



CLEVELAND HEIGHTS

Monday, October 21, 2019 Minutes

COMMITTEE OF THE WHOLE

6:25 – 7:15 p.m.

Mayor Roe presiding

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

Staff present: Boland, Butler, Clinkscale, Hanna, Lambdin, McRae, Mecklenburg, Niermann
O’Neil, Wong

Topics discussed: Report of City Council Members, Legislation Discussion, Report of the City
Manager

Executive Session

6:45 – 7:15 p.m.

Council Member Cobb made a motion to begin Executive Session, which was seconded by
Council Member Ungar to consider the investigation of complaints against a public employee.

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

Council Member Cobb made a motion to end Executive Session, which was seconded by
Council Member Dunbar.

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

CITY COUNCIL

7:30 – 9:10 p.m.

Mayor Roe presiding

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

Staff present: Boland, Butler, Clinkscale, Hanna, Lambdin, McRae, Mecklenburg, Niermann
O’Neil, Trupo, Wong

The minutes from the City Council meeting held on October 7, 2019 were approved with submitted corrections.

Mayor Roe stated that the Evans Energy presentation would be moved to before the personal communications from citizens on the agenda. She stated both pieces of legislation would be on first reading.

Evans Energy Presentation

Parks and Recreation Director Joe McRae gave an overview of the project and introduced Jeff Evans. Jeff Evans gave a presentation of the energy conservation project which can be viewed in full at <https://www.youtube.com/watch?v=jOoKuJHqvu8&t=169s>.

Council Member Seren asked if he saw any opportunity for potential further projects. Joe McRae state the City Manager's report covered Phase 2 which is looking at solar and people were looking at the roofs last week for options and feasibility.

Mayor Roe asked how we would have paid for all of this had we not entered into this agreement. Joe McRae stated one option would have been a debt service as funds are limited. He wasn't sure we would have been able to afford it otherwise. Susanna Niermann O'Neil noted the report is available on the City's website. Mayor Roe stated the entire timeline of the project was available online.

Personal communications from citizens

Mark Pultesker state his concern for demolition crews standing on his property to demo a house next door on Altamont. He stated his frustration by the use of water from the fire hydrant and the fact he was not notified.

Mallory (last name not stated) stated she was happy to see removal of breed-specific legislation. She stated some ideas to make Cleveland Heights more friendly for dog owners. Mayor Roe stated that on October 27 at 11:00 a.m., the Cleveland Heights Dog Watcher program invited dog owners and dogs to Howl-O-Ween Bark in Cain Park.

Chris Hall made a statement that Severance Mall should be made into one-story houses. She requested to know the cost of the study. Council Member Dunbar stated the information was provided and it was \$233,000 plus, if there were any additional costs, around \$260,000. Council Member Dunbar stated they would be discussing it more thoroughly at the next Committee of the Whole meeting.

Valerie Ross, owner of Sits and Wiggles Training, made a statement against breed statement legislation. She stated the importance of focusing on behavior instead of breed, citing organizations that support that focus.

Kelly Zunder stated she was appalled to see that the host of the Issue 26 website is Jimmy Hicks, based on his previous opposition to domestic partnership registry.

Council Member Dunbar made a statement of her support for the LGBTQ community. She stated that Jimmy Hicks had done a lot for the Caledonia neighborhood, especially the youth in the summer. She read the statement from the Good Government people regarding their official stance on his involvement.

Council Member Ungar stated everyone was entitled to the First Amendment's freedom of speech, regardless of their beliefs.

Council Member Seren stated he is a firm believer in all of our rights to express ourselves, as long as they do not harm others. He believes implementation of policy and being in touch with the values of those represented are important, so he believes an elected Mayor would be a benefit for the City.

Mayor Roe stated that while she acknowledges the expressed concern, the proposed changes have nothing to do with the rights of anyone.

Paul Volpe made a statement regarding the Severance proposal. He stated he does not believe AE7 is qualified and they have not had any projects in Ohio. Council Member Ungar assured him we are not going to rush this project.

Len Friedsen stated he thought Mary's reading of, what he would agree with Gary on, was a campaign announcement, was totally inappropriate. He asked Council to make sure they draw a line between the role as Council People and as individual opinions.

Gary Kanter made a statement regarding his concern for four Council Members and their participation in the PAC and campaign against Issue 26. He stated his concern that there was a quorum for a public meeting and this was a violation.

Kyra Hall made a statement supporting the removal of breed specific legislation. She stated her concerns regarding the legislation and stated the importance of responsible dog ownership.

Bob Jeffers made a statement of opposition for Issue 26. He read the issue language regarding that a strong Mayor would have the ability to remove and replace staff.

Tony Cuda made a statement of support for Issue 26. He asked if they had seen the press release against Issue 26. Council Member Seren stated he had seen it. Mayor Roe and Council Member Dunbar stated they had not. Council Member Ungar stated he had nothing to do with the press release, but did contribute to express his views that he is against Issue 26. Tony Cuda made a statement about leadership and accountability.

Susan Miller stated there was a rumor that there was no \$5,000,000 deficit in the water fund. She stated she wanted confirmation and clarification of the debt, deficit and repairs. Council Member Seren stated he did remember conversation of arrears and the agreement of what was owed between the City of Cleveland and the City of Cleveland Heights, and we owed them more than they owed us. Mary confirmed she remembered a deficit, but did not remember it being that large of an amount. Mayor Roe stated the City Manager had looked into the issue and she can respond at a later date.

Report of the Vice City Manager and Clerk of Council

Susanna Niermann O'Neil apologized for the misprint of the shredding day date. Leaf pickup starts on November 4 and a map is available online. She provided an overview of Census 2020. She stated the Russo brothers shot a movie at Severance Center the following day.

Notify Council that a notice has been received from the Ohio Department of Liquor Control advising that an application has been made by Elite Bistro LLC, 2195-97 Lee Road, Cleveland Heights, OH 44118 for a transfer of D5 permit from safekeeping of 19th Hole Bar & Grill LLC, Western Plaza 1st Floor & Patio, 2101 Park Road, Springfield, OH 45504

Matter of Record

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

HOUSING AND TRANSPORTATION COMMITTEE

No report.

PLANNING AND DEVELOPMENT COMMITTEE

RESOLUTION NO. 93-2019, First Reading. A Resolution authorizing the City Manager to enter into an agreement with AE7 Pittsburgh, LLC, concerning the Severance Town Center Redevelopment Plan project

Introduced by Council Member Ungar

Council Member Seren moved to amend Resolution 93-2019 to remove the emergency clause, which was seconded by Council Member Ungar

Roll Call for amendment: Ayes: Ungar, Cobb, Dunbar, Seren
 Nays: Roe

Motion Passed

RECREATION, COMMUNITY AND EXTERNAL RELATIONS COMMITTEE

Council Member Seren made a statement of concern regarding Issue 26 and how some of the passion has spilled into aggression that is not healthy to the discourse on the issue or the discussions we should be having as members of the same community. He made a statement regarding the importance of Sunshine Laws and his support for his colleagues to have the ability to voice their own opinions. He stated his concern for unfounded accusations by campaigns. Council Member Ungar stated he had nothing to do with the press release. They discussed the issue and Council Member Seren stated he had not volunteered or contributed to Citizens for an Elected Mayor. They discussed and clarified the issue. The Mayor stated they should focus on how to move forward two weeks from

now. Council Member Seren clarified he was not accusing anyone. One of the ways to move forward is to recognize the ability to influence people and try to make something right before it goes too far. Mayor Roe stated that the former City Manager of this City has been accused of issues and maybe there's an apology that should take place there.

SAFETY AND MUNICIPAL SERVICES COMMITTEE

ORDINANCE 94-2019, *First Reading*. An Ordinance repealing Part Five, *General Offenses Code*, of the Codified Ordinances of Cleveland Heights, Chapter 505, *Animals and Fowl*, of the Codified Ordinances, and adopting a replacement Chapter 505, *Animals and Fowl*

Introduced by Council Member Cobb

ADMINISTRATIVE SERVICES COMMITTEE

No report.

FINANCE COMMITTEE

No report.

Mayor's Report

Mayor Roe made a statement about getting through the next two weeks in a civil manner and the possibility of a reconciliation process afterward.

NEXT MEETING OF COUNCIL: MONDAY, NOVEMBER 4, 2019

Respectfully submitted,

Carol Ann Roe, Mayor

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