



**COUNCIL UPDATE**

**AUGUST 30, 2019**

**MEETINGS & REMINDERS**

|                         |   |                  |   |  |
|-------------------------|---|------------------|---|--|
| Monday, September 2     | - |                  | - | City Hall and the Community Center are closed in observance of Labor Day |
| Tuesday, September 3    | - | 6:15 p.m.        | - | Committee of the Whole   |
|                         | - | 7:30 p.m.        | - | Council Meeting  |
| Wednesday, September 4  | - | 5:30 p.m.        | - | Landmark Commission  |
| Thursday, September 5   | - | 6:00 p.m.        | - | Meet Your Police   |
|                         | - | 6:00 p.m.        | - | Refuse & Recycling Task Force  |
| Monday, September 9     | - | 6:15 p.m.        | - | Committee of the Whole   |
| Wednesday, September 11 | - | 7:00 p.m.        | - | Planning Commission  |
| Thursday, September 12  | - | 6:00 p.m.        | - | Meet Your Police   |
| Sunday, September 15    | - | Noon – 6:00 p.m. | - | Heights Heritage Home & Garden Tour                                      |

**UPCOMING EVENTS**

|                         |   |           |   |  |
|-------------------------|---|-----------|---|--|
| Wednesday, September 25 | - | 7:00 p.m. | - | Noble Neighbors Candidates Forum at Noble Road Presbyterian Church |
| Wednesday, October 2    | - | 7:00 p.m. | - | Noble Neighbors City   |

|                      |   |                  |   |   |
|----------------------|---|------------------|---|---|
|                      |   |                  |   | Governance Forum at Noble Road Presbyterian Church                |
| Thursday, October 3  | - | 7:00 p.m.        | - | League of Women Voters – Candidates Night at the Community Center |
| Thursday, October 10 | - | 7:00 p.m.        | - | League of Women Voters – Community Forum at the High School       |
| Saturday, October 12 | - | 9:00 a.m. – Noon |   | Shredding Day   |

## **LEGISLATION**

- **National Preparedness Month.** A Resolution proclaiming September 2019, *National Preparedness Month*
- **NOPEC.** An Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council 2019 Energized Community Grant(s) Funds
- **Edwards Rd.** An Ordinance to Vacate a portion of the Street Right-of-Way for Edwards Road, to Reserve an Easement for Utilities and Drainage
- **Prostate Cancer Awareness Month.** A Resolution joining communities throughout the nation in proclaiming September 2019, *Prostate Cancer Awareness Month*
- **Welcoming Week.** A Resolution proclaiming September 13 – 22, 2019, *Welcoming Week*

## **UPDATES**

- **Muni Broadband RFP Update**
  - The City released a RFP for a Municipal Broadband Needs Assessment and Feasibility Study on August 2, 2019. The RFP is available for download on the Cleveland Heights website. Please see timeline below. Before the RFP was released it was reviewed by the Citizen’s Group for Municipal Broadband and received very favorable feedback.

The City sent invitations to propose to Magellan-Advisors, Fujitsu, Uptown Services and Design Nine. Currently, the City has received registrations from interested firms: CBG Communications, Design Nine, EY, Ice Miller, Magellan-Advisors and ECC Technologies.

The City received 11 questions regarding the RFP and replies to those questions were sent on August 26, 2019. At this time, no proposals have been received.

#### Timeline

|                                     |                                 |
|-------------------------------------|---------------------------------|
| RFP Release Date:                   | August 2, 2019                  |
| Public Notice issued Cleveland.com: | August 2, 2019 & August 9, 2019 |
| Questions Deadline:                 | August 22, 2019                 |
| Answers to Questions sent:          | August 26, 2019                 |
| Proposals Due:                      | September 13, 2019              |

- **Global Cleveland** - There will be a Welcoming Week celebration in Cleveland from September 13<sup>th</sup> – 22<sup>nd</sup> sponsored by Global Cleveland. The legislation for September 3<sup>rd</sup> is in response to their request that cities throughout the County pass legislation in support.
- **NOPEC** - Staff has been working with NOPEC to take advantage of some of the grants and opportunities they offer to member cities:
  - NOPEC is sponsoring the Happy 5K with a \$3500 contribution to the race. Their logo will appear on the t shirts as will the logos of other sponsors.
  - NOPEC offered a phone charging center (at no cost) for the lobby of the Community Center. This will be installed sometime this Fall.
  - NOPEC has a grant program for eligible cities for energy efficient efforts. The legislation on September 3<sup>rd</sup> will give our City authorization to apply for the grant.
- **Community Relations** - Quite a summer for block parties with over 50 parties scheduled from July 4<sup>th</sup> to October 1<sup>st</sup> .
- **Communications:**
  - Media: handled various inquiries from Broadcast media regarding incidents and issues in the City

- Video: Multiple videos being produced, i.e. a City promo video, business promotion; video of housing throughout the City
  - Print: Focus magazine went out to households, ads were produced in various publications and applying finishing touches on an update on an informational booklet for residents about the City
  - Website: Ongoing updates on various pages and posting of statements
- **Planning**
    - Taylor Road Transportation for Livable Communities Initiative study: NOACA staff will have street restriping alternatives available for the next public meeting that seek to increase the comfort of pedestrians and cyclists, reduce crashes, and help Taylor Road businesses with parking improvements.
    - Compton Road Greenway Study: About 20 neighbors participated in a walk Sunday, August 18 with Planning staff and City Architecture's Ian Meadows. The attendees favored measures that slowed down speeding motorists and improved pedestrian and bicyclist comfort.
    - On Middlehurst just north of Hampshire, an 8-unit apartment building is proposed by Jonathan and Lawrence Rich. ABR was okay with it preliminarily and BZA granted three variances.
    - Top of the Hill: Brandon Bogan provided final detailed plans for the buildings east of the north-south driveway and once final plans are received for the taller buildings west of the driveway, another ABR meeting will be scheduled.
    - Scooter sharing companies will be introducing scooters in Cleveland. The County's Department of Sustainability was contacted by Lakewood, Shaker Heights, University Heights, Euclid and Cleveland Heights about participation in the scooter sharing program. The County reached an agreement such that the four selected scooter companies (Bird, Lime, VeoRide and Spin) need to address service in interested suburbs. Cleveland Heights is a natural extension from University Circle for scooter riders and we now have bike lanes on all roads leading to University Circle (Mayfield, Edgehill and Cedar). We are working exploring regulatory and fee sharing concepts and will present to Council in an upcoming meeting.
  - **Economic Development**
    - Top of the Hill Site Development – Planning Commission recommended approval of the partial vacation of Edwards Road at their August 14 meeting

– therefore, consideration of partially vacating Edwards Road is scheduled for Council action at the September 3 meeting; Partial vacation of Edwards Road is required to facilitate the development of the TOH site consistent with the approved project site plan; There will be building improvements in the area of the current Edwards Road R/W, so the R/W in that area needs to be removed and one development parcel created. Edwards Road will change from an east-west orientation to a north-south orientation and the partial vacation, paired with access easements within the site, accomplishes this as well as maintaining and enhancing the site access off of Euclid Heights Blvd. and circulation of traffic within the site

- Cedar-Lee-Meadowbrook: MOU approved and executed with Cedar Lee Connection, LLC; Developer & City have executed an Access Agreement in order to begin site due diligence investigations;

1st draft Development Agreement under internal review – Goal to wrap up Development Agreement negotiations in September and request consideration by Council in October;

Cedar Lee Connection, LLC preparing TIF request for City & school district review;

Best case scenario - Developer is hopeful that project can be underway during spring of 2020.

- Severance Town Center Redevelopment Plan: Staff has received 18 responses to the RFP; Proposed DRAFT schedule to review is as follows:
  - 8/14 – 8/30: Staff reviews and narrows # firms for consideration to 6-8;
  - 9/9 – 9/13: Review Team Interviews with 6-8 firms;
  - 9/16: Council legislation;
  - October: Community Meeting #1
- Noble Corridor Plan: FutureHeights is prepared to give a summary of the Plan’s findings to Council whenever time permits during an upcoming Committee of the Whole meeting – likely in September;
- College Club: Project is under construction – CRA incentives being applied – completion of construction anticipated by end of 2019.
- New Business Watch: The City has had a number of new business announcements in recent months. Tentative timelines for openings are below:
  - Proximity Golf Lounge, 3099 Mayfield Road (2nd floor of the Heights Rockefeller Building) – early fall

- Voodoo Brewery, 2279 Lee Road – early fall
- Zhug Restaurant, 12413 Cedar Road – November
- Happy Bees Ice Cream and Coffee, 1783 Coventry – mid fall
- Sub City, 2142 Lee Road – early fall
- Marchant Manor Cheese, 2211 Lee Road – to be determined

Staff will coordinate with these new businesses on ribbon cutting/grand opening events and communicate those dates to Council as they are scheduled. Overall, interest in commercial space remains strong, especially in Cedar Lee and Coventry Village. Several additional new businesses are finalizing leases and those announcements are expecting in the coming weeks.

- **Housing**

- Due to a pending lawsuit in the Ohio Supreme Court (*2018-1307 State of Ohio, ex rel. Elliott G. Feltner v. Cuyahoga County, Ohio Board of Revision, et al.*) that challenges the constitutionality of BOR foreclosures, the County Prosecutor is filing all new tax foreclosure filings in the Court of Common Pleas. Cases that are currently pending in the Board of Revision will be transferred to the Court unless the CCLRC or municipal land bank requests that the Prosecutor keep the case with the Board for final disposition. Tax foreclosure cases filed with the Court will take a little more time to complete, and will be subject to two sheriff's sales with the amount of taxes as the minimum bid, title to any property acquired by the CCLRC through the Court will still be insurable. For this reason, unless the end user requests otherwise, the CCLRC is going to request all BOR cases in which the CCLRC desires to acquire the property, be transferred to the Court. Although this action will delay what may have already been a long process the property will be ensured to have an unclouded title.
- The City and County Land Bank continue to work on transfers of vacant/abandoned property through State Forfeiture to our CDC partners. Future Heights and Home Repair Resource Center are awaiting deeds for multiple properties for use in their renovation programs.
- The First Suburbs Consortium Housing Committee is attempting to schedule a meeting with CMHA to discuss some staffing changes for the Housing Choice Voucher Program and to review and reinforce the MOU between the CMHA and numerous inner ring suburbs in order to provide safe affordable

housing to low income persons while meeting all of the requirements of our local Housing Codes.

- **Police**

- As you recall, on July 15, 2019, a 17 year old juvenile male was shot and killed at Mayfield and Eddington Roads. Since that time, detectives have been working very hard to identify and locate all the suspects involved. As of a week ago, all three juvenile suspects involved in the incident have been apprehended and are currently in custody.
- On August 15, 2019, shortly after 11:00 pm a fatal accident occurred at Mayfield and Taylor Roads. A vehicle driving on Taylor and proceeding through the green light at the intersection was struck by a second vehicle traveling on Mayfield Rd. that did not stop for the red light. The driver of the vehicle that was struck sustained very serious injuries and did not survive. The driver of the second vehicle, 35 year old Thomas Hawkins of Solon, tried to flee from the scene after impact but was detained by two witnesses to the accident. Hawkins was transported to the hospital for treatment and was released August 27, 2019, at which time he was taken into police custody. Hawkins has been charged with Aggravated Vehicular Homicide and OVI and is currently being held on \$250,000 cash/surety bond.
- As part of our Dog Walker Watch program, Sgt. Tokmenko held the first Canines at Cain Park ice cream social on July 29, 2019. There was a great turnout of doggies and their owners and all had a great time socializing with one another. Since hosting this event, we have received additional requests for other activities that both people and their dogs can participate in. Don't be surprised if you see many more dog friendly events throughout the City in the months to come.
- On July 31, 2019, we participated in the second Battle of the Badges Blood Drive for the American Red Cross. It was held at the Community Center and all who donated blood were given the opportunity to vote for either the Fire Department or Police Department. While the vote was close, the Fire Department prevailed with the most votes. No matter what the outcome however, it was for a great cause and we are so appreciative of those who came out to show their support for their safety forces.

- Officer Joshua Robertson, who saved the child from the burning home July 6, 2019, has been selected as the Law Enforcement Officer of the Year by American Legion Post 572. On October 19, 2019, he will be honored with an award during their 4th Annual First Responders Appreciation Night. Several members of the Police Department will be in attendance to honor our very own Joshua Robertson for his tremendous act of bravery.
- On August 6, 2019, the Police and Fire Departments once again joined forces for the annual Safety Forces Night Out held at our Community Center. Despite the weather, we had a great turnout and everyone had a good time getting to meet the Police Officers and Fire Fighters that serve their community. Thanks to everyone for their assistance in making this event possible!



- On August 9, 2019, Investigator Quintero Mack, the Police Department's Business Liaison Officer, retired after 35 years of service to the City of Cleveland Heights. Inv. Mack served the residents with distinction, honor and professionalism and established a great relationship with our business owners. We wish him all the best in his retirement. Inv. Tyler Allen, a 22 year veteran of the Police Department, will be the PD's new Business Liaison Officer and we have no doubt he will continue to represent the City in the finest tradition.



- At the end of July, our crime stats for the second quarter of 2019 were finalized. As you can see from the below stats, while we experienced an increase in the property crime of burglary during the first half of the year, there has been a slight decrease in other crimes as compared to 2018.

|                    | MURDER | RAPE | ROBBERY | AGG. ASSAULT | BURGLARY | THEFT | AUTO THEFT | ARSON |
|--------------------|--------|------|---------|--------------|----------|-------|------------|-------|
| First Quarter 2018 | 1      | 6    | 12      | 9            | 13       | 108   | 27         | 0     |
| First Quarter 2019 | 1      | 1    | 6       | 6            | 23       | 91    | 14         | 1     |

Data

updated 7-29-2019

|                 | MURDER | RAPE | ROBBERY | AGG. ASSAULT | BURGLARY | THEFT | AUTO THEFT | ARSON |
|-----------------|--------|------|---------|--------------|----------|-------|------------|-------|
| Second Qtr 2018 | 0      | 2    | 6       | 8            | 13       | 166   | 25         | 3     |
| Second Qtr 2019 | 0      | 3    | 10      | 6            | 27       | 137   | 18         | 1     |

Data updated 7-

29-2019

On August 22, 2019, Investigator Brian Ondercin and Officer Justin Weir traveled to Shallow Creek Kennels in Sharpville, Pennsylvania to select their new K9 partners. There were so many great dogs to choose from which made the decision all that more difficult. Inv. Ondercin selected K9 Dodo while Officer Weir selected K9 Rambo. Both Officers will begin their 6 weeks of training on September 30<sup>th</sup> and upon completion they will begin patrolling the streets of Cleveland Heights. It has always been one of my goals to ensure that the PD has a fully staffed High-quality K9 Unit and this was just the first step toward achieving that goal. Mary Trupo accompanied us on the trip and she will continue to follow the Officers and their K9s through their training and post periodic updates on Facebook and Instagram.



- **Public Works**

**Sanitary Sewer Evaluation Survey**

|              | <b>Requirements</b>        | <b>Due</b> |
|--------------|----------------------------|------------|
| Phase 1 SSES | CCTV - 393,658 LF          | 1-Nov-19   |
| Phase 1 SSES | 1,980 Manhole Inspections  | 1-Nov-19   |
| CMOM         | 132,000 LF/yr Pipe Cleaned | 31-Dec-19  |
| Model        | Calibrated Model           | 31-Mar-19  |

**Completed Through July 9, 2019**

|                             | <b><u>Completed Thru Mat<br/>July 9, 2019 (LF)</u></b> | <b><u>Overall Remaining<br/>(LF)</u></b> | <b><u>Overall<br/>Remaining (%)</u></b> |
|-----------------------------|--|--|---|
| <b>CCTV</b>                 | 344,416  | 49,242                                   | 13%                                     |
| <b>MHs Phase 1</b>          | 1978   |  | Complete                                |
| <b>MHs Phase 2</b>          | 812  | 313                                      | 28%                                     |
| <b>Cleaning Total</b>       | 420,881  | -  | -                                       |
| <b>Cleaning (2018) only</b> | 173,355  | -  | -                                       |

|                      |         |   |          |
|----------------------|---------|---|----------|
| Cleaning (2019) only | 247,526 | 0 | Complete |
|----------------------|---------|---|----------|

**Work Completed by Entity**

|                             | <u>City</u>         | <u>Contractor</u>   | <u>County</u>      |
|-----------------------------|---------------------|---------------------|--------------------|
| <b>CCTV</b>                 | 19%<br>(65,696 LF)  | 54%<br>(185,633 LF) | 27%<br>(93,087 LF) |
| <b>Cleaning (2019) only</b> | 27%<br>(65,941 LF)  | 60%<br>(147,652 LF) | 13%<br>(33,933 LF) |
| <b>Cleaning Total</b>       | 30%<br>(126,838 LF) | 47%<br>(198,329 LF) | 23%<br>(95,714 LF) |

**Model Update**

| <b>Tasks</b>                                   | <b>% Complete</b> |
|--|-------------------|
| 1. Flow and rainfall Analysis                  | 100%              |
| 2. Model Expansion in GIS                      | 100%              |
| 3. Model Expansion in Infoworks ICM            | 100%              |
| 4. Delamere - Model Setup                      | 100%              |
| 5. Delamere - DWF and WWF calibration          | 100%              |
| 6. Delamere - Capacity evaluation              | 100%              |
| 7. Delamere - Alternative development          | 100%              |
| 8. DWF and WWF Calibration for all flow meters | 95%               |

*\*DWF = dry weather flow, WWF = wet weather flow*

**Capital Projects**

**Meadowbrook Boulevard Reconstruction**

One side of the road has been completed, and the contractor has begun removal of the south side of the road. Below are a couple of images of the north side.



### Mayfield Signalization

All of the signals are now online and operational. The contractor is out installing the new signs. There is still some remaining work to be completed with some pole removals, pavement markings, and networking with the traffic signals. The contractor is currently waiting on Verizon to relocate their antennas before they

can finish removing a few remaining signal poles. Below is an image of the intersection of Mayfield and Superior looking east down the Mayfield corridor:



Safe Routes to Schools – Noble/Quilliams Traffic Signal – ODOT PID 101112

Work is completed. Below is an image of the finished intersection:



2018 Street Resurfacing Program

Work is completed. We are working on closing out this project

#### 2019 Street Resurfacing & ADA Curb Ramp Replacement Program

The majority of the work has been completed. The contractor is finishing up some remaining punch list work.

#### 2019 Surface Treating Program

Most of the fog sealing is completed. The contractor still has to fog seal Derbyshire. Crack sealing on Cedar Road and Warrensville Center between Mayfield and Noble will begin in the next couple of weeks.

#### 2019-2020-2021 Pavement Striping Program

Striping work is completed.

#### Dominion Energy

Princeton Road PIR-2171: Work is completed.

Montford Road PIR-2226: Work continues without any major setbacks.

Woodward Avenue – PIR 2118: Work is scheduled to begin sometime in September on Woodward Avenue between Euclid Heights Blvd. and Berkshire Road.

Refuse and Recycling Task Force: The Task Force Committee has decided to meet every week in September with hopes of meeting the 6 month target date set by City Council.

Signals – Coventry/Fairmount/Scarborough: We recently received some resident concerns about the length of time on green at Scarborough and Coventry with regards to pedestrians not being able to cross Coventry in the allotted time. We did investigate this intersection and after conferring with our traffic engineers we have increased the green phase on Scarborough from fifteen sections to twenty-seven seconds to provide enough time for pedestrians to clear the crossing before the signal switches to red. Unfortunately, this was not a simple fix because the controller that operates this intersection is an old electro-mechanical controller (essentially a manual time clock). The controller is not capable of adding pedestrian signals. If we wanted to install them we would have to upgrade the entire signal system at this intersection. We will look at upgrading this signal if we get funding for Coventry Road.

Tax Certification for Delinquent Sewer and Landfill: The Utilities Division has mailed out notices to all delinquent accounts over \$200. Payments are due next week. Unpaid amounts will be certified on the tax duplicate. Certifications are due to the County Auditor on Monday, September 9<sup>th</sup>.

Leaf Season: The Streets and Vehicle Maintenance Divisions are beginning to prepare for leaf season. Currently, 95% of the leaves from last season have been transferred from the staging area at Lakeview Cemetery.



# CLEVELAND HEIGHTS

## Committee of the Whole

**September 3, 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. – 6:45 p.m.  
*Goal: Review upcoming legislation*
3. Report of the City Manager 6:45 p.m. – 7:00 p.m.  
*Goal: City Manager and staff will address questions about the City Manager's Report*
4. Executive Session 7:00 p.m. – 7:20 p.m.
  - *To consider the terms of a sale of City-owned personal property*
  - *To consider the terms of a lease of City-owned real property*

**CITY OF CLEVELAND HEIGHTS  
LAW DEPARTMENT  
MEMORANDUM**

TO: Members of Council:  
Carol Roe, Mayor  
Melissa Yasinow, Vice Mayor  
Craig Cobb  
Mary A. Dunbar  
Kahlil Seren  
Jason S. Stein  
Michael N. Ungar

FROM: William R. Hanna, Director of Law   
Alix M. Nouredine, Assistant Director of Law

CC: Tanisha R. Briley, City Manager  
Susanna Niermann O'Neil, Acting Clerk of Council

RE: Initiative Petition Next Steps

DATE: August 27, 2019

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This memorandum will provide a description and timeline of next steps the City must take with respect to the initiative petition.

Not less than 50 days before the election, on or before September 16, 2019, the committee designated in the initiative petition submitted by Citizens for an Elected Mayor (“CEM”)<sup>1</sup> “may submit to the Clerk of Council an explanation or argument supporting” changing the form of government from Council-Manager to Mayor-Council, along with any other changes to the Charter proposed in the initiative petition. Cleveland Heights Charter, Art. VIII, § 5.

Not less than 40 days prior to the election, on or before September 26, 2019, “any civic body or committee of citizens[,]” such as Cleveland Heights Citizens for Good Government (“CHCGG”), may submit to the Clerk of Council a response to the explanations or arguments

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<sup>1</sup> Although CEM submitted the June 17, 2019 cover letter enclosing the initiative petition, the petition itself identifies a committee of persons designated to represent the petitioners in all matters related to the petition. This distinction is noted only because the Cleveland Heights Charter specifically describes the submission of explanations and arguments in favor of the amendment by the “committee designated in the petition.”

submitted by the petition committee. Cleveland Heights Charter, Art. VIII, § 5. Such a response may include, but not be limited to, arguments against amending the Charter to change the form of government.

The submission of any above-described explanation or argument and any answers thereto must be “signed by the persons authorized to submit the same.” Cleveland Heights Charter, Art. VIII, § 5. Additionally, any explanation or argument and any answers thereto may not exceed 300 words, unless the petition committee, CHCGG, and/or any other committee submitting explanations or arguments deposits with the Clerk of Council, at the time of the submission, an amount of money “sufficient to cover the proportionate cost of printing such excess.” Cleveland Heights Charter, Art. VIII, § 5. Any submission is open to the public for inspection. Cleveland Heights Charter, Art. VIII, § 5.

Not less than 30 days prior to the election, on or before October 4, 2019, the Clerk of Council is required either to: “(a) Print and mail to each registered elector an official publicity pamphlet, or (b) Publicize official publicity in a newspaper . . . of general circulation within the City.” Cleveland Heights Charter, Art. VIII, § 5. *See also* Ohio Const. Art. XVIII, § 8-9. If such publicity is made under (b), then the publication must “be made once a week for not less than two consecutive weeks with the first publication being at least thirty (30) prior to” the election, on or before October 4, 2019. Cleveland Heights Charter, Art. VIII, § 5. In either event, the publicity pamphlet or publication must contain the full text of the proposed Charter amendments contained in the petition, with the ballot title,<sup>2</sup> along with any explanation or argument and answers thereto that were filed with the Clerk of Council. Cleveland Heights Charter, Art. VIII, § 5.

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<sup>2</sup> The official ballot title, which is reproduced below, was sent by the Cuyahoga County Board of Elections with the determined ballot language.

**CALENDAR NO. 3487**

Donald & Rebecca Kimble, 2540 Fairmount Blvd., 'AA' Single-Family, request variance to Code Section 1121.12 (i)(1) to permit a column with address sign to be taller than 4' maximum permitted.

**Action: Granted 5-0 with the following conditions:**

1. The variance to Code Section 1121.12(i)(1) is to permit a 6' tall masonry and wood column in the corner side yard as shown on the site plans submitted to BZA;
2. Receipt of applicable Building Department permits; and
3. Complete construction within 18 months of the effective date of this variance.

**CALENDAR NO. 3488**

Saints Constantine & Helen Greek Orthodox Church, 3352 Mayfield Rd., 'MF-1' Multiple-Family, requests Code Section 1123.11 to permit accessory structure to be taller than 15' maximum permitted.

**Action: Granted 5-0 with the following conditions:**

1. The variance granted to Section 1123.11 is to permit a 21'7" bell tower with a 2'7" tall cross at top of dome in corner side yard along Compton Rd.
2. Receipt of applicable Building Permits; and
3. Complete construction within 18 months of the effective date of this variance.

**CALENDAR NO. 3481 (a)**

Rich Management Co. LLC, 1728 Middlehurst Rd., 'MF-2' Multiple-Family, proposes new 8-unit apartment building & requests variances to Code Sections 1123.06(a) & (c) to permit more units than allowed per lot area (minimum 1750 square feet per unit & maximum 25 units per acre).

**Action: Granted 5-0 with the following conditions:**

1. A variance to Code Section 1123.06(a)&(c) is granted is to permit a new 8-unit apartment building in addition to the existing 19-unit apartment building, for a total of 27 units on this 39,285 square foot (.92 acre) parcel.
2. Approval of the Architectural Board of Review;
3. Receipt of required Building Permits;
4. Approval of a landscape plan by the Planning Director prior to building permit being issued;
5. Approval of a drainage plan for storm water by Director of Public Works prior to building permit being issued;
6. Complete construction within 18 months of the effective date of this variance

**CALENDAR NO. 3481 (b)**

Rich Management Co. LLC, 1728 Middlehurst Rd., 'MF-2' Multiple-Family, proposes new 8-unit apartment building & requests variances to Code Section 1123.07(a) to permit front yard setback less than minimum 30'.

**Action: Granted 5-0 with the following conditions:**

1. Section 1123.07(a) is granted to permit the front yard setback that ranges from 12' to 21' as shown on the drawings for Cal. No. 3481 dated July 10, 2019
2. Approval of the Architectural Board of Review;
3. Receipt of required Building Permits;
4. Approval of a landscape plan by the Planning Director prior to building permit being issued;
5. Approval of a drainage plan for storm water by Director of Public Works prior to building permit being issued; and
6. Complete construction within 18 months of the effective date of this variance.

**CALENDAR NO. 3481 (c)**

Rich Management Co. LLC, 1728 Middlehurst Rd., 'MF-2' Multiple-Family, proposes new 8-unit apartment building & requests variances to Code Section 1123.08(b) to permit building spacing to be less than required 60'.

**Action: Granted 5-0 with the following conditions:**

1. To Section 1123.08(b) to permit the spacing between buildings to range from 12' to approximately 45' as shown on the drawing for Cal. No. 3481 dated July 10, 2019.
2. Approval of the Architectural Board of Review;
3. Receipt of required Building Permits;
4. Approval of a landscape plan by the Planning Director prior to building permit being issued;
5. Approval of a drainage plan for storm water by Director of Public Works prior to building permit being issued; and
6. Complete construction within 18 months of the effective date of this variance.



# CLEVELAND HEIGHTS

## MEMORANDUM

TO: Landmark Commission Members, Staff and Interested Parties  
FROM: Kara Hamley O'Donnell, City Planner II/Historic Preservation Planner  
DATE: August 28, 2019  
RE: Notification for September regular meeting

A regular meeting of the Cleveland Heights Landmark Commission is scheduled for:

**Wednesday, September 4, 2019**  
**5:30 p.m.**  
**Executive Conference Room, Cleveland Heights City Hall**  
**40 Severance Circle, Cleveland Heights**

## A G E N D A

1. Call to order
2. Minutes of the July 2, 2019, Regular Meeting
3. Minutes of the July 25, 2019, Special Meeting
4. Minutes of the July 31, 2019, Special Meeting
5. Staff report
6. Old Business
  - Landmark Ordinance and procedures
  - Master Plan
  - Potential Landmarks
    - Lang House, 1737 Andrews Road
    - Amos N. Barron House, 2233 Devonshire Road
    - Werk House, 2956 Washington Boulevard
    - 952 Woodview Road
    - Harry Payer House, 2420 Derbyshire Road
    - Gill-Herget House, 2178 Harcourt Drive
  - Landmark properties update
  - Preservation activities & lectures
  - CH-UH Archives group/Cleveland Memory/Cleveland Historical
  - National Register of Historic Places, district updates
  - Development updates
  - Landmark Commission research/write-up on Landmarks/historic districts
7. New Business
  - Fazio's building, Lee Road
  - Masonic building, Lee Road
  - Preservation Awards (October 17, 7 p.m.)
  - Potential October meeting

**7:00 p.m. joint meeting with ABR**

  - Sign for "zhug" restaurant, Douglas Katz, Heights Center Building, 12413 Cedar Road
  - Sprint rooftop antennas, Braverman-Brantley Building, 2378 Euclid Heights Boulevard
  - Proximity Golf Lounge, 3099 Mayfield Road, install awning at arched entry
8. Adjournment



# CLEVELAND HEIGHTS

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

**Tuesday, September 3, 2019**  
**Regular Meeting**  
**7:30 p.m.**

**Cleveland Heights City Hall**  
**40 Severance Circle**  
**Cleveland Heights, Ohio**

- 1) **Roll Call of Council Members**
- 2) **Excuse absent members**
- 3) **Approval of the minutes of the regular Council meeting held Monday, July 29, 2019.**
- 4) **Personal communications from citizens**
- 5) **Report of the City Manager**
- 6) **Report of the Clerk of Council**

Notify Council that a notice has been received from the Ohio Department of Liquor Control advising that an application has been made by Sky Tone Fuel, Inc., dba BP Unimart 252, 2801 Mayfield Rd., Cleveland Heights, OH 44118 for a transfer of C1, C2 and D6 permits from Dunne Manning Stores, LLC, dba BP Unimart 252, 2801 Mayfield Rd., Cleveland Heights, OH 44118.

### Matter of Record

**Refer to:** Safety and Municipal Services Committee, the City Manager, and the Director of Law

### 7) **Committee Reports**

#### a.) **SAFETY AND MUNICIPAL SERVICES COMMITTEE**

**RESOLUTION NO. 79-2019 (SMS).** A Resolution proclaiming September 2019, *National Preparedness Month*

Introduced by Council Member \_\_\_\_\_

|      |       |         |             |
|------|-------|---------|-------------|
| Vote | _____ | _____   | _____       |
|      | For   | Against | No. Reading |

**ORDINANCE NO. 80-2019 (SMS).** An Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council 2019 Energized Community Grant(s) Funds

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For                      Against                      No. Reading

b.) **ADMINISTRATIVE SERVICES COMMITTEE**

c.) **FINANCE COMMITTEE**

d.) **PLANNING AND DEVELOPMENT COMMITTEE**

e.) **HOUSING AND TRANSPORTATION COMMITTEE**

**ORDINANCE NO. 81-2019 (HT).** An Ordinance to Vacate a portion of the Street Right-of-Way for Edwards Road, to Reserve an Easement for Utilities and Drainage

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For                      Against                      No. Reading

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

**RESOLUTION NO. 82-2019 (RCER).** A Resolution joining communities throughout the nation in proclaiming September 2019, *Prostate Cancer Awareness Month*

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For                      Against                      No. Reading

**RESOLUTION NO. 83-2019 (RCER).** A Resolution proclaiming September 13 – 22, 2019, *Welcoming Week*

Introduced by Council Member \_\_\_\_\_

Vote \_\_\_\_\_  
For                      Against                      No. Reading

**8) Mayor's Report**

**9) Adjournment**

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

**NEXT MEETING OF COUNCIL: MONDAY, SEPTEMBER 16, 2019**

Proposed: 07/15/2019

RESOLUTION NO. 79-2019 (SMS)

By Council Member

A Resolution proclaiming September 2019, *National Preparedness Month*; and declaring an emergency.

WHEREAS, the Department of Homeland Security established the month of September as *National Preparedness Month* to remind us that we all must prepare ourselves and our families now and throughout the year; and

WHEREAS, in February 2003, the Department of Homeland Security launched “Ready,” a national public service campaign, to educate and empower the American people to prepare for, respond to and mitigate emergencies, including man-made and natural disasters; and

WHEREAS, in light of the devastating hurricanes and wildfires of late “Ready” encourages Americans to prepare for disasters and consider the associated costs; and

WHEREAS, the City of Cleveland Heights is honored to take part in the annual observance of *National Preparedness Month* in the hopes that it will lead to a better understanding of the importance of preparedness for disasters.

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

SECTION 1. This Council hereby proclaims the month of September 2019 *National Preparedness Awareness Month*, in the City of Cleveland Heights, to encourage public involvement in being prepared and educated about disasters and the aftermath of such events.

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 recognize *National Preparedness Month* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 79-2019 (SMS)

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CAROL ANN ROE, Mayor  
President of the Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

Proposed: 9/3/2019

ORDINANCE NO. 80-2019 (SMS)

By Council Member

An Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council 2019 Energized Community Grant(s) Funds; and declaring an emergency.

WHEREAS, the City of Cleveland Heights is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is eligible for one or more NOPEC Energized Community Grant(s) for 2019 (“NEC Grant(s)”) as provided for in the NEC Grant Program guidelines; and

WHEREAS, the City has previously entered into a Grant Agreement with NOPEC on August 23, 2019 to receive one or more NEC Grant(s); and

WHEREAS, this Council has determined that it would be in the City and its residents’ best interest to accept the NEC Grant(s) for 2019.

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

SECTION 1. The City Manager be, and she is hereby, authorized to take all actions necessary to accept the NEC Grant(s) funds for 2019.

SECTION 2. Notice of the passage of this Ordinance 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 the timely need to accept the grant funds described herein. 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. 80-2019 (SMS)

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CAROL ANN ROE, Mayor  
President of the Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

Proposed: 09/03/2019

ORDINANCE NO. 81-2019 (HT)

By Council Member

An Ordinance to Vacate a portion of the Street Right-of-Way for Edwards Road, to Reserve an Easement for Utilities and Drainage, and declaring an emergency.

WHEREAS, by Ordinance No. 7-2018, this Council authorized the City Manager to enter into the Development Agreement with F & C Development, Inc., as amended by Ordinance 135-2018, passed December 3, 2018 (“Agreement”), which Agreement has been executed; and

WHEREAS, said Agreement describes the intended development plan for the site known as Top of the Hill; and

WHEREAS, the development plan requires that Edwards Road, which currently runs through a portion of the Top of the Hill site, be partially vacated to accommodate the proposed buildings and improvements to be constructed; and

WHEREAS, the City has published notice on July 25, August 1, August 8, August 15, August 22, and August 29, 2019, of its intent to declare a portion of Edwards Road, more fully described on the plat attached hereto as Exhibit A, vacated.

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

SECTION 1. This Council declares its intent to vacate the portion of Edwards Rd. more fully described in the attached Exhibit A.

SECTION 2. Such vacation is declared by the City Council upon being satisfied that there is good cause for such vacation, that it will not be detrimental to the general interest, and that it should be made.

SECTION 3. That an easement for utilities and drainage shall be reserved in, over, under and through the area to be vacated, in a form to be executed by the City Manager, and approved as to form by the Director of Law.

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 prevent undue delay to the development of Top of the Hill, and thus delay the City’s receipt of the benefits inherent in Top of the Hill opening. 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.

ORDINANCE NO. 81-2019 (HT)

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CAROL ANN ROE, Mayor  
President of the Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

# CONSOLIDATION, RE-SUBDIVISION, AND VACATION PLAT

Situated in the City of Cleveland Heights, County of Cuyahoga, and State of Ohio:  
Being a Re-Subdivision and Consolidation of Part of Sublots 4 Through 34, 36 Through 42  
And Sublot 59 of J.J. Low's Allotment As Shown by Plat Recorded in Volume 5, Page 31  
Of Cuyahoga County Map Records; and All of Sublots 232 Through 236 of a Subdivision of  
Original 100 Acre Lots 405 and 406 Made by a Decree of the Cuyahoga County of Common Pleas  
Case Number 127782 Recorded in Court Journal Volume 194, Page 427; Along With a Vacation of  
Part of Edwards Street (50 Feet Wide), Known as Being Part of Original 100 Acre Lot 405  
July 6, 2019 Scale: 1 Inch = 40 Feet

### OWNER'S ACCEPTANCE

WE, THE UNDERSIGNED, THE CITY OF CLEVELAND HEIGHTS OHIO, OWNERS OF THE  
WITHIN PLATTED LAND, DO HEREBY CONSENT TO, AND ACCEPT THIS RE-SUBDIVISION,  
CONSOLIDATION, AND VACATION PLAT OF THE SAME AS SHOWN HEREON

THE CITY OF CLEVELAND HEIGHTS

STATE OF OHIO )  
COUNTY OF \_\_\_\_\_ )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2019.

NOTARY PUBLIC

COMMISSION EXPIRATION DATE: \_\_\_\_\_

### BOUNDARY CERTIFICATION:

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PREMISES AND PREPARED THE ATTACHED PLAT IN  
ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE  
AND THE DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF, ALL OF WHICH ARE CORRECT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF. IRON MONUMENTS OR PINS AS INDICATED WERE  
FOUND OR SET AS SHOWN HEREON. THE TERM CERTIFY AS USED IN THIS STATEMENT IS  
UNDERSTOOD TO BE THE PROFESSIONAL OPINION OF THE SURVEYOR WHICH IS FORMULATED ON  
HIS BEST KNOWLEDGE, INFORMATION AND BELIEF, AND AS SUCH, IT DOES NOT CONSTITUTE A  
GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. THIS PLAT WAS PREPARED WITHOUT  
THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS REVEALED BY A  
EXAMINATION OF THE SAME. ALL IRON PINS SET ARE 5/8" X 30" LONG REBAR WITH A PLASTIC CAP  
STAMPED "POLARIS". BEARINGS REFER TO THE OHIO COORDINATE SYSTEM OF 1983 - NORTH ZONE  
1986 ADJUSTMENT.

*Michael P. Spellacy*

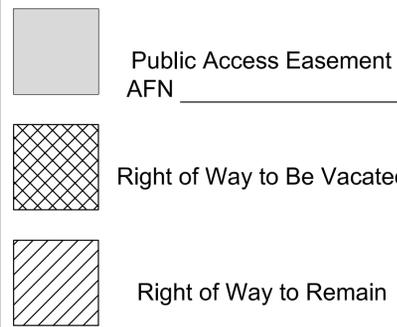
07/08/2019

MICHAEL SPELLACY P.S. #8169



| CURVE      | LENGTH | RADIUS  | TANGENT | CHORD  | BEARING     | DELTA      |
|------------|--------|---------|---------|--------|-------------|------------|
| C-1 R/M    | 256.66 | 412.37  | 132.64  | 252.54 | S80°36'56"E | 35°39'40"  |
| C-2 R/M    | 303.89 | 2189.38 | 152.19  | 303.65 | S85°31'50"W | 7°57'10"   |
| C-3 Act.   | 169.62 | 2229.38 | 84.85   | 169.58 | S83°44'01"W | 4°21'33"   |
| C-3 Rec.   | 169.63 | 2202.41 |         | 169.59 |             | 4°24'47"   |
| C-4 Act.   | 56.88  | 372.37  | 28.50   | 56.82  | N85°55'48"E | 8°45'07"   |
| C-4 Rec.   | 56.89  | 372.37  |         | 56.84  |             |            |
| C-5 Act.   | 206.57 | 380.00  | 105.90  | 204.03 | S76°12'30"E | 31°08'45"  |
| C-5 Rec.   | 204.78 | 380.00  |         | 204.24 |             |            |
| C-6 R/M    | 54.89  | 30.00   | 38.98   | 47.55  | S08°02'34"E | 104°49'56" |
| C-7 Calc.  | 396.27 | 1601.42 | 199.15  | 395.26 | N52°12'43"E | 14°10'41"  |
| C-8 Calc.  | 224.75 | 1601.42 | 112.56  | 224.57 | S63°19'17"W | 8°02'28"   |
| C-9 Calc.  | 434.16 | 1666.42 | 218.32  | 432.93 | S51°50'13"W | 14°55'39"  |
| C-10 Calc. | 254.49 | 1666.42 | 127.49  | 254.25 | S63°40'33"W | 8°45'01"   |
| C-11 Calc. | 20.95  | 1601.42 | 10.47   | 20.94  | S44°44'53"W | 0°44'58"   |

NOTE: PPN 685-18-011 TO BE TRANSFERRED  
TO THE CITY OF CLEVELAND HEIGHTS  
PRIOR TO RECORDING OF THIS PLAT



DATE: 07/08/2019  
SCALE: HOR. 1" = 40'  
VERT. N/A  
FOLDER: DWG/Survey  
FILENAME: Consolidation  
TAB: 01-Consol/Vacation  
DRAWN: MPS

BASIS OF BEARINGS  
BEARINGS SHOWN  
HEREON ARE  
BASED ON THE OHIO  
STATE PLANE  
COORDINATE SYSTEM OF  
1983 - NORTH ZONE, 1986  
ADJUSTMENT

### BOUNDARY SURVEY LEGEND

- 5/8" X 30" IRON PIN (ID: POLARIS) SET
- IRON PIN FOUND
- IRON PIPE FOUND
- MONUMENT BOX FOUND

APPROVALS  
THIS PLAT IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

SECRETARY OF PLANNING COMMISSION

THIS PLAT IS HEREBY APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO

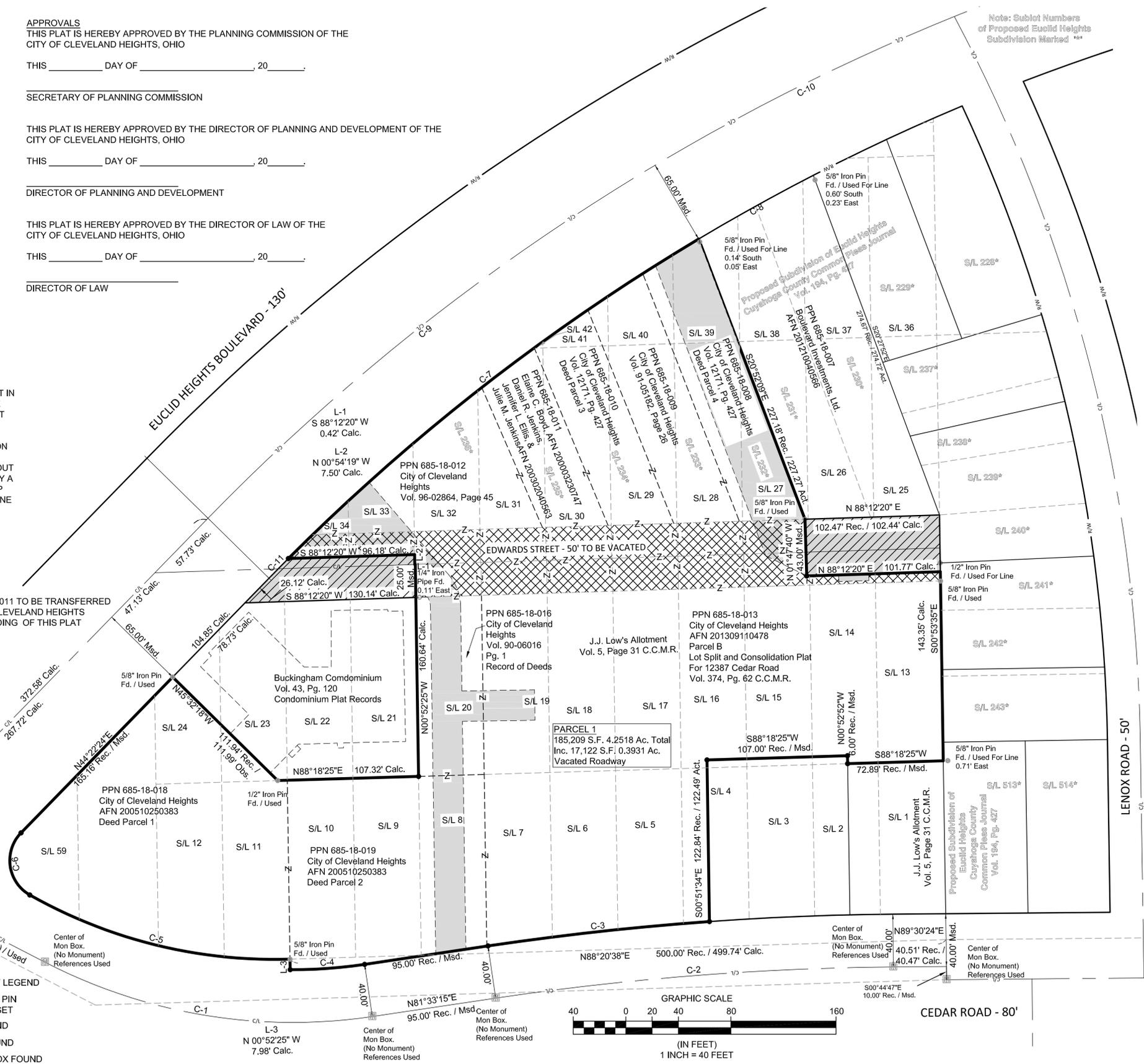
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

DIRECTOR OF PLANNING AND DEVELOPMENT

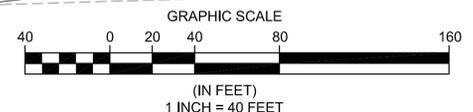
THIS PLAT IS HEREBY APPROVED BY THE DIRECTOR OF LAW OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

DIRECTOR OF LAW



Note: Sublot Numbers  
of Proposed Euclid Heights  
Subdivision Marked \*PM



**BEACON ON THE HILL**  
CITY OF CLEVELAND HEIGHTS-CUYAHOGA COUNTY-OHIO

POLARIS ENGINEERING & SURVEYING, INC.  
34600 CHARDON ROAD - SUITE D  
WILLOUGHBY HILLS, OHIO 44094  
(440) 944-4433 (440) 944-3722 (fax)  
www.polaris-es.com

**CONSOLIDATION /  
VACATION PLAT**

CONTRACT No. **17248**

|       |    |
|-------|----|
| SHEET | OF |
| 01    | 01 |

Proposed: 7/15/2019

RESOLUTION NO. 82-2019 (RCER)

By Council Member

A Resolution joining communities throughout the nation in proclaiming September 2019, *Prostate Cancer Awareness Month*; and declaring an emergency.

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer-related deaths among men; and

WHEREAS, this year 2019, approximately 174,650 men will be diagnosed with prostate cancer in the United States and roughly 31,620 men will die this year from the disease, which is one man every 17 minutes; and

WHEREAS, 1 in 9 men are diagnosed with prostate cancer; and

WHEREAS, African American men are at the highest risk for the disease with a rate of 1 in 6 men and are 2.3 times more likely to die from prostate cancer; and

WHEREAS, prostate cancer can be a serious disease, but most men diagnosed with prostate cancer do not die from it; and

WHEREAS, more than 2.9 million men in the United States who have been diagnosed with prostate cancer at some point are still alive today; and

WHEREAS, early detection offers the best hope for living cancer free for a long time; if caught early, prostate cancer has a five-year survival rate of nearly 100%; and

WHEREAS, all men are at risk for prostate cancer; and

WHEREAS, this Council encourages all the residents of Cleveland Heights to help increase awareness of the importance of prostate screenings.

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

SECTION 1. This Council hereby proclaims September 2019, *Prostate Cancer Awareness Month* and urges the community to join in activities to increase the awareness and prevention of prostate cancer.

RESOLUTION NO. 82-2019 (RCER)

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 pass this Resolution on a timely basis. 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.

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CAROL ANN ROE, Mayor  
President of the Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED:

Proposed: 09/03/2019

RESOLUTION NO. 83-2019 (RCER)

By Council Member

A Resolution proclaiming September 13 – 22, 2019, *Welcoming Week*; and declaring an emergency.

WHEREAS, the week of September 13 – 22, 2019 will be a special week with a series of events hosted by Global Cleveland that will bring communities together to celebrate their unity and strong connection with each other, and applaud the benefits of welcoming newcomers to our community; and

WHEREAS, Global Cleveland will begin the week with their “Welcoming the World” campaign, an exciting and fun way to showcase Cleveland and the surrounding area as Global Friendly cities; and

WHEREAS, the “Welcoming the World” campaign will debut September 13 and last for one month; and

WHEREAS, through Welcoming the World, Global Friendly corporations and organizations share their global story through decals on their windows, floors, elevators, etc., showcasing the company or organization to the world as a diverse, inclusive, and global friendly employer; and

WHEREAS, it is important to recognize the efforts of newcomers in Ohio because it is part of our present and an important part of our past; and

WHEREAS, Ohio has thrived because of international newcomers, and the population decline of Northeast Ohio from 1970-2013 has been mitigated by the continuous influx of foreign-born persons who have helped Ohio to grow and develop; and

WHEREAS, most international newcomers have a bachelor’s degree or higher, and the Migration Policy Institute found that in 2017 49.5% of foreign-born workers have a higher education degree as compared with 33.1% of the native-born population; and

WHEREAS, the spending power of refugees and immigrants is in the billions, which significantly outweighs the cost of public services they incur; and

RESOLUTION NO. 83-2019 (RCER)

WHEREAS, according to the New American Economy, immigrant households in Cleveland have \$3.1 billion in spending power and refugee households have \$819 million in spending power, which contribute to our federal, state, and local tax bases each year; and

WHEREAS, international students have financially contributed over \$1.1 billion in 2018 to the state's economy, making Ohio the 8<sup>th</sup> most benefited state by foreign students; and

WHEREAS, international students are required to pay full tuition which is three times as much, on average, as a local student, and they are not eligible for financial aid; and

WHEREAS, the economic benefit of international students is very clear and these students also help support jobs which require their unique skills and higher education degrees; and

WHEREAS, according to National Association of Foreign Student Advisors, in 2018 international students in Ohio helped support over 14,000 jobs and the state was able to retain about one-third of international students post-graduation; and

WHEREAS, the greater Cleveland area has a plethora of institutions, organizations, and companies that work together to integrate newcomers; and

WHEREAS, with ample support from the City of Cleveland and other institutions, Cleveland now has more than 31 cultural gardens – designed and cultivated by distinct cultural or nationality groups; and

WHEREAS, Cleveland Cultural Gardens represent the diversity and multiculturalism in Cleveland and the greater Cleveland area and holds mission of “peace through mutual understanding,” which has helped people living in Cleveland and the greater Cleveland area become interculturally competent, unprejudiced and more welcoming towards international newcomers and in turn benefits the city and the state through the impact these newcomers have socially, economically and culturally; and

WHEREAS, as we continue with these efforts, we can continue to transform the greater Cleveland area into an international hub of innovation, we can embrace and cultivate a culture of inclusion and shared prosperity, and we can create a platform for internationalization and economic growth; and

WHEREAS, Global Cleveland's “Welcoming the World” Campaign plays a huge part in continuing the momentum built around shared prosperity in our society, community, city and state; and

RESOLUTION NO. 83-2019 (RCER)

WHEREAS, through these efforts Global Cleveland proceeds with its mission to attract, welcome, and connect international newcomers to economic and social opportunities in the greater Cleveland area and Cuyahoga County; and

WHEREAS, Global Cleveland is ‘Strengthening Our Communities – By Welcoming Our World.’

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

SECTION 1. This Council hereby proclaims September 13, 2019 through September 22, 2019 as *Welcoming Week* in the City of Cleveland Heights and encourages all residents to attend *Welcoming Week* programs and events.

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 recognize *Welcoming Week* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more 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.

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CAROL ANN ROE, Mayor  
President of the Council

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SUSANNA NIERMANN O’NEIL  
Acting Clerk of Council

PASSED:



# CLEVELAND HEIGHTS

**Monday, July 29, 2019 Minutes**

## **COMMITTEE OF THE WHOLE**

6:20 – 7:00 p.m.

Mayor Roe presiding

Roll Call: Present: Cobb, Dunbar, Roe, Seren, Stein, Ungar, Yasinow  
Excused: None

Staff present: Boland, Briley, Clinkscale, Freeman, Hanna, Juliano, McRae, Mecklenburg, Niermann O'Neil, Smith, Trupo, Wong

Topics discussed: Report of City Council Members, Legislation Discussion

## **2020 TAX BUDGET PUBLIC HEARING**

7:00 – 7:30 p.m.

Roll Call: Present: Cobb, Dunbar, Roe, Seren, Stein, Ungar, Yasinow  
Excused: None

Staff present: Boland, Briley, Clinkscale, Freeman, Hanna, Juliano, McRae, Mecklenburg, Niermann O'Neil, Smith, Trupo, Wong

City Manager Tanisha Briley gave a presentation about the 2020 Tax Budget. That presentation may be viewed at <https://www.youtube.com/watch?v=KenCSgEuTNk>.

## **CITY COUNCIL**

7:35 – 8:15 p.m.

Mayor Roe presiding

Roll Call: Present: Cobb, Dunbar, Roe, Seren, Stein, Ungar, Yasinow  
Excused: None

Staff present: Boland, Briley, Clinkscale, Freeman, Hanna, Juliano, McRae, Mecklenburg, Niermann O'Neil, Smith, Trupo, Wong

## **Personal communications from citizens**

Michael Bennet, Secretary for Citizens for and Elected Mayor, made a statement about the language and revisions of the ballot issue for an elected Mayor.

Susan Eisler made a statement that ICMA presenting to the Charter Review Commission was not impartial.

Rob Rivera made a statement requesting Council to approve the motion to place only one issue on the ballot and wait to place the amended Charter on the ballot.

Melody Hart made a statement that it is important for the language to be very clear, concise and short for either ballot initiative so voters can easily understand.

A resident made a statement requesting Council to think about why they work in public service.

Mark Chupp read a statement by Paul Volpe that the form of government should be chosen by residents.

Karen Lash stated that Council works for us and should listen to us asking for the chance to choose the form of government.

Robert Rink made a statement of support for residents being able to vote for the form of government.

Lee Chilcote, who served on Council under four different City Managers, made a statement of support for the City Manager form of government.

Bob Jeffers commended the City of the repaving of Cedar Hill, made a statement clarifying what the different forms of government meant.

Libba Jackson Dionbrose stated we need a more engaged citizenship, not a strong mayor.

Jack Newman made a statement about the timing of introducing the First Amended Charter. While it is inappropriate to have to competing issues on the ballot, the First Amended Charter was not trickery as the commission, when initially created, was charged with having their work done in time to have the Charter on the ballot in November.

Mike Gaynier stated that people from the commission and representatives for an Elected Mayor crafted fair ballot language for both issues and he was disappointed that some members of Council did not support those.

Brian Fitch stated he's happy with Council collaborating with University Heights and the School Board.

Cindy Langmack made a request to have a crossing guard at Scarborough and Fairmount and Coventry so children can walk to and from school.

Deborah VanKleef made a statement about collecting signatures for the petition for an Elected Mayor; that 4,000 people wanted to vote on their form of government.

Tony Cuda made a statement in support for an Elected Mayor and questioning the facilitator of the commission and PAC.

Susan Efroymsen made a statement for the Citizens for an Elected Mayor issue to be considered first, then incorporated into an amended Charter to be on the ballot.

Sue Dean Dyke made a statement that Citizens for an Elected Mayor was a bi-partisan group.

Gary Kanter made a statement about lobbyists and the five members of Council that donated to the PAC.

Jean Gordon made a statement of support for having only one question on the ballot – Elected Mayor or Manager.

## **SAFETY AND MUNICIPAL SERVICES COMMITTEE**

**RESOLUTION NO. 67-2019 (SMS), *Second Reading***. An Ordinance approving amendments to the Charter of the City of Cleveland Heights; providing for the submission to the electors of the City of Cleveland Heights a proposed First Amended Charter of the City of Cleveland Heights for placement on the November ballot

Vice Mayor Yasinow moved to indefinitely table Resolution 67-2019, Seconded by Council Member Stein

Council Member Dunbar stated she was disappointed both issues would not appear on the ballot because the Charter Commission was asked to consider all options and they decided to recommend that we continue our current form of government. She made a statement of the history that led to the City Manager-Council form of government. Having two issues would allow people to understand what they're accepting as well as what they are rejecting.

Council Member Ungar stated he was also disappointed, but he would vote for it based on the input they received.

Council Member Seren listed mayors of neighboring communities and stated he admired their level of dedication to public service. He stated the residents of Cleveland Heights should be allowed to have the chance to decide whether or not we want to give ourselves the option to elect a Mayor.

Council Member Cobb stated he served on the Charter Review Commission and voted in favor of maintaining the current form of government. He signed the petition because he believes voters have the right to decide this issue this November separate and apart from the recommendation from the Charter Review Commission.

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

**Motion Passed**

**RESOLUTION NO. 71-2019 (SMS), Second Reading.** An Ordinance to submit to the electors of the City of Cleveland Heights an initiative petition proposing amendments to the Charter of the City of Cleveland Heights

Council Member Seren made a motion to amend Resolution No. 71-2019, currently version A, by replacing section 2 which currently consists of, “shall these amendments be adopted,” followed by 4 pages of redlining, replacing that with the following – “shall various articles of the Charter of the City of Cleveland Heights be amended to change the form of government from Council-Manager to Mayor-Council, creating a directly Elected Mayor with administrative authority and establishing the term, qualifications, removal and the powers and duties of the Mayor, including the appointment of a City Administrator, subject to Council confirmation and eliminating the appointed City Manager position. Yes. No.”

Council Member Stein seconded the motion.

Council Member Seren thanked people for their participation in this deliberative process.

Mayor Roe state she would vote against it since it was presented 10 minutes before to convene for a budget hearing. There have been several Committee of the Whole meeting where the issue has been discussed and she would have like to have seen the language submitted in time for Council to think about it a little bit longer.

Roll Call:     Ayes:           Seren, Stein  
                  Nays:           Ungar, Yasinow, Cobb, Dunbar, Roe

**Motion Failed**

Vice Mayor Yasinow moved to substitute Ordinance 71-2019 with version D with slight amendment to that version in section 2, where section 2 would read, “shall various articles of the Charter of the City of Cleveland Heights be amended to change the existing form of government from Council-Manager to Mayor-Council, eliminate the City Manager and rename all related titles and positions, create a directly elected Mayor with a four-year term who may have outside limited employment or other work that does not conflict with assigned duties, provide for a recall and filling a vacancy and set the authority and duties of the Mayor including the power to veto legislation, the power to

hire, direct and discharge City employees and in certain instances, require the Mayor to appoint City employees subject to Council approval including a City Administrator. Yes or No.”

The motion was seconded by Council Member Dunbar.

Vice Mayor Yasinow made a statement of support for this amendment which came from negotiation and compromise.

Council Member Seren stated that the creation of an elected Mayor should be the first thing listed versus beginning with a negative statement. He made a statement regarding the flaws he believed were superfluous wording that didn’t belong in a ballot issue.

Council Member Cobb stated he thought the language made the ballot issue clear and acceptable.

Council Member Ungar stated the City had been guided professionally and reliably under the Council-Manager form of government. He made statements regarding Citizens for an Elected Mayor and the Charter Review Commission. He stated that he trusts voters to do the right thing.

Council Members Stein told Citizens for an Elected Mayor that although they didn’t get the ballot language they wanted, tonight was a victory for them.

Roll Call:      Ayes:              Stein, Ungar, Yasinow, Cobb, Dunbar, Roe  
                         Nays:                 Seren

**Motion Passed**

**ORDINANCE NO. 71-2019 (SMS), *Second Reading***. An Ordinance to submit to the electors of the City of Cleveland Heights an initiative petition proposing amendments to the Charter of the City of Cleveland Heights (as amended, version D)

Introduced by Vice Mayor Yasinow, Seconded by Council Member Cobb

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

**Legislation Passed**

Vice Mayor Yasinow stated she will be voting for this language as it is an act of compromise, but stated she wanted to make it clear to residents that she is a proponent of our current form of government and the recommendations made by the Charter Review Commission. She reviewed some of the successes like economic development, improved finances, Master Plan development and collaborations over the past few years.

Council Member Seren stated that transferring the form of government would not result in corruption as alluded. He believes the people that are there holding them accountable

would do the same with any person.

Roll Call: Ayes: Stein, Ungar, Yasinow, Cobb, Dunbar, Roe  
Nays: Seren

**Motion Passed**

### **Report of the City Manager**

In accordance with Section 179.03 of the Codified Ordinances of the City of Cleveland Heights I have given notice to the Clerk that the Fifth Third Bank has been designated as a depository of the City's active deposits.

**Matter of Record**

Council will be on recess in August.

### **Report of the Clerk of Council**

Notify Council that a notice has been received from the Ohio Department of Liquor Control advising that an application has been made by Pacific East Mayfield, Inc., dba Pacific East Japanese Restaurant, 1761-63 Coventry Rd., 1<sup>st</sup> Floor and Basement, Cleveland Heights, OH 44118 for a transfer of D1, D2 and D3 permits from Pacific East Enterprises, Inc., 1761-63 Coventry Rd., 1<sup>st</sup> Floor and Basement, Cleveland Heights, OH 44118

**Matter of Record**

**Refer to:** Safety and Municipal Services Committee, the City Manager, and the Director of Law

### **RECREATION, COMMUNITY AND EXTERNAL RELATIONS COMMITTEE**

**RESOLUTION NO. 75-2019 (RCER).** A Resolution authorizing the City Manager to enter into an agreement with Big Parka Productions, Inc. dba Little Jacket for marketing and branding consulting services

Introduced by Council Member Seren, Seconded by Council Member Ungar

Council Member Seren stated it was a 2-year contract that would differ from the previous branding services, to attract businesses and residents through marketing and branding.

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

**Legislation Passed**

### **SAFETY AND MUNICIPAL SERVICES COMMITTEE**

**RESOLUTION NO. 76-2019 (SMS).** A Resolution authorizing the Ohio Department of Transportation (“ODOT”) to complete a project improving sidewalks and pedestrian crossing facilities within Cleveland Heights

Introduced by Vice Mayor Yasinow, Seconded by Council Member Stein

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

**Legislation Passed**

#### **ADMINISTRATIVE SERVICES COMMITTEE**

**RESOLUTION 77-2019 (AS).** A Resolution authorizing a Restated Memorandum of Agreement with Tanisha R. Briley as City Manager

Introduced by Council Member Stein, Seconded by Vice Mayor Yasinow

Council Member Seren stated concern that a part of the agreement may encourage the City Manager to take advantage of leaving the City more quickly than he would prefer during a time that would require assistance during transition.

Council Member Ungar stated he would be voting in favor of the legislation.

Roll Call: Ayes: Dunbar, Roe, Stein, Ungar, Yasinow, Cobb  
Nays: Seren

**Legislation Passed**

Council Member Stein made a motion to appoint Dennis Parcelli, who has served as the BZA alternate, for a term of four years that will end in August 2023. The motion was seconded by Council Member Ungar.

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

**Legislation Passed**

#### **FINANCE COMMITTEE**

**RESOLUTION NO. 66-2019 (F), *Second Reading*.** A Resolution approving the adoption of the 2020 Tax Budget.

Introduced by Council Member Cobb, Seconded by Council Member Ungar

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

**Legislation Passed**

#### **HOUSING AND TRANSPORTATION COMMITTEE**

Council Member Dunbar stated she delivered more than 500 signatures to the Board of Elections for her name to be included in the November ballot for Council.

**PLANNING AND DEVELOPMENT COMMITTEE**

**RESOLUTION NO. 78-2019 (PD).** A Resolution authorizing the City Manager to apply to participate in the Ohio Public Works Commission State Capital Improvement and Local Transportation Improvement Programs

Introduced by Council Member Ungar, Seconded by Council Member Dunbar

Roll Call:      Ayes:              Seren, Stein, Ungar, Yasinow. Cobb, Dunbar, Roe  
                     Nays:              None

**Legislation Passed**

**Mayor’s Report**

Mayor Roe expressed her appreciation for the entire Law Department and the work they did in terms of creating five different versions of one resolution and four different versions of another. She thanked Jim Juliano for attending the meeting. She welcomed the new Law Director.

Mayor Roe stated that this was a stressful time for City staff and this discussion could take a toll on them and their work, but there is no evidence of that happening. She commended the City Manager for holding it all together in a stressful time.

**NEXT MEETING OF COUNCIL: TUESDAY, SEPTEMBER 3, 2019**

Respectfully submitted,

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Carol Ann Roe, Mayor

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Susanna Niermann O’Neil, Acting Clerk of Council  
/jkc