and the office for which he or she intends to run. A voter may write on the ballot the name of any person who has properly and timely filed a declaration of intent to run as a write-in candidate, and that vote shall be counted.

7.6 CONDUCT OF ELECTIONS AND CANVASS OF VOTES.

All elections shall be conducted and the results canvassed and certified by the election authorities prescribed by the election laws of the State of Ohio, and all other election matters for which no specific provision is made in this Charter or by ordinance of Council shall also be determined by the election laws of the State of Ohio.

7.7 VOTING BY MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

Members of the Armed Forces of the United States and their families are entitled to vote in accordance with and pursuant to the procedures of the election laws of the State of Ohio.

ARTICLE EIGHT. INITIATIVE, REFERENDUM, AND RECALL.

- 8.1 Initiative.
- 8.2 Referendum.
- 8.3 Recall.
- 8.4 General Provisions.
- 8.5 Official Publicity.
- 8.6 Statements in Support and Opposition.

**ARTICLE EIGHT
INITIATIVE, REFERENDUM, AND RECALL**

8.1 INITIATIVE.

(a) The people reserve to themselves the right, by initiative petition, to propose any legislative measure, including the repeal of ordinances, resolutions, or other measures adopted by the Council, approved by referendum vote, or initiated by the people. A legislative initiative petition must be signed by registered voters of the City equal in number to at least ten percent (10%) of the total number of persons who voted in the most recent regular municipal election and must identify a committee of petitioners as defined in Section 8.4 of this Charter.

(b) When a petition proposing an ordinance or other measure has been signed by the required number of persons and duly filed with the Clerk of Council, the Clerk shall, at the next regular Council meeting, certify the petition to the Council. At that meeting, the Council shall read the petition and refer it to an appropriate Council committee, which may be the committee of the whole. The committee to which the petition is referred may provide for public hearings on the proposed legislation. Not later than the second regular meeting of the Council following the meeting at which the proposed measure was certified to the Council by the Clerk, the committee must report the proposed measure to the Council along with its recommendations.

(c) The Council must then proceed to consider it and take final action on the proposed measure not later than thirty (30) days following the date of the committee's report and recommendations to Council. If the Council rejects the proposed measure, fails to act on it within the time prescribed, or passes it in a form different from that set forth in the petition, the committee of petitioners may

require that it be submitted to a vote of the people in its original form. Alternatively, the committee of petitioners may require that the proposed measure be submitted to a vote with any proposed change, addition or amendment that had been presented, either at a public hearing before the committee of Council to which the proposed measure had been referred, or during the consideration of the proposed measure by the Council. In no instance may any such change, addition or amendment substantively alter the measure as it had appeared in the petition originally circulated for signatures. If the committee of petitioners intends to require a submission of the measure for a vote, it shall certify that intent to the Clerk in writing no later than ten (10) days after the final action on the proposed measure by the Council or after the expiration of the prescribed time without Council having acted, whichever is applicable. The Clerk shall promptly certify the committee's intent to the Council, which must provide for submitting it to a vote of the people.

(d) No measure initiated by the people and adopted by popular vote shall be repealed or materially amended by the Council, within two (2) years after it takes effect.

8.2 REFERENDUM.

(a) The people reserve to themselves the right, by petition, to subject to referendum any ordinance, resolution, or other measure passed by the Council, except as otherwise provided in this Section. Except as otherwise provided in this Section, no ordinance or other measure shall become effective until thirty (30) days after it has been passed by the Council, provided, however, that nothing contained in this Section shall prevent the City, after the passage of any ordinance or other measure, from proceeding at once to give any notice or make any tender or publication required by the measure, by this Charter, by the laws of the State of Ohio, or by ordinance or resolution.

(b) A petition demanding that an ordinance or other measure be submitted to the people for their approval or rejection must be signed by registered voters of the City equal in number to at least fifteen percent (15%) of the persons who voted in the most recent regular municipal election and must be filed with the Clerk of Council no later than thirty (30) days after the ordinance or other measure has been passed by the Council. When a referendum petition has been signed by the required number of persons and duly filed, the Clerk of Council shall, at the next regular Council meeting, certify the petition to the Council. Upon receipt of the certified petition, the Council shall immediately proceed to reconsider the ordinance or other measure. If upon reconsideration, the ordinance or other measure is not entirely repealed within thirty (30) days of Council's receipt of the petition, the Council shall provide for submitting it to a vote of the people, and it shall not go into effect unless and until approved by a majority of those voting on it.

(c) Whenever the Council is required by the laws of the State of Ohio or by ordinance to pass more than one ordinance or other measure to complete the legislation necessary to make and pay for any public improvement, the provisions of this Section shall apply only to the first ordinance or other measure required to be passed and not to any subsequent ordinances or other measures relating to the first ordinance or measure.

(d) Whenever the people have authorized the issuance of bonds, subsequent ordinances or other measures relating to the issuance of the bonds shall not be subject to the provisions of this Section.

(e) Ordinances or other measures providing for appropriations for the current expenses of the City, or for street improvements petitioned for by the owners of a majority of the front feet of the property benefited and to be specially assessed for the cost of the improvements, as provided by general law or ordinance, and emergency ordinances or other measures, shall go into immediate effect and are not subject to the provisions of this Section.

Comment [AS8]: The emergency language should be adjusted dependent upon the earlier research in 3.9

8.3 RECALL.

(a) The people reserve to themselves the right, by recall petition, to remove from office any member of the Council.

Comment [AN9]: Check with the Board of Elections for review of election procedures as proposed here, especially 8.3 and 8.4. In process.

(b) A petition for removal of a Council member must contain the name of the person sought to be removed and a concise statement setting forth the basis for removal and must be signed by registered voters of the City equal in number to at least twenty-five percent (25%) of the total number of persons who voted in the most recent regular municipal election. No petition shall be signed fewer than one hundred eighty (180) days following the commencement of the most recent term of office of the Council member whose removal is sought, and any signature affixed before that date shall not be counted. No petition may relate to the recall of more than one Council member.

(c) When a petition for recall has been signed by the required number of registered voters and duly filed with the Clerk of Council, the Clerk shall, at the next regular Council meeting, certify the petition to the Council and shall at the same time furnish a copy of the petition to the member of the Council whose removal is sought. Unless the member of Council tenders a written resignation to the Clerk within no more than five (5) days after certification of the petition to Council, the Council shall provide for submitting the question of removal to a vote of the people.

(d) If a majority of the votes cast at the election on the question of removal are affirmative, the person whose removal is sought shall be deemed removed from office upon the certification of the official canvass of the election to the Council.

(e) A vacancy caused by the removal of a member of Council shall be filled by the remainder of the Council according to the provisions of Article Three of this Charter, provided that if the removal of four (4) or more members of Council is the subject of a single election, any vacancy caused by removal shall be filled by election at the same election at which the question of removal is presented. The candidates for the vacancies shall be nominated by petitions similar in form to petitions presenting names of candidates for regular municipal elections, dated and verified in the manner required for those petitions, and filed with the election authorities not later than ninety (90) days before the recall election, but no nominating petition shall be signed until the recall petition has been certified to the Council, and any signature affixed before that date shall not be counted.

(f) If a majority of the votes cast at the election on the question of removal are not in the affirmative, the person whose removal has been sought shall be allowed by the Council reasonable expenses incident to the election.

8.4 GENERAL PROVISIONS.

(a) Any initiative, referendum or recall petition may be presented in separate parts. Each part of an initiative petition must contain a full and correct copy of the title and text of the proposed ordinance or other measure. Each part of a referendum petition must contain the number and the full and correct copy of the title of the ordinance or other measure sought to be referred, but need not contain the full text of the ordinance or other measure. Each part of a recall petition must contain the name of the member of Council sought to be removed and the statement of basis for removal.

(b) Each person signing a petition must also provide that person's street and number of residence and date of signing. All signatures must be made with ink. Each part of a petition must contain a signed statement of the person circulating the petition, made under penalty of election falsification, stating the number of signers of the part and that to the best of the circulator's knowledge and belief (i) each of the signatures contained on the part is the genuine signature of the person whose name it appears to be, (ii) each signer is a registered voter of the City, and (iii) each signer signed the petition with the knowledge of its contents. Each part of a petition shall also have printed on it the names and addresses of at least five (5) registered voters of the City, who shall be officially regarded as filing the petition and shall constitute a committee of the petitioners for purposes of this Article.

(c) All petitions must be filed with the Clerk of the Council and all parts of any the petition shall be assembled by the Clerk as one instrument.

Upon the filing of a petition the Clerk must examine it and, not later than ten (10) days after the filing, determine whether the petition has been signed by the

required number of registered voters. Upon the completion of the examination, the Clerk shall endorse upon the petition a certificate of the result.

(d) If the Clerk's certificate shows that the petition has an insufficient number of signatures, the Clerk must promptly notify each member of the committee of the petitioners, and the petition may be amended at any time within fifteen (15) days from the date of the Clerk's certificate of examination by filing with the Clerk a supplement to the petition in one or more parts with additional signatures in the same manner as provided for the original petition. If, upon challenge, a court determines that a certificate of the Clerk to the effect that the petition is sufficient is erroneous, a similar period of fifteen days (15) after the final judicial determination shall be granted for amending the petition in the same manner.

(e) Upon amendment by the filing of a supplement to the petition, the Clerk must, no later than ten (10) days after the filing, examine the petition as amended and endorse upon it a certificate of the result of the examination, which shall constitute the final determination. The final determination of the insufficiency of a petition shall not prevent the filing of a new petition for the same purpose.

(f) An initiative, referendum or recall petition is deemed to be filed by the Clerk with the Council on the date the final Clerk's certificate is endorsed on the petition.

(g) Whenever the Council is required to provide for an election by reason of the filing of a petition for initiative or referendum or recall, the Council must set the election at the next regular primary or general election occurring not less than sixty (60) days or more than one hundred twenty (120) days after the requirement has arisen. If no regular primary or general election is to be held within that period, the Council must provide for a special election to be held not less than sixty (60) days or more than one hundred twenty (120) days after the requirement has arisen; provided, however, that if the recall of four (4) or more members of Council is sought by petition in a single election, the periods of sixty (60) days and one hundred twenty (120) days shall be changed, respectively, to one hundred twenty (120) days and one hundred eighty (180) days. The Council shall certify the action to the election authorities.

(h) When a legislative measure resulting from an initiative or referendum petition is approved by a majority of those voting on it, then the measure shall become effective at the time fixed in the measure, and if no time is fixed in it, the measure shall become effective upon the certification of the official canvass of the election to the Council; provided, however, that in the event two or more inconsistent legislative measures on the same subject are submitted at the same election, only the one receiving the largest affirmative vote, at least a majority of those voting, shall become effective.

8.5 OFFICIAL PUBLICITY.

(a) At least thirty (30) days before an election at which a Charter amendment, an initiated or referred legislative measure, or recall of an elective official is to be submitted to the voters, the Clerk of Council shall either:

- (1) Mail materials to each registered voter of the City determined as of the most recent general election; or
- (2) Publish materials promptly in a newspaper of general circulation within the City. The publication must be made once a week for at least two (2) consecutive weeks with the first publication being at least (30) days before the election.

(b) The materials mailed or published must contain at least the full text of the Charter amendment, initiated or referred ordinance, or recall petition, with their respective ballot titles, together with any explanation or argument for or against the measure or recall that ~~that~~ may have been filed with the Clerk of Council. The validity of a Charter amendment or an initiated or referred legislative measure approved by the voters, and the result of a recall election, shall not be questioned because of technical or non-consequential errors or irregularities in the mailing or publication.

8.6 STATEMENTS IN SUPPORT AND OPPOSITION.

(a) At least fifty (50) days before an election prompted by a petition, the committee of petitioners designated in the petition at issue may submit to the Clerk of Council an explanation or argument supporting the position taken by the signers of the petition. If a Charter amendment is proposed by the Council, a committee of three (3) members of Council to be appointed by the President of Council to act on behalf of Council by stating Council's position shall prepare an explanation or argument in support.

(b) In the event of an initiated Charter amendment, an initiated ordinance or other legislative measure, or a referred ordinance or other legislative measure, a committee of three (3) members of Council appointed by the President of Council to act on behalf of Council by stating Council's position shall prepare an answer to the explanation or argument submitted by the committee of petitioners. In the event of a recall election, the Council member whose recall is sought may prepare an answer to the explanation or argument submitted by the committee of petitioners. If a Charter amendment is proposed either by Council or by initiative, any civic body or committee of citizens may prepare and submit an answer to the explanation or argument submitted in favor of the amendment. All answers must be filed with the Clerk at least forty (40) days before the applicable election. An explanation or argument for or against any measure or recall must be signed by the person or persons authorized to submit it. No explanation or argument may exceed five

Comment [AN10]: Research of comparative provisions in other Charters in process regarding distinction between permissive 'may' and mandatory 'shall'

hundred (500) words in length. All explanations and arguments in favor of or against any Charter amendment, legislative measure or recall, once filed with the Clerk, shall at all times be open to the inspection of anyone interested in them.

ARTICLE NINE. FINANCES.

- 9.1 General.
- 9.2 Budget.
- 9.3 Appropriation Ordinance.
- 9.4 Bond Issues.
- 9.5 Maturities of Bonds.
- 9.6 Limitations on Rates of Taxation.
- 9.7 Auditing Finances.

ARTICLE NINE FINANCES

9.1 GENERAL.

The laws of the State of Ohio relating to budgets, appropriations, taxation, debt, bonds and notes, assessments and other fiscal matters of the City shall be applicable to the City, except as otherwise provided by this Charter or by Council.

9.2 BUDGET

The financial affairs of the City shall be managed on a budget system. The City Manager shall prepare an annual budget in such form and detail as Council may, by ordinance, resolution or motion, request. For the purpose of the budget, each office, department or agency of the municipality shall furnish to the City Manager, at such times and in such forms as he or she may require, (i) estimates of revenue and expenditures of that office, department or agency for the upcoming fiscal year and such other supporting data as the City Manager may request, together with (ii) estimates of expenditures for all capital projects that are pending or that the head of the respective office, department or agency believes should be undertaken (a) within the upcoming fiscal year, and (b) for each year within at least the upcoming three (3) fiscal years. The City Manager shall review these estimates and make revisions, if any, that he or she may deem advisable, and shall submit the budget to the Council at such time as will permit Council's consideration and adoption of an appropriation ordinance as well as other actions required by the laws of the State of Ohio.

9.3 APPROPRIATION ORDINANCE.

Before the beginning of each fiscal year, Council shall adopt an annual appropriation ordinance for that year, using as a basis the budget submitted by the City Manager. Appropriations in the ordinance may not exceed the estimated

revenues of the City for that year. In addition, in its discretion, Council may by ordinance provide for an interim appropriation, but in that event an annual appropriation ordinance shall nevertheless be adopted not later than the time provided by the laws of the State of Ohio. An appropriation whether annual or interim, may be amended as necessary from time to time by ordinance.

9.4 BOND ISSUES.

Except as may be authorized specifically by the laws of the State of Ohio, no bonds or notes of the City may at any time be issued for current operating expenses or for acquisition of any property, asset or improvement whose estimated life or usefulness is less than five (5) years, but this prohibition shall not be construed as applying to money borrowed in anticipation of the collection of special assessments, or for defraying the expenses of an extraordinary epidemic of disease or emergency expenses made necessary by sudden casualty that could not reasonably have been foreseen, or for paying final judgments upon non-contractual obligations.

9.5 MATURITIES OF BONDS.

The maturities of bonds may not extend beyond the estimated life of the related property, asset, or improvement, as certified to the Council by the Director of Finance, which certificate must be on file with the Council before the passage of any bond ordinance.

9.6 LIMITATIONS ON RATES OF TAXATION.

(a) The Council may not, in the absence of a favorable vote of the people, levy taxes in excess of eight (8) mills per one dollar (\$1.00) of assessed valuation on property in the City that is assessed and listed for taxation according to value and that is required or lawfully permitted to be included in the general levy for the general fund of the City for the purpose of paying current operating expenses including the purpose of police and fire pensions.

(b) Notwithstanding the eight (8) mill limitation on taxation for current operating expenses, and in addition to it, Council may levy annually a tax not to exceed seven-tenths (.7) of one mill per one dollar (\$1.00) of property in the City that is assessed and listed for taxation according to value, to be used for the for the acquisition, construction, reconstruction, rehabilitation, renovation, improvement, equipping and maintenance of land, facilities, buildings and structures belonging to or operated by the City and used for parks, playgrounds, play fields, rights of way, swimming pools, indoor recreation and community centers, municipal amphitheaters and cultural facilities, and related equipment, and for the debt charges on general obligation bonds and bond anticipation notes issued to pay the cost of the improvements and/or maintenance specified in this Section.

9.7 AUDITING FINANCES.

There shall be a financial audit of all of the affairs and accounts of the City each calendar year. This audit shall be conducted by the State of Ohio or by an independent certified public accountant or accounting firm authorized by the State of Ohio to conduct required audits of cities. Council may, in addition, at any other time, engage the services of an independent certified public accountant or accounting firm for the purpose of auditing all or a portion of the City's finances covering a period Council deems advisable.

ARTICLE TEN. ETHICS.

- 10.1 General Expectations.
- 10.2 Oath of Office.
- 10.3 Public Ethics.
- 10.4 Role of Council.

ARTICLE TEN ETHICS

10.1 GENERAL EXPECTATIONS.

The citizens of Cleveland Heights rightfully expect their government of elected and appointed officials, and their employees, to behave legally and ethically. All officials are expected to treat each other with respect and together work to make the City a desirable place to live. The citizens also rightfully expect honesty, respect and fair treatment by all involved in governance. City officials have a responsibility to educate, monitor and support all employees and City representatives in this mission.

10.2 OATH OF OFFICE.

~~The City Manager, the Vice City Manager, all members of Council, all other officers of the City and all employees holding a position with an annual salary shall, before entering upon the duties of the respective office, take and subscribe an oath or affirmation that conforms to applicable laws of the State of Ohio and shall be kept in the office of the clerk of the Council.~~

[proposed language] The City Manager, the Vice City Manager, all members of Council, and all department heads shall, before entering upon the duties of their respective offices, take and subscribe an oath or affirmation that they will uphold the laws of the United States of America, the State of Ohio, and the City of Cleveland Heights, to be kept in the office of the Clerk of Council.

Comment [AS11]: Research in process regarding comparative provisions in other Charters.

10.3 PUBLIC ETHICS.

(a) The City Manager, Vice City Manager, members of Council, and Directors of the Departments of Law and Finance owe a fiduciary duty to the City. In the interest of preserving public trust, these officials and all other Directors of Departments shall avoid any actual or perceived conflict of interest and any action likely to give the appearance of impropriety in the execution of their public duties.

Comment [AS12]: Research in process regarding comparative provisions in other Charters.

Research in process regarding whether public official liability insures for breach of fiduciary duty under the 10.3(a) language.

(b) The City Manager is responsible for seeing that policies governing the ethics of City employees in the execution of their job duties are adopted and implemented, that the policies are consistent with ethical requirements of the laws of the State of Ohio, and that the policies are communicated in writing to all City employees.

(c) No City official or employee, through any improper use of that person's official position with the City, may affect the hiring of any person, the letting of any contract, or the taking of any other action by the City that may result in that official or employee, or any of the official's or employee's immediate family members or close business associates, securing anything of value. Nothing in this Section shall be construed to prohibit a City official or employee from serving as or offering an employment, personal, or credit reference for any person.

(d) Any person who has been found guilty by a court of competent jurisdiction of a felony violation of law relating to bribery, theft in office, having an unlawful interest in a public contract, soliciting or accepting improper compensation, perjury relating to an official duty, or corrupt practices relating to any local, state or federal election (Disqualifying Offense) shall be ineligible to hold office as City Manager, Vice City Manager, member of Council, or Director of a Department. If, while in office, the City Manager, the Vice City Manager, a member of Council, or a Director of a Department is found guilty by a court of competent jurisdiction of any Disqualifying Offense, that person shall, upon the finality of the conviction, immediately forfeit the office held. The terms used in this Section shall be interpreted consistent with their use in the law of the State of Ohio.

10.4 ROLE OF COUNCIL.

Nothing in this Article shall be construed to prohibit Council from adopting any rules or policies that govern ethics of City employees that are not inconsistent with the provisions of this Charter, or enacting any additional prohibitions or penalties relating to public ethics.

ARTICLE ELEVEN. CITY PLANNING COMMISSION.

11.1 Establishment.

11.2 Powers.

ARTICLE ELEVEN CITY PLANNING COMMISSION

11.1 ESTABLISHMENT.

The Council shall establish a City Planning Commission of seven (7) voting members, all of whom shall be residents of the City appointed by the Council and not employed by the City. A vacancy occurring during the term of any voting

member shall be filled for the unexpired term in the manner authorized for an original appointment. The following shall be nonvoting members of the Commission: The Chairman of the City Planning and Development Committee of the Council; the City Manager; the Director of the Department of Planning and Development, who shall serve as ex officio secretary of the Commission; and such other persons as the Council shall from time to time appoint by ordinance. The voting members shall serve for a term of six (6) years, provided that the members of the Commission in office at the time this Charter becomes effective shall continue in office until the expiration of their then-existing terms.

11.2 POWERS.

The Commission may make recommendations to the Council and City Manager on all matters affecting the physical development of the City, including but not limited to such factors as economic, environmental and social sustainability. In addition, the Commission shall perform all other duties and responsibilities provided by codified ordinance.

ARTICLE TWELVE. CIVIL SERVICE COMMISSION.

- 12.1 Establishment.
- 12.2 President and Secretary.
- 12.3 Powers and Procedures.
- 12.4 Council Compensation Review.

**ARTICLE TWELVE
CIVIL SERVICE COMMISSION**

12.1 ESTABLISHMENT.

The Civil Service Commission shall consist of three (3) registered voters of the City not holding other City office or employment, to be appointed by the City Manager, which appointment is subject to and effective only upon the approval of Council acting by at least four (4) of its members. Each Commissioner shall serve for a term of six (6) years or until a successor has been appointed and approved by Council, provided that the members of the Commission in office at the time this Charter becomes effective shall continue in office until the expiration of their then-existing terms. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

12.2 PRESIDENT AND SECRETARY.

The Civil Service Commission shall elect one of its members as President. The City Manager shall appoint a City employee to serve as secretary of the Commission.

12.3 POWERS AND PROCEDURES.

Except as otherwise specifically set forth in this Charter, Council shall provide by codified ordinance the powers, duties and jurisdiction of the Commission, the determination of the positions of employment that shall comprise the classified and unclassified service of the City, the method and procedure for determining merit and fitness for employment and promotion in the classified service, and such other matters relating to classified employment service as the Council may determine are necessary and proper and are consistent with the laws of the State of Ohio..

~~12.4 COUNCIL COMPENSATION REVIEW.~~

~~In each year immediately preceding the year in which a United States presidential general election is to be held, the Commission shall conduct a review of compensation for members of Council and, on or before May 1 of that year, shall file with the Clerk of Council a written report to Council based on that review setting forth the Commission's recommendations for salary and other compensation for members of Council.~~

ARTICLE THIRTEEN. AMENDMENTS

13.1 Submission of Amendments

13.2 Effective Date

ARTICLE THIRTEEN AMENDMENTS

13.1 SUBMISSION OF AMENDMENTS

Amendments to this Charter may be submitted to a vote of the people of the City by the Council by an affirmative vote of at least five (5) of its members. Amendments must be submitted to a vote of the people by the Council when a petition setting forth the proposed amendments has been signed by registered voters of the City equal in number to at least ten percent (10%) of the total number of registered voters who voted in the most recent regular municipal election and has been filed in the manner and form prescribed in Sections 8.1 and 8.4 of the Charter for the submission of ordinances by initiative petition. The amendments must be submitted to the people at the next regular primary or general election, if one shall occur not less than sixty (60) days or more than one hundred twenty (120) days after the passage by Council or the filing of a petition, whichever is applicable. Otherwise the Council must provide for the submission of the amendments at a special election to be held not less than sixty (60) days or more than one hundred twenty (120) days after the passage or filing.

13.2 EFFECTIVE DATE

When a proposed amendment is approved by a majority of those voting on it, the amendment shall become a part of the Charter at the time fixed in the amendment.

If no time is fixed in it, then the amendment shall become a part of the Charter upon the certification of the official canvass of the election, provided, however, that if two (2) or more inconsistent amendments on the same subject are submitted at the same election, only the amendment receiving the largest affirmative vote, at least a majority of those voting, shall become a part of the Charter.

ARTICLE FOURTEEN CHARTER REVIEW

Council shall, at least once during every twenty year (20) year period (Review Period), by ordinance or resolution, appoint a Commission to review the entire Charter. The first Review Period shall commence on January 1, [insert the year immediately following the election in which voters have considered the Charter]. Each new Review Period shall commence on January 1 of the year following the year in which Council takes action on the recommendations of a Commission that has most recently reviewed the entire Charter. At no greater interval than every five (5) years commencing with the beginning of a Review Period, Council shall consider and determine whether to appoint a Commission to review the entire Charter.

Comment [AS13]: check the bracketed date language for clarity of language

ARTICLE FIFTEEN. SAVINGS CLAUSES.

- 15.1 Laws Continued in Force.
- 15.2 Partial Invalidity.
- 15.3 Continuation of Present Officials.
- 15.4 Continuation of Contracts and Vested Rights.

ARTICLE FIFTEEN SAVINGS CLAUSES

15.1 LAWS CONTINUED IN FORCE.

All general laws of the State of Ohio that are not in conflict with the provisions of this Charter or with any ordinance or resolution enacted under it shall apply to the government of the City. All ordinances and resolutions that are in force at the time the Charter takes effect and are not inconsistent with its provisions shall continue in full force and effect until amended or repealed.

15.2 PARTIAL INVALIDITY.

The determination by a court of competent jurisdiction that any section or part of a section of this Charter is invalid shall neither invalidate, nor impair the force or

effect of, any other section or part of a section, except to the extent the other section or part of a section is dependent for its operation upon the section or part of a section declared invalid.

15.3 CONTINUATION OF PRESENT OFFICIALS.

All persons holding office at the time this Charter takes effect shall continue in office and in the performance of their duties unless and until provision is otherwise made in accordance with the Charter for the performance or discontinuance of the duties of that office. If a provision of that kind is made, the term of the officer affected shall expire and the office be deemed abolished. The powers conferred and the duties imposed upon any officer, commission, board, Department, or other unit or body of the City under the laws of the State of Ohio, or under any City ordinance, contract, agreement, or memorandum of understanding in force at the time this Charter takes effect shall, if the office, commission, board, Department, unit or body is abolished by the Charter, be exercised and discharged by the officer, commission, board, Department, unit or body upon whom corresponding functions, powers, and duties are imposed by the Charter or by any ordinance or resolution of the Council subsequently enacted.

15.4 CONTINUATION OF CONTRACTS AND VESTED RIGHTS.

All vested rights of the City shall continue to be vested in the City and shall not in any manner be affected by the adoption of this Charter; nor shall any right or liability, or pending suit or prosecution, either in behalf of or against the City, be in any manner affected by the adoption of the Charter, unless otherwise expressly provided to the contrary in the Charter. All contracts, agreements, and memoranda of understanding entered into by the City or for its benefit before the Charter becomes effective shall continue in full force and effect. All public work begun prior to the taking effect of the Charter shall be continued and perfected under it. Public improvements for which legislative steps shall have been taken under laws in force at the time the Charter takes effect may be carried to completion in accordance with the provisions of those laws.

**ARTICLE SIXTEEN EFFECTIVE
DATE OF CHARTER**

This Charter shall take effect on January 1, [insert the year immediately following the election in which voters have approved the Charter] or such earlier date as Council may determine.

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 M. Mecklenburg, Chief of Police

Date: June 7, 2019

Subject: Weekly Update

On Wednesday, June 5, 2019, at 3:54 pm a 16 year old female reported being the victim of a carjacking at 2268 Westminster. The victim had reported that she just pulled into the driveway on Westminster when two males approached her vehicle. One of the males knocked on her driver's side window with a gun as the other stood on the passenger side of the vehicle. The suspect with the gun motioned for the victim to exit the vehicle and she complied. The suspect then demanded her wallet, phone and car keys and the victim gave them the items. Both suspects then got into the vehicle and drove away. Within minutes Officers located the vehicle driving in the area of Superior and Euclid in East Cleveland. When Officers attempted to stop the vehicle it refused to yield and continued driving. The vehicle was southbound on Superior and when it attempted to turn onto Glenmont the driver lost control and struck a retaining wall. The vehicle then continued on Glenmont a short way and struck a parked vehicle. Both suspects fled on foot from the vehicle but were quickly apprehended by Officers. No one was physically injured in this incident. The gun was recovered on the person of one of the suspects and the victim's personal property was also recovered. The two suspects, a 15 and 16 year old from Cleveland, were taken into custody and later transported to the Juvenile Detention Home.

In light of this most recent incident, I wanted to provide an update on the Police Department's strategy for addressing this incident and similar crimes. Attached is map which outlines the robberies that have occurred in City thus far in 2019. There have been 13 robberies, including four carjackings. In all the carjackings, arrests have been made and suspects have been charged. None of the suspects were the same in any of the four incidents. As the map indicates, the majority of the robberies this year have been on the west end of the City.

Based on this information, we have been and will continue to focus our efforts in these areas where we are experiencing the majority of incidents. We have already and will continue to increase our visibility and patrols, coupled with details during peak hours, to prevent the occurrence of these crimes. These tactics have proven successful thus far, as evidenced by our continuing decrease in robberies. During this same time period in 2018 we had already experienced 18 robberies and in 2017 we experienced 32 robberies, compared to the 13 we have had so far in 2019.

CITY OF
CLEVELAND
HEIGHTS 

DEPARTMENT OF POLICE

Annette M. Mecklenburg, CHIEF

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

The Police Department will be updating the community on this most recent incident, including keeping them informed about what the PD is doing about these crimes and safety precautions residents can take to protect themselves whether they are in Cleveland Heights or elsewhere in the area.

**Cleveland Heights
Economic Development**



To: Economic Development Director Tim Boland
From: Business Development Manager Brian Anderson
Subject: Student Loan Incentive Program

Student Loan Incentive Program

Background

In December 2018, the Village of Newburgh Heights created a student loan incentive program to encourage college graduates to move to and purchase a home in the village. City Council has requested that staff look into this program and do initial research on its potential application here in Cleveland Heights. This memo reviews Newburgh Heights' program and includes a look at a number of factors the City should take into account when considering a similar program in Cleveland Heights.

Overview of Newburgh Heights' Program

Newburgh Heights has created their Student Loan Assistance Program in order to attract young professionals and recent college graduates to the village. The village has a population of just over 2,000 people but has seen their population and housing values decline in recent decades. Approximately 15% of the village's housing stock is estimated to be vacant.

The village has seen significant interest and significant media attention since passing legislation in late 2018. The village is still in the process of implementation to allow individuals to apply to utilize the program.

In order to be eligible, an individual must meet the following criteria:

- Buy a single-family home in the village;
- Purchase price of \$50,000 or greater (average property value in Newburgh Heights is \$65,400);
- The individual must use the home as their primary residence;
- Graduate from an accredited college or university with a bachelor's degree or greater within the last five years;
- Proof of existing student loan debt.

Incentive Levels

- Up to 50 percent of college loan debt up to a maximum of \$50,000;
- The program has two payment milestones:
 - After 10 years, the individual will receive 80% of the incentive amount;
 - After 15 years, the individual will receive the remaining 20% of the incentive amount;

- o No incentive is paid if the individual lives in the village or owns the property for less than 10 years.

Funding

The program will be administered and paid through the village’s CIC. Annual funding for the program will be appropriated by the village to the CIC out of their General Fund. The village hopes the program will be self-funding, i.e. it creates increased property and income tax revenues.

Factors Related to Cleveland Heights

Current Conditions

According to the most recent data available, Cleveland Heights has an educational attainment level of a bachelor’s degree or higher for those 25 and over of 52.6%. The numbers below demonstrate how that compares to rates nationally and locally:

Cleveland Heights	52.6%
Cuyahoga County	32.0%
Ohio	27.2%
United States	31.0%
Lakewood	45.0%
South Euclid	39.1%
Euclid	20.9%
Shaker Heights	64.7%
University Heights	57.6%
Beachwood	59.2%
Newburgh Heights	20.1%

Cleveland Heights’ bachelor’s degree rate is higher than the national, state, and county rate and compares favorably with adjacent communities. However, that rate varies widely within the City when looking at Census Tract Block Groups. The rate ranges from a high of 89.1% to a low of 13.5%. See attached map detailing bachelor’s degree rates by Census Tract Block Group.

The City also performs well at attracting younger residents. The average resident age is 35.9 years compared to 40.4 years for Cuyahoga County, 39.3 years for Ohio and 37.7 years for the United States as a whole.

Cleveland Heights has an active housing market that has seen increases in annual residential property purchases and average property value.

Cleveland Heights Recent Housing Metrics:

	Number of Sales	Average Sale Price
2018	1,087	\$102,000
2017	1,171	\$100,000
2016	1,026	\$97,200
2015	909	\$78,000
2014	822	\$87,750

Recommendation

Overall, the City’s educational attainment level, average age, and housing metrics (see attached maps) would indicate that the City is competitive in attracting college graduates, young residents, and home buyers to the City. However, there are significant differences between different parts of the City in terms of educational attainment and housing values.

Staff recommends looking at tailoring a student loan assistance program that would encourage home ownership in the areas that would have the largest impact, similar to how the new Community Reinvestment Area was structured. Given the City’s demographics and housing market, staff does not believe a comprehensive City-wide student loan assistance program is necessary or an effective use of financial resources.

The City may also want to consider limiting this incentive to new single-family construction on currently vacant lots. This would maximize the new revenue being generated to the City and addresses the largest need at the neighborhood level. There are approximately 170 vacant residential lots controlled by the City or County Land Bank.

Program Cost Versus Revenue Generated

It is hard to estimate the impact of the program from the perspective of cost versus new revenue generated. The major variables that will impact this calculation are the size of the incentives awarded, the household income of those participating in the program, and the number of individuals who use the program. The household income will determine the amount of new income tax generated to the City and will be the primary revenue benefit the City would be able to quantify. As an example, an individual receiving a \$50,000 incentive (the maximum under the Newburgh Heights program) disbursed over 15 years would need to average \$150,000 in yearly household income over those same 15 years to generate new income tax to the City equal to the incentive. The table below illustrates the income tax generated per household at various income levels.

Income Tax Generated Per Household Income Level

	\$50,000	\$75,000	\$100,000	\$125,000	\$150,000
5 Years	\$5,625	\$8,438	\$11,250	\$14,063	\$16,875
10 Years	\$11,250	\$16,875	\$22,500	\$28,125	\$33,750
15 Years	\$16,875	\$25,313	\$33,750	\$42,188	\$50,625

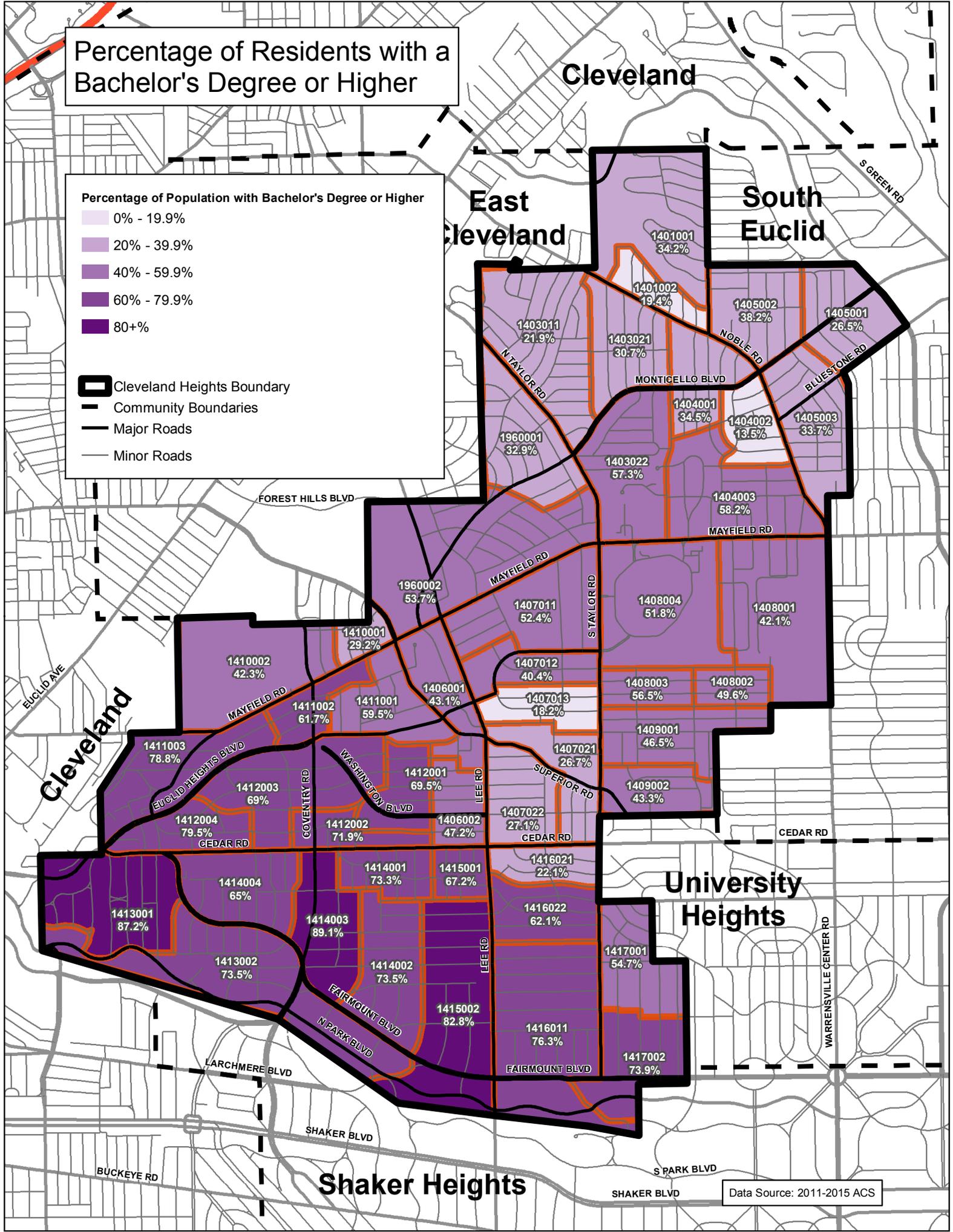
A \$25,000 maximum benefit would appear to give the program a better chance at being revenue positive or at least revenue neutral. This also assumes this would be truly “new” revenue that wouldn’t have been generated without the benefit. A single-family home that is currently occupied is most likely already generating income tax to the City. Giving an incentive under this program for someone to purchase an existing home will not generate significant additional revenue, if any, depending on the household incomes of the seller and buyer. This would seem to give additional weight to the option of limiting the incentive for the purchase of a newly constructed home on a currently vacant lot because that lot is not generating any income tax to the City.

Percentage of Residents with a Bachelor's Degree or Higher

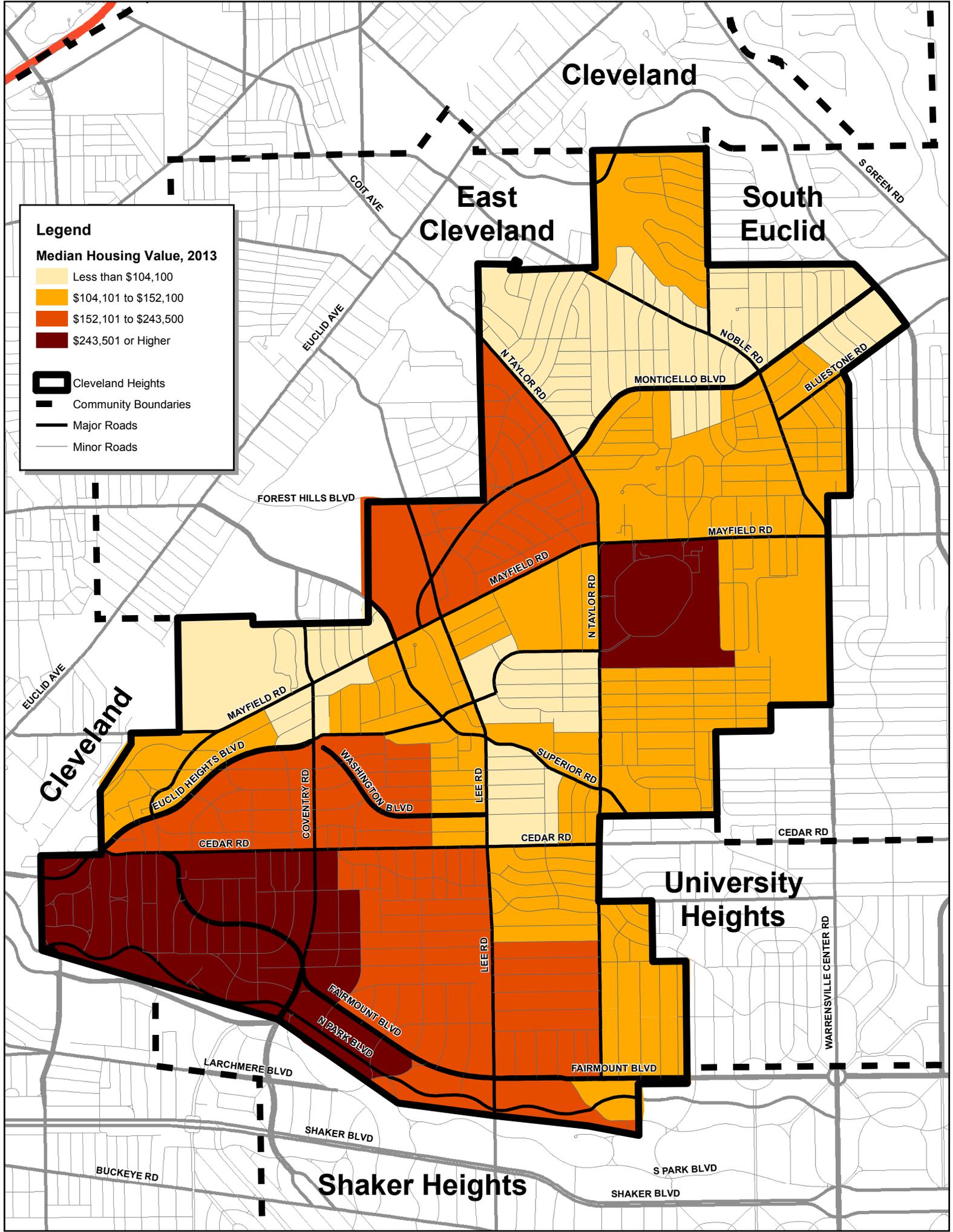
Percentage of Population with Bachelor's Degree or Higher

- 0% - 19.9%
- 20% - 39.9%
- 40% - 59.9%
- 60% - 79.9%
- 80+%

- Cleveland Heights Boundary
- Community Boundaries
- Major Roads
- Minor Roads



Data Source: 2011-2015 ACS



Legend

Median Housing Value, 2013

- Less than \$104,100
- \$104,101 to \$152,100
- \$152,101 to \$243,500
- \$243,501 or Higher

- Cleveland Heights
- Community Boundaries
- Major Roads
- Minor Roads

Cleveland

East Cleveland

South Euclid

Cleveland

University Heights

Shaker Heights

COIT AVE
EUCLID AVE

S GREEN RD

FOREST HILLS BLVD

N TAYLOR RD

MONTICELLO BLVD

NOBLE RD

BLUESTONE RD

MAYFIELD RD

MAYFIELD RD

N TAYLOR RD

EUCLID AVE

MAYFIELD RD

EUCLID HEIGHTS BLVD

COVENTRY RD

WASHINGTON BLVD

LEE RD

SUPERIOR RD

CEDAR RD

CEDAR RD

CEDAR RD

WARRENSVILLE CENTER RD

WARRENSVILLE CENTER RD

LEE RD

FAIRMOUNT BLVD

N PARK BLVD

FAIRMOUNT BLVD

LARCHMERE BLVD

SHAKER BLVD

BUCKEYE RD

S PARK BLVD

SHAKER BLVD

MEMORANDUM

To: Tim Boland, Director of Economic Development

From: Kara Hamley O'Donnell, City Planner II
Brian Anderson, Business Development Manager

Date: June 6, 2019

Re: Storefront Renovation Program changes

The Cleveland Heights Storefront Renovation Program offers a 45% rebate in most commercial districts and 30% in Coventry, Cedar Lee and Cedar Fairmount. Historically, Council has required that these three districts have lower rebate percentages. The maximum rebate in all districts is \$25,000. No interest loans are typically payable over five years with repayment schedules calculated on a case-by-case basis. The \$25,000 maximum rebate has been in place since at least 1995. Inflation over the 20+ years would merit a rebate of \$41,000 in 2019 dollars.

Our program is funded with CDBG funds which require that we use prevailing wage and repair all violations/blights on the property, including deteriorated paving and roof damage. HUD has directed us that, once CDBG funding is used on any portion of a project, all contracts must be prevailing wage. In the last couple of years, the Storefront Renovation Program has underperformed largely due to prevailing wage restrictions, increased construction costs and interest from owners of larger buildings. We have had many applications to the program, but interest wanes once prevailing wage bids come in, oftentimes 1.5 to twice the cost of non-prevailing wage quotes.

At this time, potential ready to proceed projects that could bring significant new investment to the City have stalled as a result of cost considerations: five along Noble, one at Cedar Taylor and one at Mayfield/Warrensville.

Between 2011 and 2013, we completed four projects per year and between 2014 and 2016, two projects per year were finished. 2017 saw no projects and, in 2018, two projects were completed. We have no signed projects for 2019.

Our ability to create transformative projects is hindered by the limited rebate, especially on larger buildings with sizable project scopes. Cleveland Heights has many large, historic commercial buildings, many of which are approaching the century mark and could benefit from the Storefront Renovation Program.

Nearby communities' Storefront Renovation terms follow:

Cleveland	Rebate up to 50% of project costs, up to \$30,000 per project. Prevailing wage on a portion of contracts.
Euclid	Rebate up to 50% of project costs, up to \$25,000 per project; \$1500 for architecture fees. Higher rebate with Council approval. (3-4 projects per year)
Lakewood	Rebate up to 40% of project costs, not to exceed \$30,000 per project but may go up to \$50,000 for larger project; rebate is usually materials only. Rebate of 50% of project costs, up to \$2500 for Façade Improvement project for awning/signs in Commercial Improvement Target Area. (5-10 storefronts; 2-3 façades per year)

- S. Euclid Rebate up to 50% of project costs, up to \$30,000 per project, run by One South Euclid. (3 projects per year) Funded by One South Euclid and City general fund. No prevailing wage required.

- Shaker Hts. Used County storefront program in 2017-18 to do eight projects in LMI area along Lee Road (5 façade, 3 signage) with 50% rebate, \$16,000 maximum rebate (max total project cost was \$33,413). County storefront program is not currently funded so this year Shaker Heights will, with general fund, offer 50% rebate for front façade renovation, rebate up to \$15,000. Also offer \$3000 sign rebate. There is no prevailing wage requirement and will not fund parking lot resurfacing or roof work.

Storefront Program Comparisons

	Percent	Max	Funding Source	Location Tiers
Cleveland Heights current	30%/45%	\$25,000	CDBG	Yes
Cleveland Heights proposed	35%/50%	\$40,000	CDBG	Yes
Cleveland	50%	\$30,000	CDBG	No
Lakewood	40%	\$30-50k	CDBG	No
Euclid	50%	\$25,000	CDBG	No
Shaker Heights	50%	\$16,000	General Fund	No
South Euclid	50%	\$30,000	General Fund	No

Based on Council input at the 6/3/19 meeting, and in an effort to aggressively resuscitate the program, we are recommending the following changes to the program:

1. 50% rebate in all non-Special Improvement Districts

2. 35% rebate in the Special Improvement Districts (Cedar-Lee, Cedar-Fairmount and Coventry Village)

3. Rebate of up to \$40,000 in all districts; greater rebates or rebate percentages are permitted with Council approval. Council may consider various benefits of the increased rebate which may include buildings with highly visible location or longer-than-typical lineal frontage, multi-story buildings, substantially neglected buildings, historically significant buildings, buildings/uses that may spur additional neighborhood investment, buildings/uses that provide a neighborhood need, buildings in target neighborhoods or other projects which support Master Plan goals.

We respectfully request Council consideration of these proposed program modifications. This would assist projects that are in the pipeline to proceed during the current construction season. A case in point is the time sensitive Franklin Myles’ project at Mayfield/Warrensville that is dependent on increasing the rebate amount. Bids and contractors are lined up and ready to proceed for this construction season for this potentially transformative project.

**Cleveland Heights
Economic Development**



To: City Manager Tanisha Briley
From: Economic Development Director Tim Boland
Subject: Top of the Hill – Temporary Parking Plan

With the projected start of construction of the Top of the Hill (TOH) project anticipated to occur during the 4th Quarter of this year, it is necessary to prepare and implement a Temporary Parking Plan (TPP) to accommodate individuals that currently park on the proposed project site, known as Lot #9.

Lot #9 provides 225 parking spaces in the City's parking system, with 174 permits currently issued for parking within this lot. The proposed TPP achieves the goal of replacing these spaces by providing 225 parking spaces located in various locations in and around the TOH project site. Additional capacity has been built into the TPP system to ensure that Lot #9 parking users have a number of parking choices during construction. In total, the TPP has identified 333 parking spaces for use during construction on TOH.

Specifically, temporary parking will be needed during the construction of the parking garage for TOH. The parking garage is slated to be the first of the improvements constructed onsite. Construction of the parking garage has been estimated to take 9-12 months, therefore, at this point in time, we are planning for the TPP to be in place from December of 2019 thru December of 2020. Once this structured parking is constructed, former Lot #9 users will be able to park in the parking garage during the remaining construction of the TOH project and going forward.

The TPP is comprised of four (4) parking categories:

- A. **Conversion to Permanent Permit Parking in Public Right-of-Way:** This includes parking on Lennox Road and Surrey Road;
- B. **Temporary Permit Parking in Public Right-of-Way:** This includes Euclid Heights Boulevard, Kenilworth Road and Kenilworth Lane;
- C. **Temporary Parking on Privately Owned Property:** This includes an expanded lot to be privately constructed by Grandview-Bellfield Development, LLC and on the existing Cedar Hill Baptist Church lot. Use Agreements are in the final stages of negotiations for each of these locations, which will be conditioned on additional Council legislative approval; and
- D. **Top of the Hill Construction Site Temporary Parking.**

Please refer to the **Top of the Hill Temporary Parking Plan** summary, the **TPP map**, and **draft TPP legislation** for additional information on these categories.

The Economic Development Department has worked closely with the Law Department, Police Department, Fire Department, Planning, Public Works and the Parking Office to develop the TPP, and greatly appreciate their assistance. This coordination will be an important part of the implementation of the TPP going forward. A communications plan is being developed that should include a TPP webpage and close coordination with the Public Relations Department leading up to the sale of 4th Quarter permits. Permits for the 4th Quarter Lot #9 Parking go on sale in September and this process will include information on the transition from Lot #9 parking to the TPP.

June 6, 2019

Please advise if there are any questions. I look forward to presenting this information to Council at the Committee of the Whole meeting on June 11.

Thank you,

Timothy M. Boland

Timothy M. Boland
Economic Development Director

Projected construction period on Lot #9 of new parking garage - 4th Quarter of 2019 thru 4th Quarter 2020

Lot # 9: # Parking Spaces

Current Surface Parking Lot	225
Current # of Permit Holders	174

Provide/replace 225 spaces during construction and provide additional capacity:	# Parking Spaces	Proposed Parking Rates During Construction
	Lot #9:	Current City Permit Rate: \$115.00 per Quarter/\$34.50 Seniors
		Current Rate - Metered Parking: \$.25 per 1/2 hour (\$.50 per hour) in parking garages & surface lots with the - 1st 1/2 hour free.

On-site (TOH Development Site):

For use by Nighttown patrons	50	TBD
For use by Buckingham residents	<u>40</u>	Current City Permit Rates
Subtotal	90	

Off-site:

Cedar Hill Baptist Church (CHBC)	75	(1)	\$57.50 per Quarter/\$17.25 Seniors
Additional spaces in Lot #22	40	(2)	Current City Permit Rates
Lennox Road - change to permits	20	(3)	Current City Permit Rates
Surrey Road - expand & permit	20	(4)	Current City Permit Rates
Euclid Heights Boulevard - expand & permit	38	(4)	Current City Permit Rates
Kenilworth Road & Lane - expand and permit	<u>50</u>	(4)	Current City Permit Rates
Subtotal	243		

TOTAL SPACES IDENTIFIED **333** *Plan achieves one to one replacement of current Lot 9 spaces
Please refer to Cedar-Fairmount Temporary Parking Plan Map*

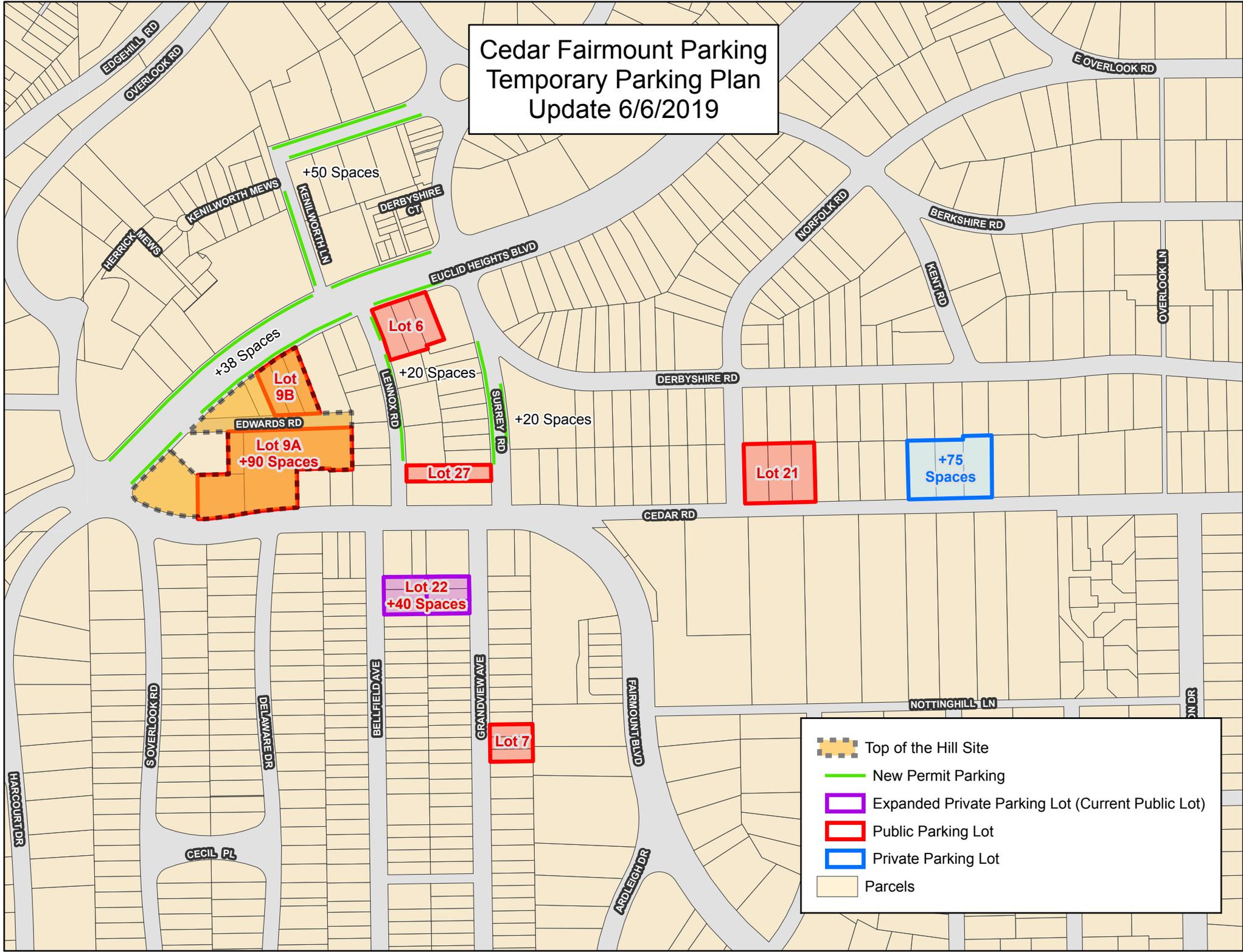
Recommend temporary permits be issued - pricing proposed as noted above;

Additional comments:

- (1) In Negotiations with CHBC Church officials for use agreement to provide minimum of **75 spaces, up to 100 spaces potentially;**
- (2) In Negotiations with Grandview-Bellfield Development, LLC for use agreement in conjunction with a property transfer of Lot 22; Lot proposed to be expanded - currently has 19 spaces - expanded lot to have 64 spaces with **40 reserved for Lot 9 permits;**
- (3) Lennox Road & Surrey Road would be converted to 24/7 permit parking (projected to add **20 spaces on each street - total of 40 spaces);**
- 4) Other proposed locations for on-street permit parking spaces:
 - > Euclid Heights Blvd. (projected to add up to 83 new spots but would need to be restricted during rush hour, providing a net projection of up to **38 spaces for permits);**
 - > IF no rush hour restriction placed on the south side of Euclid Heights Blvd., the projected increase would be 45 spaces (versus 38) during morning rush hour and 83 spaces during non-morning rush hour;
 - > Kenilworth Road (projected to add up to **35 spaces);**
 - > Kenilworth Lane (projected to add up to **15 spaces);**
 - > On street parking calculations based on an average length of 20 foot per parking space;
 - > Lot 9 permit holders paying the full current rate would have access to all of the new parking options identified above;
 - > Permits purchased at a reduced rate for CHBC would have access to ONLY that lot;

Note: Recommendation to make permit parking on Lennox Road and Surrey Road permanent after construction.

Cedar Fairmount Parking Temporary Parking Plan Update 6/6/2019



	Top of the Hill Site
	New Permit Parking
	Expanded Private Parking Lot (Current Public Lot)
	Public Parking Lot
	Private Parking Lot
	Parcels

Proposed:

ORDINANCE NO. (PD)

By Councilmember

An Ordinance authorizing the implementation of the parking plan during construction of the Top of the Hill development; and declaring an emergency.

WHEREAS, the construction of the Top of the Hill development will displace certain permit and open parking available to residents of the City and the public; and

WHEREAS, in order to accommodate the parking needs of the Cedar-Fairmount neighborhood during construction, City Council approves and authorizes the implementation of the parking plan set forth in Exhibit A (“Parking Plan”) attached hereto.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, (“City”) that:

SECTION 1. City Council hereby authorizes the City Manager and her designees to implement the Parking Plan, to negotiate and enter into necessary agreements for the same as approved by the Director of Law, and to enforce the terms and conditions of the Parking Plan through the applicable provisions of the Codified Ordinances.

SECTION 2. Notice of 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 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 that prompt implementation of the Parking Plan is necessary to meet the parking needs of the Cedar-Fairmount neighborhood during the process of construction. 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.

ORDINANCE NO. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Court

PASSED:

EXHIBIT A

Parking Plan – Cedar-Fairmount Neighborhood

The following parking plan (“Parking Plan”) is intended to remedy the displacement of parking spaces during the construction of the Top of the Hill development in the Cedar-Fairmount neighborhood to commence on or about December 1, 2019. City Council has authorized the implementation of this plan through Ordinance No. ____-2019 adopted _____, 2019.

The Parking Plan is intended to be consistent with the Development Agreement as amended pursuant to Ord. 135-2018 adopted December 3, 2018.

A. Conversion to Permanent Permit Parking in Public Right of Way.

This paragraph applies to Lennox Road and Surrey Road, for the purpose of converting a total of approximately forty (40) parking spaces to permanent permit parking spaces on the street within the public right of way.

1. To be available by November 30, 2019;
2. To be approved by Police and Fire Divisions;
3. Permit rate to be the same as the City charges for similar parking facilities, currently One Hundred Fifteen Dollars (\$115.00) per calendar quarter and \$34.50 for seniors per calendar quarter, subject to change;
4. City intends to provide the maximum number of spaces pursuant to reasonable administrative practices;
5. Restrictions on parking during certain times and on certain days will be at the discretion of and determined by the City Manager and may be adjusted or terminated accordingly;
6. The City shall notify affected residents and property owners.

B. Temporary Permit Parking in Public Right of Way.

This paragraph applies to Euclid Heights Boulevard between Cedar Road and Surrey Road and Kenilworth Road and Lane, for the purpose of temporarily converting a total of approximately eighty-eight (88) parking spaces to permit parking spaces on the street within the public right of way.

1. To be available by November 30, 2019;
2. To be approved by Police and Fire Divisions.
3. Permit rate to be the same as the City charges for similar parking facilities, currently One Hundred Fifteen Dollars (\$115.00) per calendar quarter and \$34.50 for seniors per calendar quarter, subject to change;
4. The City intends to provide the maximum number of spaces pursuant to reasonable administrative practices;
5. Restrictions on parking during certain times and on certain days will be at the discretion of and determined by the City Manager and may be adjusted or terminated accordingly;

ORDINANCE NO. (PD)

6. The City shall notify affected residents and property owners; and
7. Although provided for temporary purposes during construction, the City reserves the right to convert the temporary spaces into permanent parking on terms and conditions within the City's discretion.

C. *Temporary Permit Parking on Privately Owned Property.*

This paragraph applies to the expansion of Lot No. 22, in the process of being transferred by deed to a purchaser for development of an expanded parking area adding approximately forty (40) permit parking spaces, and to the use of the Cedar Hill Baptist Church ("CHBC") parking lot for an additional approximately seventy-five (75) permit spaces.

1. To be available by November 30, 2019;
2. To be approved by Police and Fire Divisions, although the property will not be owned by the City;
3. Subject to negotiated use agreements, with City Manager or designee authorized to negotiate and execute same subject to approval of the Director of Law;
4. Permit rate to be the same as the City charges for similar parking facilities, currently One Hundred Fifteen Dollars (\$115.00) per calendar quarter and \$34.50 for seniors per calendar quarter for lot 22 and Fifty-Seven Dollars Fifty Cents (\$57.50) per calendar quarter and \$17.25 for seniors per calendar quarter for CHBC, each subject to change;
5. City intends to provide the maximum number of spaces pursuant to reasonable administrative practices;
6. Restrictions on parking during certain times and on certain days will be at the discretion of and determined by the City Manager and may be adjusted or terminated accordingly; and
7. City shall notify affected residents and property owners.

D. *Top of Hill Construction Site Temporary Parking.*

This paragraph applies to the patrons of the Nighttown Restaurant (approximately fifty (50) spaces – not permit parking) and the residents and guests of the Buckingham Building (approximately forty (40) spaces – permit parking) during Top of the Hill construction.

1. To be available by November 30, 2019;
2. To be approved by Police and Fire Divisions;
3. This parking will be located on City-owned property;
4. Permit rate to be the same as the City charges for similar parking facilities, currently One Hundred Fifteen Dollars (\$115.00) per calendar quarter and \$34.50 for seniors per calendar quarter, subject to change;
5. City intends to provide the maximum number of spaces pursuant to reasonable administrative practices;
6. Restrictions on parking during certain times and on certain days will be at the discretion of and determined by the City Manager and may be adjusted or terminated accordingly; and
7. The City shall notify affected residents and property owners.

E. Transition upon Completion of Construction.

Upon completion of construction, the temporary arrangements set forth above may be adjusted or terminated by the City Manager in light of the parking requirements that will take effect at that time.

Proposed:

RESOLUTION NO. (SMS)

By Council Member

A Resolution authorizing the City Manager to file a NatureWorks application with the Ohio Department of Natural Resources; and declaring an emergency.

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources administers financial assistance for public recreation purposes through the State of Ohio NatureWorks grant program; and

WHEREAS, the City of Cleveland Heights desires financial assistance under the NatureWorks Grant Program; and

WHEREAS, this Council has determined it is in the best interests of the City and its residents to seek said financial assistance.

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

SECTION 1. This Council hereby approves the filing of an application for financial assistance under the NatureWorks Grant Program administered by the Ohio Department of Natural Resources on behalf of the City of Cleveland Heights. The City Manager is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for said possible funding assistance. Cleveland Heights does hereby agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks Grant Program.

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 timely need to meet the application deadline. 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. (SMS)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Bhutanese Community of Greater Cleveland, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Job Training Program; providing compensation therefor; and declaring an emergency.

WHEREAS, the Bhutanese Community of Greater Cleveland is a non-profit corporation that was founded in response to the needs of the Bhutanese refugee community in Cleveland; and

WHEREAS, the Bhutanese Community of Greater Cleveland serves all people in need, irrespective of ethnic origin, in need of services throughout Cleveland Heights; and

WHEREAS, the Bhutanese Community of Greater Cleveland is in the process of establishing a job training program to assist participants with English as a second language, interpretation services, citizenship classes, driving education, and other classes aimed at building skills to enable job seekers to find employment; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Bhutanese Community of Greater Cleveland, a non-profit corporation, for assistance with its Job Training Program. The agreement shall provide for funding in the amount of up to Eight Thousand Dollars (\$8,000) from Year 45 Community Development Block Grant funds. The services to be performed by the Bhutanese Community of Greater Cleveland are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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

RESOLUTION NO. (PD)

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 allow the Job Training Program of the Bhutanese Community of Greater Cleveland to continue without interruption. 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

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

THE BHUTANESE COMMUNITY OF GREATER CLEVELAND

The Bhutanese Community of Greater Cleveland is a non-profit 501 (c)(3) group that was founded in response to the needs of the Bhutanese refugee community in Cleveland. They wish to serve all needy people, irrespective of ethnic origin, in need of services throughout Cleveland. Their mission statement is: Unity in Diversity is the Strength of Humanity.

The Bhutanese Community of Greater Cleveland is seeking to establish a community center where they will operate a job training program. The job training program seeks to assist participants with English as a second language, interpretation services, citizenship classes, driving education, and other classes aimed at building skills to enable job seekers to find employment.

The program will serve 100 individuals in 2019-2020. CDBG funds will contribute towards personnel and operating expenses. The program will be established at their Community Center once that location is determined.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Central Bible Baptist Church (CBBC), for the use of Community Development Block Grant funds to provide funding for assistance with its Neighborhood Seniors Resource Center; providing compensation therefor; and declaring an emergency.

WHEREAS, the CBBC Neighborhood Seniors Resource Center will be established in order to create opportunities for Noble area seniors to connect with their neighbors, learn internet and computer skills, and acquire health and wellness education in a neighborhood setting; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Central Bible Baptist Church for assistance with its Neighborhood Seniors Resource Center. The agreement shall provide for funding in the amount of up to Eight Thousand Dollars (\$8,000) from Year 45 Community Development Block Grant funds. The services to be performed by Central Bible Baptist Church are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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 allow the services of the Central Bible Baptist Church to continue without interruption. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

CENTRAL BIBLE BAPTIST CHURCH (CBBC) - NEIGHBORHOOD SENIORS
RESOURCE CENTER

The CBBC Neighborhood Senior Resource Center will create opportunities for Noble area seniors to connect with their neighbors in a warm and engaging setting close to home. The Center will feature a computer lounge to offer neighborhood seniors computer and internet access as well as an opportunity to learn new or enhance existing computer skills. Weekly activities and crafting classes will promote social interaction that will help older adults remain an active part of the community.

The Center will host weekly information sessions and community forums to educate seniors on topics that impact their daily lives. Sessions will include education on internet safety, health and wellness as well as local civic concerns. The Center will partner with local healthcare and nutrition professionals to host a Neighborhood “Food As Medicine” Club that will promote healthy eating habits that have been demonstrated to aid in the treatment of chronic diseases that disproportionately impact minority communities such as diabetes and high blood pressure.

The program will serve 200 individuals in 2019-2020. CDBG funds will contribute towards personnel and operating expenses.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Cedar Taylor Development Association, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with the costs of the Association relative to the implementation of streetscape enhancements for the business district; providing compensation therefor; and declaring an emergency.

WHEREAS, the Cedar Taylor Development Association will be implementing streetscape enhancements that would benefit the district and the City; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for these activities; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Cedar Taylor Development Association, a non-profit corporation, for financial assistance with costs relative to the implementation of streetscape enhancements for specified sections of the business district. The agreement shall provide for funding in the amount of up to Ten Thousand Dollars (\$10,000). All monies shall be from Year 45 Community Development Block Grant funds. The services to be performed by the Cedar Taylor Business Association are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one year period commencing July 1, 2019, and terminating June 30, 2020, and shall be subject to the approval of the Director of Law.

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 the need to implement the streetscape project 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

CEDAR TAYLOR DEVELOPMENT ASSOCIATION

The Cedar Taylor Development Association is a voluntary not-for-profit organization dedicated to the continued growth of the Cedar Taylor business district. There are approximately 30 businesses in the district.

The Development Association strives to improve the economic viability of the Cedar Taylor district through routine streetscape management, neighborhood marketing and promotion of the business district. CDBG funds will assist with the implementation of streetscape enhancements in the designated slum/blight area of the district.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Family Connections of Northeast Ohio a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Family School Connections Program; providing compensation therefor; and declaring an emergency.

WHEREAS, Family Connections of Northeast Ohio is a non-profit corporation with the mission to strengthen families and promote the healthy development of children by providing parent education, parent support and activities for families with children from birth to age ten; and

WHEREAS, Family Connections of Northeast Ohio has established a Family School Connections Program to provide support to parents and youth; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with Family Connections of Northeast Ohio, a non-profit corporation, for assistance with its Family School Connections Program. The agreement shall provide for funding in the amount of up to Twenty Thousand Dollars (\$20,000) from Year 45 Community Development Block Grant funds. The services to be performed by Family Connections of Northeast Ohio are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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 allow the services of the Family Connections of Northeast Ohio to continue without interruption. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this

RESOLUTION NO. (PD)

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

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

FAMILY CONNECTIONS

Family Connections has established the Family School Connections Program to assist parents of preschool and elementary students. The program is designed to enhance parents' involvement in their children's education by providing school and neighborhood-based activities that focus on academic skills as well as social and recreational interests. Family support, parent education, and access to community resources are incorporated into the literacy program.

The program will serve 200 families. CDBG funds will contribute towards personnel expenses. The program will be offered at all Cleveland Heights Elementary Schools.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with FutureHeights, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Community Capacity Building Program; providing compensation therefor; and declaring an emergency.

WHEREAS, FutureHeights is a non-profit corporation, which promotes a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement; and

WHEREAS, it would be in the City's best interest to provide partial funding for said program; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant funds.

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 an agreement with FutureHeights, a non-profit corporation, for assistance with its Community Capacity Building Program. The agreement shall provide for funding in the amount of up to Thirty-Three Thousand Dollars (\$33,000) from Year 45 Community Development Block Grant funds. The services to be performed by FutureHeights are set forth in the Work Program attached hereto as Exhibit A and incorporated herein. The agreement shall be for a period commencing July 1, 2019, and terminating June 30, 2020, and shall be subject to the approval 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 allow FutureHeights to provide these necessary services. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

FUTUREHEIGHTS

FutureHeights is a not-for-profit organization whose mission is to promote a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement.

FutureHeights Community Capacity Building Program will consist of the following components:

1. Resident Engagement and Recruitment for Leadership Program
2. Developing a neighborhood leadership workshop series
3. Ongoing community building work in neighborhoods

CDBG funds will assist with personnel costs for the program manager and operating costs.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with FutureHeights, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Cedar Lee Mini-Park Placemaking Project; providing compensation therefor; and declaring an emergency.

WHEREAS, FutureHeights is a non-profit corporation, which promotes a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement; and

WHEREAS, it would be in the City's best interest to provide partial funding for said project; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant funds.

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 an agreement with FutureHeights, a non-profit corporation, for assistance with its Community Capacity Building Program. The agreement shall provide for funding in the amount of up to Ten Thousand Dollars (\$10,000) from Year 45 Community Development Block Grant funds. The services to be performed by FutureHeights are set forth in the Work Program attached hereto as Exhibit A and incorporated herein. The agreement shall be for a period commencing July 1, 2019, and terminating June 30, 2020, and shall be subject to the approval 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 allow FutureHeights to begin to provide these necessary services. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

FUTUREHEIGHTS – CEDAR LEE MINI-PARK PLACEMAKING PROJECT

FutureHeights is a not-for-profit organization whose mission is to promote a vibrant and sustainable future for Cleveland Heights through innovative ideas and civic engagement. FutureHeights' Cedar Lee Mini-Park Placemaking Project seeks to revitalize the mini-park through programming and infrastructure investments including lighting, public seating, security cameras, sound/PA system, relocation of water/fire lines, new fire hydrant and public art.

CDBG funds will assist with capital improvement costs for the project.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Gesher, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses; providing compensation therefor; and declaring an emergency.

WHEREAS, Gesher offers a benefits referral program to help local families access much needed support; and

WHEREAS, Gesher is in need of funding for operating expenses; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with Gesher a non-profit corporation, for assistance with the operating expenses of the Gesher Benefits Referral Program. The agreement shall provide for total funding in the amount of up to Eight Thousand Dollars (\$8,000) from Year 45 Community Development Block Grant funds. The services to be performed by Gesher are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one year period commencing July 1, 2019, and terminating June 30, 2020, and shall be subject to the approval 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 allow the necessary services of Gesher to continue uninterrupted. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

GESHER

Gesher is an initiative of Agudath Israel of Ohio which helps eliminate cultural barriers in accessing and applying for assistance programs and whose staff helps families meet the challenges of financial hardship. Their trained benefits counselors advise clients about the local, state and federal benefits for which they are eligible.

The Gesher service area includes the suburbs of Cleveland Heights, South Euclid and University Heights. CDBG funds will assist with the administrative costs of Gesher associated with assisting at least 51% low- and moderate income Cleveland Heights households.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Heights Emergency Food Center, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating and capital improvement expenses; providing compensation therefor; and declaring an emergency.

WHEREAS, since 1981, the Heights Emergency Food Center has provided emergency food supplies to needy families and individuals; and

WHEREAS, HEFC is in need of funding for operating and capital improvement expenses; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant funds.

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 an agreement with the Heights Emergency Food Center, a non-profit corporation, for assistance with the operating expenses of HEFC's emergency food programs. The agreement shall provide for total funding in the amount of up to Twenty-Five Thousand Five Hundred and Ten Dollars (\$25,510) from Year 45 Community Development Block Grant funds. The services to be performed by the Heights Emergency Food Center are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one year period commencing July 1, 2019, and terminating June 30, 2020, and shall be subject to the approval 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 allow the necessary services of the Heights Emergency Food Center to continue uninterrupted. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

HEIGHTS EMERGENCY FOOD CENTER

Heights Emergency Food Center was opened in 1981 as part of the Hunger Task Force. Located at 3663 Mayfield Road, Heights Emergency Food Center will serve approximately 3,900 individuals in 2019-2020. Heights Emergency Food Center provides each eligible family a three-day supply of food once a month.

The Heights Emergency Food Center service area includes the suburbs of Cleveland Heights, Lyndhurst, South Euclid and University Heights. CDBG funds will assist with administrative and capital costs of the Heights Emergency Food Center.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Home Repair Resource Center (“HRRC”), a non-profit corporation, for the use of Community Development Block Grant Funds for assistance with HRRC’s housing counseling, home-repair and home-improvement programs; providing compensation therefor; and declaring an emergency.

WHEREAS, the City has previously entered into agreements with the Home Repair Resource Center (“HRRC”) under which the City has assisted with the funding for various HRRC housing counseling, home-repair and home-improvement programs; and

WHEREAS, in the past the City has also provided funding to assist with the operating expenses of such programs; and

WHEREAS, it would be in the City’s best interest to continue to provide funding to HRRC to aid in its efforts to prevent deterioration and blight in the City’s housing stock, encourage and enable residents to make necessary repairs, and support the City’s code enforcement efforts; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Home Repair Resource Center (“HRRC”) to provide funding from Year 45 Community Development Block Grant funds for HRRC’s programs and operating expenses up to the amounts as listed here: One Hundred Seventeen Thousand Three Hundred and Twenty-Seven Dollars (\$117,327) for HRRC Program Delivery Expenses; Ten Thousand (\$10,000) for Assist Incentive Grants; Ten Thousand Dollars (\$10,000) for Deferred Loan Match; Eight Thousand Dollars (\$8,000) for the Senior Home Stability Grant; Five Hundred Dollars (\$500) for the Assist 0% Benefit Program; and Twenty-Five Thousand Dollars (\$25,000) for Housing Counseling; for a total grant of up to One Hundred and Seventy Thousand Eight Hundred and Twenty-Seven Dollars (\$170,827).

SECTION 2. The services to be performed by HRRC shall be as set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one-year period, commencing July 1, 2019, and terminating June 30, 2020. All documents shall be in a form approved by the Director of Law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the

RESOLUTION NO. (PD)

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 4. 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 allow the services of HRRC to continue without interruption. 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

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

EXHIBIT A
STATEMENT OF WORK

HOME REPAIR RESOURCE CENTER

Home Repair Resource Center (“HRRC”), formerly known as FHC Housing Corporation, is a non-profit organization chartered in 1971. Its mission is to strengthen and promote the housing stock of Cleveland Heights through education, financial assistance, counseling, and community involvement, in order to support the economic, social, and racial diversity of the community. HRRC’s programs recognize the special needs of low- and moderate-income homeowners and provide incentives to encourage and facilitate their participation. Programs are designed to maintain the condition and value of housing in Cleveland Heights.

HRRC has several components that receive CDBG funding. The first is HRRC’s operating expenses. This includes personnel and administrative costs associated with programs that benefit low- and moderate-income persons. Home Repair Resource Center will provide comprehensive budget and credit counseling services to residents of Cleveland Heights through the Housing Counseling Program. Services will be provided through classroom and individual counseling.

Rollover and new CDBG funds support several of HRRC’s programs. The Assist Benefit program includes the Assist 0%, Deferred Loan Match and Assist Incentive programs. The Assist 0% benefit helps recipients borrow funds for repairs. It reduces the principal financed so that the total repaid to the bank is equivalent to a no-interest loan. The Assist Incentive grant provides a grant of up to \$1000 to complete a major improvement (roof and gutters, major plumbing, major wiring, new heating systems). The grant is increased to \$1500 for seniors who are replacing a roof or furnace. The Deferred Loan Match program enables recipients to defer payment of half the cost (to a maximum of \$3000) of replacing major systems of a home (roof, heating, plumbing or electrical). The Senior Home Stability Grant program provides grants of up to \$1000 to assist homeowners with the repairs to their home which will allow them to age in place. The Lead Based Paint Reduction program provides assistance with the increased repair costs due to lead-based paint regulations. All programs assist low- and moderate-income owner occupied households as defined by the Department of Housing and Urban Development.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Heights Youth Club, Inc., a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Learning Place Program; providing compensation therefor; and declaring an emergency.

WHEREAS, the Heights Youth Club, Inc. is a non-profit corporation with the mission to provide a positive and safe environment for youth to learn and develop skills related to education, interpersonal growth and community involvement; and

WHEREAS, the Heights Youth Club, Inc. is seeking new partnerships in order to reinstate its programming and implement its Learning Place Program; and

WHEREAS, providing funding to assist such program will be of benefit to the City and its residents; and

WHEREAS, there are monies available for such purposes from the Year 45 Community Development Block Grant Funds.

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 an agreement with the Heights Youth Club, Inc., a non-profit corporation, for assistance with its Learning Place Program. The agreement shall provide for funding in the amount of up to Ten Thousand Dollars (\$10,000) from Year 45 Community Development Block Grant funds. The services to be performed by the Heights Youth Club, Inc. are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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 allow the services of the Heights Youth Club, Inc., to continue without interruption. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council this

RESOLUTION NO. (PD)

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

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

HEIGHTS YOUTH CLUB

Heights Youth Club will offer The Learning Place Program, a program designed to engage youth in meaningful activities after school so they develop important academic and life skills. Program delivery will focus on: Academic Achievement, Character and Citizenship, Healthy Lifestyles, and Creative Arts. HYC will partner with other nonprofits to help develop the individual units of the program as separate group/individual projects.

Project Learn will serve 200 youths with a minimum of 51% being from low-and moderate-income households. Community Development Block Grant funds will assist with personnel and related operating costs.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Lake Erie Ink, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization's Ink Spot After School Program; providing compensation therefor; and declaring an emergency.

WHEREAS, Lake Erie Ink is a non-profit corporation with the mission to provide expression opportunities and academic support to youth in the community; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with Lake Erie Ink, a non-profit corporation, to provide for funding in the amount of up to Twelve Thousand and Fifteen Dollars (\$12,015) from Year 45 Community Development Block Grant funds. The services to be performed by Lake Erie Ink are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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 allow the necessary services of Lake Erie Ink to continue uninterrupted. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

LAKE ERIE INK

Lake Erie Ink provides creative expression opportunities and academic support to youth in the community. Their Ink Spot After-School Program provides literacy enrichment, creative expression opportunities and academic support to youth, ages 8-12.

CDBG funds will assist Lake Erie Ink to serve 40 youth in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programing will be offered at Noble Elementary School and at their Coventry Peace Campus location, Cleveland Heights, OH. Community Development Block Grant funds will assist with program delivery costs.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Open Doors Academy, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with the organization's year-round enrichment program for youth living at risk; providing compensation therefor; and declaring an emergency.

WHEREAS, the Open Doors Academy is a non-profit corporation with the mission to support and enhance academic, social and emotional growth of middle school-aged children; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Open Doors Academy, a non-profit corporation, to provide for funding in the amount of up to Fifteen Thousand Dollars (\$15,000) from Year 45 Community Development Block Grant funds. The services to be performed by the Open Doors Academy are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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 allow the necessary services of the Open Doors Academy to continue uninterrupted. 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. (PD)

CAROL ANN ROE, Mayor
President of the Council

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

OPEN DOORS ACADEMY

Open Doors Academy exists to protect, inspire, nurture, and challenge adolescents to reach their full potential through the provision of meaningful out-of-school enrichment programming in a safe and structured environment.

Open Doors Academy will serve 70 youths in their enrichment programming, with a minimum of 51% being from low-and moderate-income households. Programming will be offered at School District facilities that serve the district's Cleveland Heights students. Community Development Block Grant funds will assist with personnel costs.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Severance Tower Local Advisory Council, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Accessible Community Garden Project; providing compensation therefor; and declaring an emergency.

WHEREAS, the Severance Tower Local Advisory Council is a non-profit corporation that was founded in order to organize and facilitate the feedback of the residents of the project-based Section 8 Severance Tower apartment complex; and

WHEREAS, Severance Tower is a Cleveland Metropolitan Housing Authority apartment complex that houses elderly and permanently disabled residents; and

WHEREAS, the Severance Tower Local Advisory Council is seeking to replace its current community garden with an accessible community garden that will facilitate the involvement of the disabled residents of the building and provide healthy food for those same residents; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Severance Tower Local Advisory Council, a non-profit corporation, for assistance with its Accessible Community Garden. The agreement shall provide for funding in the amount of up to Ten Thousand Eight Hundred Dollars (\$10,800) from Year 45 Community Development Block Grant funds. The services to be performed by the Severance Tower Local Advisory Council are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a twelve month period commencing July 1, 2019, and terminating June 30, 2020, and shall be reviewed 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

RESOLUTION NO. (PD)

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 allow the services of the Severance Tower Local Advisory Council to continue without interruption. 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

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

SEVERANCE TOWER LOCAL ADVISORY COUNCIL

The Severance Tower Local Advisory Council is a non-profit corporation founded in order to both organize the residents of the Severance Tower apartment complex and to serve as a channel to provide feedback to the Cleveland Metropolitan Housing Authority. Severance Tower is a project-based Section 8 building that serves elderly and permanently disabled low-income residents.

The Severance Tower Local Advisory Council will be replacing their traditional community garden with an accessible garden in order to facilitate the inclusion of disabled residents into the community garden program and to provide healthy food for residents of the building.

The project will serve approximately 200 individuals in 2019-2020. CDBG funds will contribute towards capital improvement expenses. The project will be located at Severance Tower, 25 Severance Circle, Cleveland Heights, Ohio 44118.

Proposed: 6/17/2019

RESOLUTION NO. (PD)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with the Start Right Community Development Corporation, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses for their Food Bank Program; providing compensation therefor; and declaring an emergency.

WHEREAS, the Start Right Community Development Corporation's Food Bank provides emergency food supplies to needy families and individuals; and

WHEREAS, Start Right Community Development Corporation's Food Bank is in need of funding for operating expenses; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding for the agency's programming; and

WHEREAS, there are monies available for such purpose from Year 45 Community Development Block Grant Funds.

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 an agreement with the Start Right Community Development Corporation, a non-profit corporation, for assistance with the operating expenses of their emergency food program. The agreement shall provide for total funding in the amount of up to Ten Thousand Dollars (\$10,000) from Year 45 Community Development Block Grant funds. The services to be performed by the Start Right Community Development Corporation's Food Bank are set forth in the Statement of Work attached hereto as Exhibit A and incorporated herein. The agreement shall be for a one year period commencing July 1, 2019, and terminating June 30, 2020, and shall be subject to the approval 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 allow the necessary services of the Start Right Community Development Corporation's Food Bank to continue uninterrupted. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or

RESOLUTION NO. (PD)

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

SUSANNA NIERMANN O'NEIL
Acting Clerk of Council

PASSED:

RESOLUTION NO. (PD)

EXHIBIT A
STATEMENT OF WORK

START RIGHT COMMUNITY DEVELOPMENT CORPORATION'S FOOD BANK

Start Right Community Development Corporation's Food Bank was opened in 2011 as part of the Cleveland Food Bank. Located at 977 Caledonia Avenue, Start Right Community Development Corporation's Food Bank will serve approximately 1,284 people in 2019-2020. Start Right Community Development Corporation's Food Bank provides each eligible family a three-day supply of food once a month.

The Start Right Community Development Corporation's Food Bank service area includes the suburbs of Cleveland Heights and East Cleveland. CDBG funds will assist with the program delivery costs of the Start Right Community Development Corporation's Food Bank.