



## COUNCIL UPDATE

July 15, 2020

### MEETINGS & REMINDERS

Please note meetings are being held as webinars and conference calls. Information for residents to participate may be found on the [clevelandheights.com](http://clevelandheights.com) calendar.

Monday, July 20	-	6:00 p.m.	-	Committee of the Whole
	-	7:00 p.m.	-	Public Hearing for Tax Budget
	-	7:30 p.m.	-	City Council
Tuesday, July 21	-	7:00 p.m.	-	Landmark Commission
	-	7:00 p.m.	-	Architectural Board of Review

### LEGISLATION (for discussion)

- **City & East Liquor Objection.** A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio
- **Charter Amendment.** 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 proposed amendments to the Charter of the City of Cleveland Heights for placement on the November ballot

### LEGISLATION (consent agenda)

- **Tax Budget, Second Reading.** A Resolution approving the adoption of the 2021 Tax Budget
- **Body Cam Purchase.** A Resolution authorizing the City Manager to enter into an agreement with Motorola Solutions, Inc. for the purchase of upgraded police-worn body cameras and associated software for the Police Department through the Ohio Department of Administrative Services Cooperative Purchasing Program

- **Assessment Equalization Boards**

- **Forestry.** A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights
- **Street Lighting.** A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights

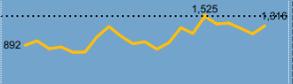
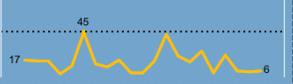
- **Crossing Guards.** A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor

### **CORONAVIRUS UPDATE**

We continue to experience unprecedented spread of the coronavirus in Ohio, Cuyahoga County, and the zip codes that cover Cleveland Heights. We strongly encourage all residents to continue the practices to stop the spread including wearing a mask, keeping your distance, avoiding gathering with people outside of your household, and washing your hands frequently. Governor DeWine is expected to make more announcements regarding the surge of cases later today (Wednesday, July 15, 2020).

# COVID - 19 | Key Indicators

Last Updated: 07-15-20

	Total Reported	Last 24 Hour Reported	21 Day Reported	21 Day Trend
<b>Cases</b>	<b>69,311</b>	<b>1,316</b>	<b>1,074</b>	
<b>Deaths</b>	<b>3,075</b>	<b>6</b>	<b>15</b>	
<b>Hospitalizations</b>	<b>9,209</b>	<b>160</b>	<b>84</b>	
<b>ICU Admissions</b>	<b>2,259</b>	<b>36</b>	<b>18</b>	

All dates are based when an indicator is reported and will not match data in other COVID-19 dashboards provided by the Ohio Department of Health. All other dashboards are based on onset date, date of hospitalization, or date of death.

## Community Services

- Staff is working with the merchants regarding promotion of the free parking throughout the City. Social media reminders and more signage at lots will be posted (garages already have free parking banners).
- Shredding Day was an incredible success with residents who obviously cleaned out their houses over the quarantine! After one hour of the long line, a second truck was called for and by 11:00, there were very few cars in line. The next one is scheduled for Saturday October 17<sup>th</sup> from 9:00 to noon.
- A committee of residents have ideas about busking and art around the City. Staff are working with them going forward to decide what areas would be appropriate without worrying about COVID and social distancing. This Saturday there will be art – chalking on the paths at Cain Park.
- Public Relations coordinated and handled a variety of things especially news updates regarding COVID and ongoing City updates.
- Staff has the “All are Welcome” campaign ready to go when the time is right. We are continuing to work with Little Jacket on the campaign.

- Staff negotiated with NEO Relocation guide for free ads, due to the effects of the quarantine on our City. Our ads were rerun at no cost. Cleveland Magazine gave us a free ad due to our long running partnership.

## **Housing**

- The First Suburbs Consortium Housing Committee meeting this week had guests Kevin Nowak, Executive Director of CHN Housing Partners and Michael Quigley, Manager of Community Resource Content of United Way of Greater Cleveland. Kevin Novak of Cleveland Housing Network shared data from the recently launched COVID-19 Rental Assistance Program. The data as of July 8th 2020 reporting shows that Cleveland Heights had 49 applicants for the program. The program is designed to help residents of Cleveland and Cuyahoga County who are having difficulty making rental payments due to the economic impact of the pandemic and who meet income eligibility requirements. Those interested can apply at [www.neorenthelp.org](http://www.neorenthelp.org) or call 833-377-RENT (7368). Michael Quigley of the United Way of Greater Cleveland has also shared data regarding the calls made to United Way's 2-1-1 call center. The report included in this packet shows the different types of calls and the number of calls per community. The following link allows a deeper dive into the call categories, demographics and data for Cuyahoga County and Cleveland Heights. <https://tinyurl.com/ydb867yz>.
- The nuisance abatement at 3015 Coleridge Rd. is nearing the final stage as the front porch rebuild and the front elevation paint has been completed. The clay tile roof installation on the porch will commence this week and the main roof repairs and chimney rebuild will be added to the scope of work. Representatives of U.S. Bank met at the property to review a repair proposal to renovate the property and discuss the nuisance action.
- Nuisance abatement repairs continue at 2119 Goodnor Rd. as the garage has been demolished, roof replaced and vinyl siding is being installed.
- Nuisance abatement repairs were completed at 3593 Berkeley Rd. to rebuild two chimneys and eliminate hazard of bricks falling into the driveway.

## **Economic Development**

- The Rudy's Pub loan closed. As previously approved by Council, the City's Commercial Revolving Loan Fund provided gap financing with Village Capital as the senior lender to allow the owners of Rudy's Pub to purchase the real estate they had previously been leasing.
- Staff is finalizing a contract with Regency Developers for a Storefront Renovation project for their property at 2066 Taylor Road. As with other recent Storefront projects,

the changes to the program approved by Council in 2019 helped push this project over the finish line, which staff has been working on for three years.

- The Kensington Lee Storefront Project (2234-2260 Lee Road), completed in 2019, has been recognized by the Cleveland Restoration Society with their Award of Merit for Neighborhood Impact. The awards were featured in a recent FreshWater article: <https://www.freshwatercleveland.com/features/CelebratePreservation070220.aspx>.

## **Parks and Recreation**

- Staff continues to work on drive in movie events. Tentative dates are July 30 and August 15 at 9pm. The location would be Front Stage, the former Severance Movie Theater. Staff is working through some final details. These events are pending expanding COVID-19 restrictions from the state and county.
- Staff is working on possible parking lot concerts for residents. We are actively evaluating locations and potential talent. All expenses would have to be offset by fees or sponsorships to make it a viable event. More details to come.
- Staff continues to pursue a second COVID-19 testing event. The program is now being run by MetroHealth while the County focuses on contact tracing efforts. Staff will confirm a date once we here back from MetroHealth.

## **Police**

- On July 11, 2020 around 1:50 pm Cleveland Heights Officers were dispatched to 3914 Delmore Road for a possible murder-suicide. Upon arrival Officers discovered Noelle Cotton and her four-year-old daughter Savannah Cotton unresponsive in the bedroom. Both had sustained fatal gunshot wounds and neither exhibited signs of life. Detectives investigating have learned that just prior to discovering the two bodies, Noelle's mother received a call from Savannah's father regarding their custody arrangement. It was learned that Noelle was supposed to meet Savannah's father at the Pennsylvania border at noon to turn Savannah over to his custody so that she could return to New York with her father to attend school. However, when Noelle did not arrive, he contacted Noelle's mother to see what happened. When her mother went to check on them, she discovered Noelle and Savannah deceased in the bedroom and immediately contacted police. Further investigation uncovered that Noelle has been distraught as of late after a family court in New York ruled that Savannah will live with her father in New York during the school year. The official manner of death for Noelle Cotton has been ruled a suicide and the death of Savannah was ruled a homicide by the Cuyahoga County Medical Examiner's Office.

- On July 13, 2020, at 2:42 am Officers responded to a call of two people shot at a residence in the 3600 block of Harvey. Upon arrival officers located a 37-year-old woman with a gunshot wound to the arm. Officers immediately provided first aid until EMS arrived and transported her to the hospital. It was learned that the woman's 40-year-old husband had also been shot but he left the scene prior to police arrival. A short time later officers were informed that the husband was at a house in East Cleveland. He was transported to the hospital with a gunshot wound to the leg. Neither of the injuries sustained are life-threatening.

Preliminary investigation indicates that family and friends had gathered at the residence to mourn the loss of the woman's mother. Just prior to the shooting, an argument ensued inside the residence that spilled out into the backyard. While in the backyard, the woman and her husband were both shot. While it was originally reported that another male was involved in the argument, that information cannot be substantiated at this time due to a lack of cooperation from the victims. Detectives are continuing to investigate and interview witnesses to determine what occurred. Additional information will be released when it becomes available.

- On July 8, 2020, at 6:00 pm, the Governor's mask mandate went into effect requiring citizens to wear masks while inside businesses and in public when social distancing is not possible. Since that mandate took effect, the Police Department has received three calls reporting violations. Two of the calls pertained to people gathering in large groups on Lee Road without masks. In both instances, they were small groups and they were all outdoors. They were educated about the mask requirement. The third call was from a business on Coventry reporting two customers in the store refusing to wear masks. Both customers had left the store prior to police arrival.

## Public Works

- Sanitary Sewer Evaluation Survey

Requirements		Due
Phase 1 SSES	CCTV - 393,658 LF	Complete
Phase 2 SSES	CCTV - 224,792 LF	30-Jun-21
Phase 1 SSES	1,980 Manhole Inspections	Complete
Phase 2 SSES	1,125 Manhole Inspections	30-Jun-21
CMOM	132,000 LF/yr Pipe Cleaned	31-Dec-20
Model	Calibrated Model	Complete

Completed Through July 3, 2020			
	<u>Completed Thru Mat July 3, 2020 (LF)</u>	<u>Overall Remaining (LF)</u>	<u>Overall Remaining (%)</u>
CCTV Phase 1	395,097	0	0%
CCTV Phase 2	72,987	150,805	67%
MHs Phase 1	1,978	0	0%
MHs Phase 2	1,115	10	1%
Cleaning Total	549,115	-	-
Cleaning (2018) only	173,355	-	-
Cleaning (2019) only	304,188	-	-
Cleaning (2020) only	74,515	57,485	44%
Work Completed by Entity			
	<u>City</u>	<u>Contractor</u>	<u>County</u>
CCTV (Phase 1)	19%	54%	27%
	75,464 LF	215,287 LF	104,346 LF
CCTV (Phase 2)	8%	14%	11%
	17,579 LF	30,838 LF	25,570 LF
Cleaning (2020) only	13%	23%	19%
	17,828 LF	30,838 LF	25,570 LF
Cleaning Total	31%	44%	25%
	170,992 LF	243,821 LF	137,235 LF
<u>Model Update</u>			
<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	100%

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

- Capital Projects

- #20-01 – 2020 Street Resurfacing & ADA Curb Ramp Replacement Program - Work is tentatively scheduled for next week. There has been a delay.
- #20-02 – 2020 Surface Treating Program - The contractor is tentatively scheduled to install the chip seal next week.
- 19-03 – 2020 Pavement Striping Program - Hand crews are working throughout the city.
- Safe Routes to Schools – FY2020 – ODOT PID 103700 - ODOT began this project last week, and the curb ramp work should be completed sometime this week. Pavement markings should follow sometime thereafter.
- Solar Panel Update - The contractor has submitted plans to the Architectural Board of Review and is on the agenda for the July 21<sup>st</sup> meeting
- #20-03 – Selwyn Waterline Replacement & Road Resurfacing - Fabrizi Trucking & Paving has completed new 8” water main installation from Monticello Blvd. to Hartwood Road. The intersections of Rosedale, Henderson, Sylvanhurst, Lowensdale and Spangler Roads have been tied into the new main but remain on the existing service feed. Fabrizi has installed 2,200 lineal feet of waterline to date.
- #20-05 – Fire Vehicle Source Capture Exhaust Systems - Work is underway at Station 2 and should be wrapping up this week.
- MCIP – Delamere Project - Wade Trim, Inc. has completed 90% of the design work and it is currently under review.

- Glenwood - A contractor is set to start work on the sidewalk and treelawn on July 17<sup>th</sup> where the fire truck was towed out of the sinkhole. The roadway will be completed by the road contractor the week of July 27<sup>th</sup>.

## 211 Calls by community from January – May 2020

Bedford	594
Bedford Hts.	408
Berea	220
Brook Park	208
Brooklyn	223
Brooklyn Hts.	123
Cleveland Hts.	1569
East Cleveland	1826
Euclid	2827
Fairview Park	112
Garfield Hts.	1013
Lakewood	816
Maple Hts.	1210
Parma	1012
Parma Hts.	249
Shaker Hts.	494
South Euclid	545
University Hts.	125
Warrensville Hts.	641

## Rental Assistance Program

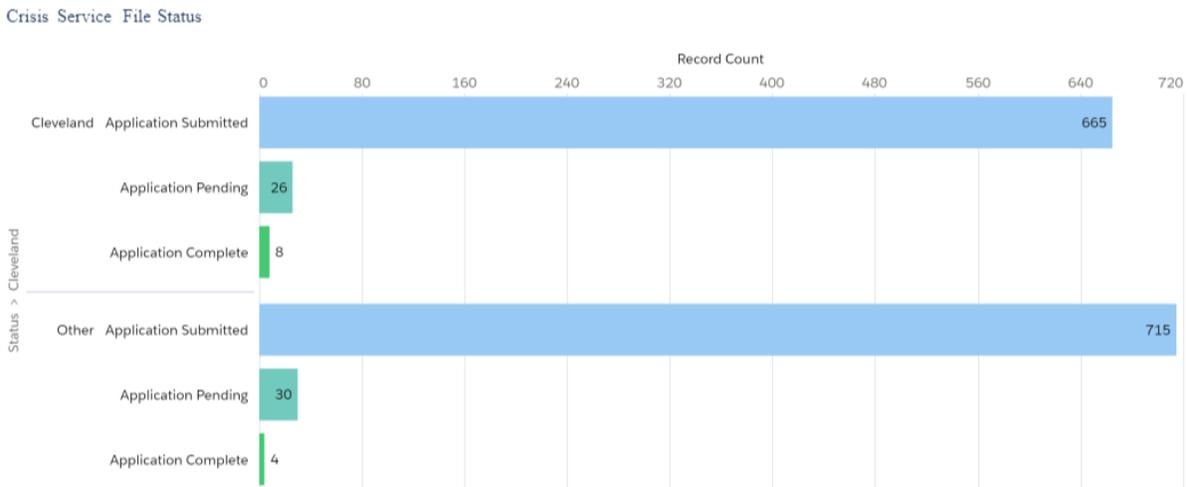
July 8, 2020

As of 10:30 a.m.:

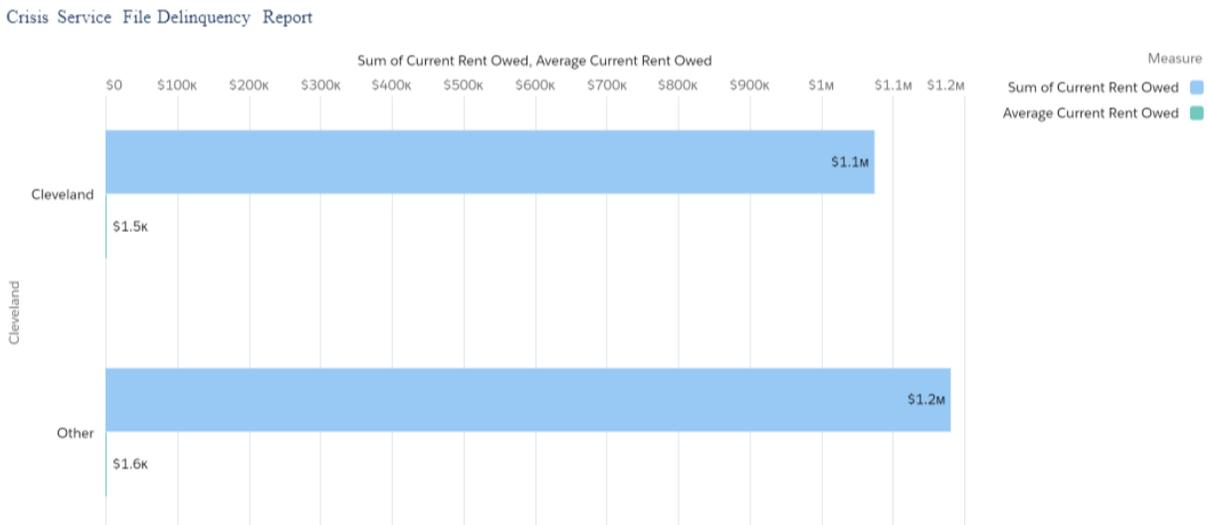
Total applications started – 2,976

Total applications submitted – 1,448

### Application totals for Cleveland and rest of Cuyahoga (other):

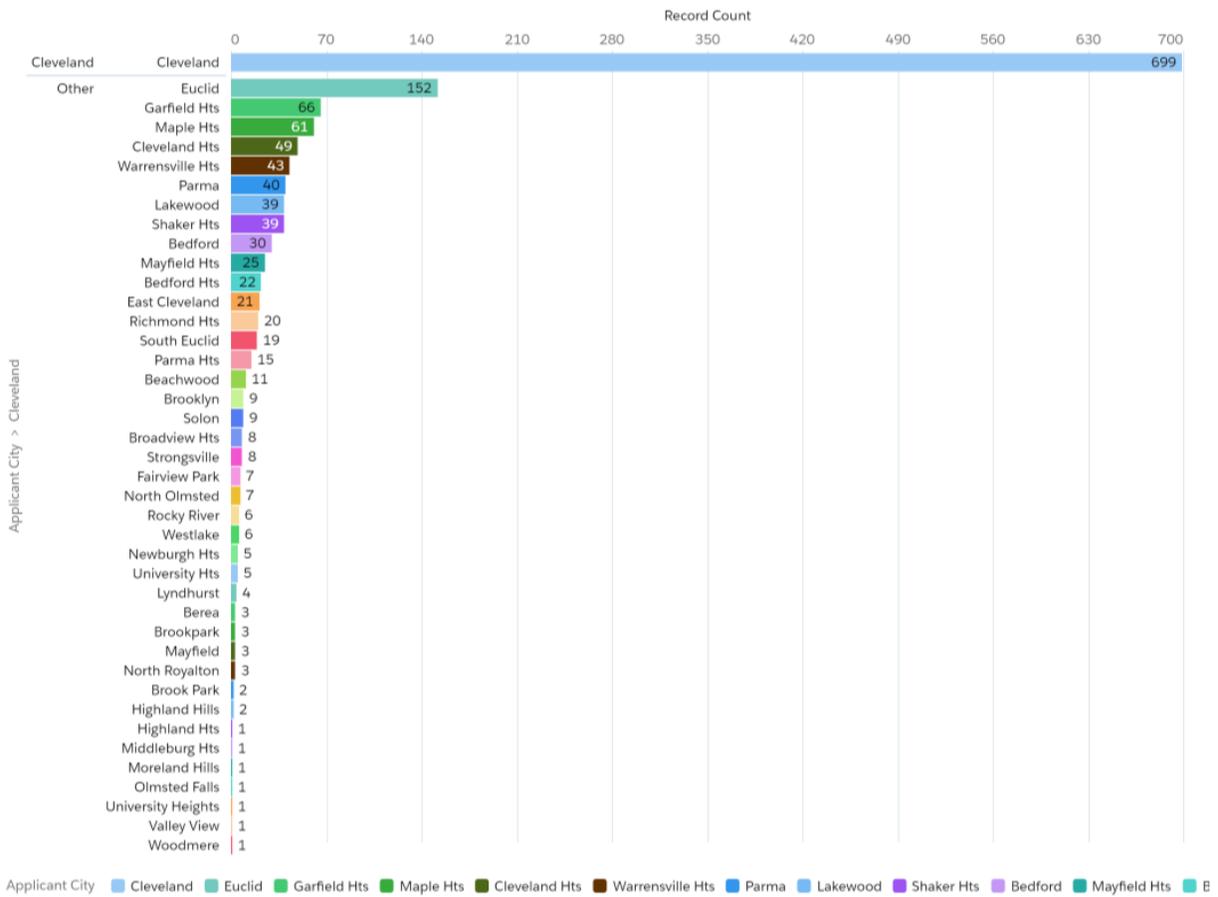


### To date total and average rent owed by Cleveland and rest of Cuyahoga (other):



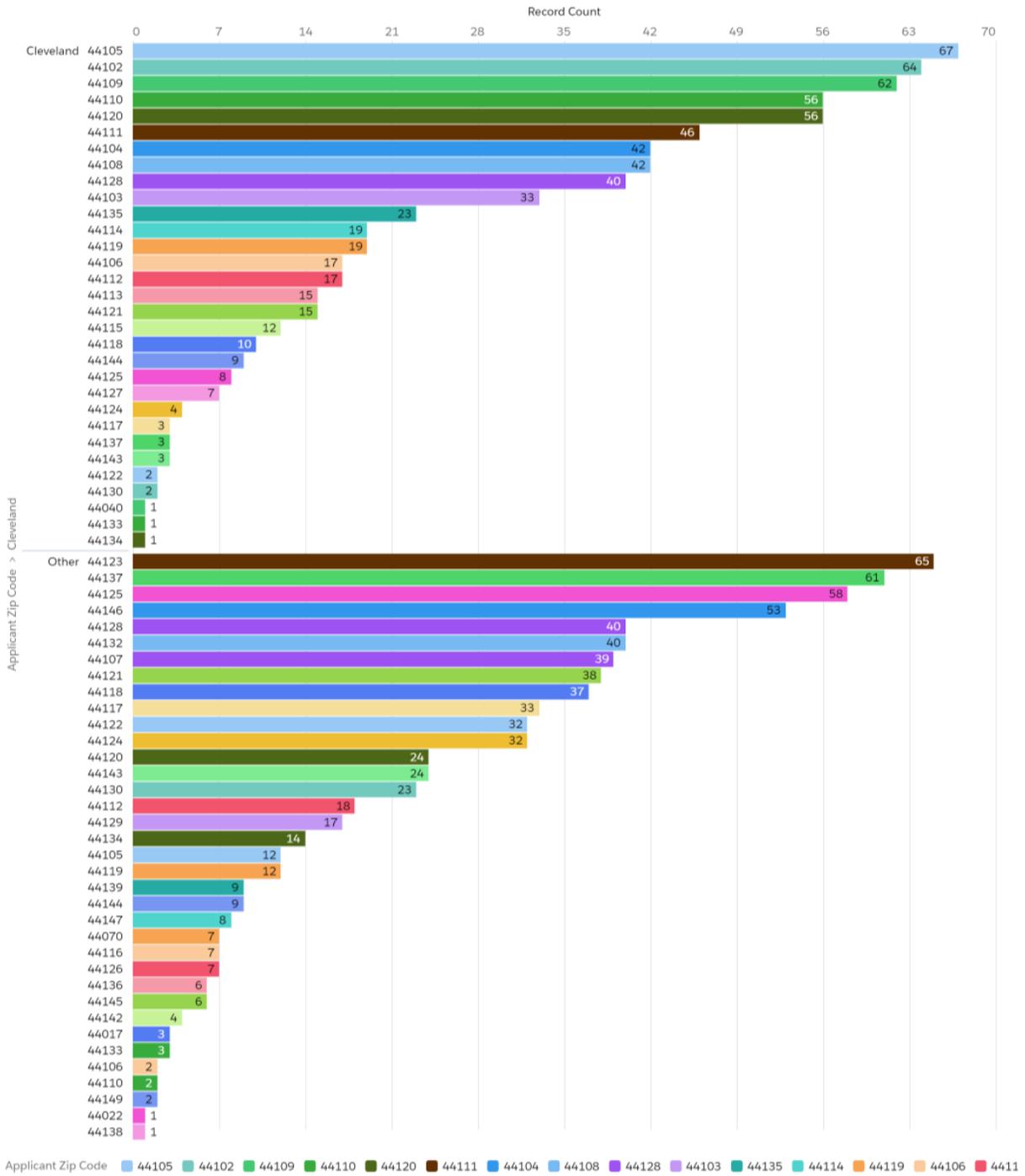
# Application totals by Cleveland and suburb:

Crisis Service File City Report



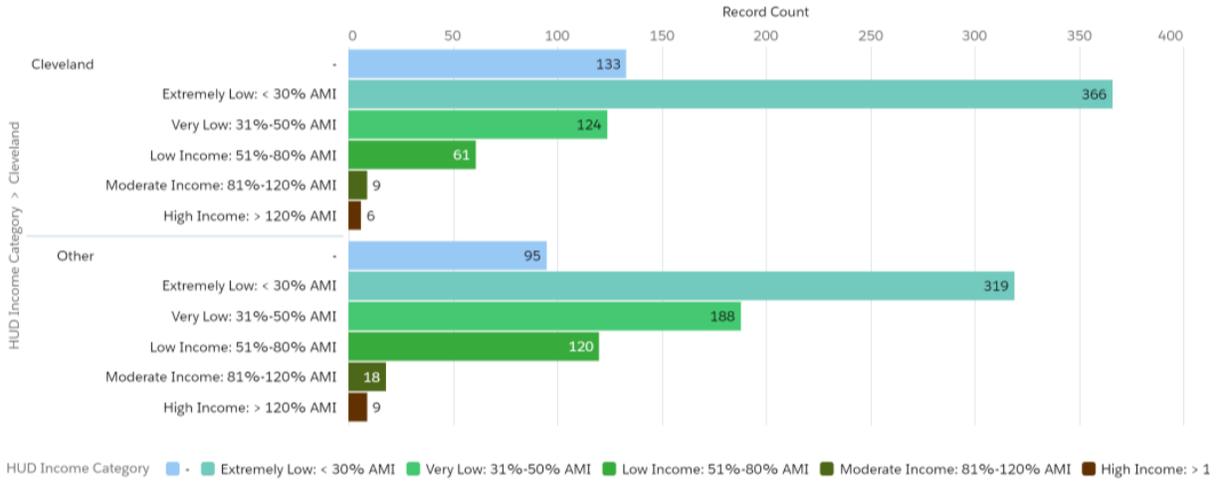
# Application totals by zipcode in Cleveland and rest of Cuyahoga:

Crisis Service File Zip Code Report



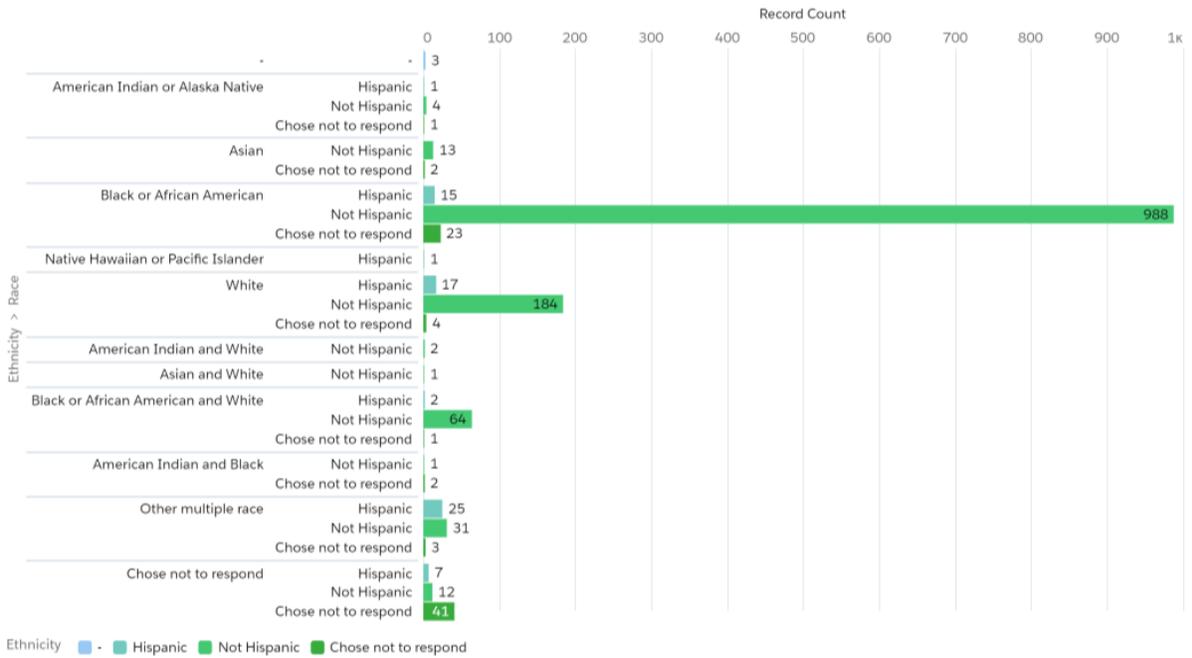
## Applications by income:

Crisis Service File - Income splits



## Applications by demographics:

Crisis Service File Demographics - Eth

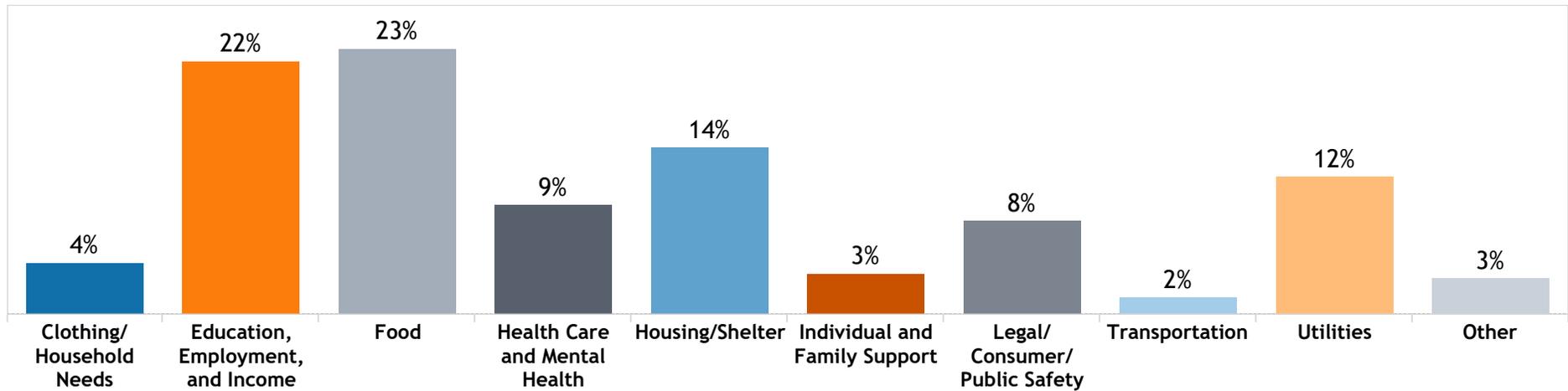


# 2-1-1 Cleveland 1/1/2020-5/31/2020 Need Data for the 19 Communities of the First Suburbs Consortium

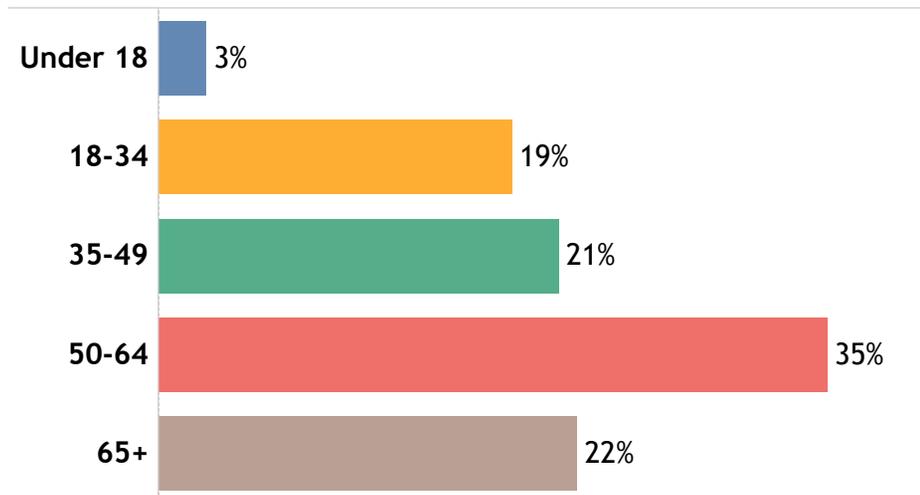


**Total Clients Assisted: 15,597**

## Need Categories



## Age Groups of Clients



## Top Five Specific Needs (With Number of Requests)

Food Pantries	3,038
Tax Preparation Assistance	2,207
Gas Service Payment Assistance	924
Rent Payment Assistance	886
Electric Service Payment Assistance	798



# CLEVELAND HEIGHTS

## Committee of the Whole

**July 20, 2020**

**6:00 p.m.**

### **Agenda**

1. Legislation  
*Goal: Review legislation*
2. Discussion of August Recess  
*Goal: Council will discuss the option to have an August recess*
3. Executive Session
  - 1.) *To consider the appointment of a public official*
  - 2.) *To consider the terms of a lease of City-owned real property*



# CLEVELAND HEIGHTS

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

Monday, July 20, 2020

Online Only

Regular Meeting

7:30 p.m.

<http://www.youtube.com/c/cityofclevelandheights/live>

- 1) Meeting called to order by Mayor
- 2) Roll Call of Council Members
- 3) Excuse absent members
- 4) Approval of the minutes of the regular Council meeting held Monday, July 6, 2020
- 5) Personal communications received from citizens (via electronic mail)
- 6) Report of the City Manager

Request permission to issue a Request for Proposals for a financial consult to conduct an affordability analysis for the Integrated Overflow Control Master Plan (IOCMP)

**Matter of Record**

**Refer to:** Municipal Services Committee

Request permission to enter into a letter of intent with the Cleveland Heights-University Heights School District regarding the Milliken school property

**Matter of Record**

**Refer to:** Planning and Development Committee

- 7) Report of the Chief of Police
- 8) Report of the Clerk of Council
- 9) Committee Reports
  - a.) PUBLIC SAFETY AND HEALTH COMMITTEE

**RESOLUTION 82-2020 (PSH), Second Reading.** A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of

Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio

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

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

**b.) ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 86-2020 (AS).** 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 proposed amendments to the Charter of the City of Cleveland Heights for placement on the November ballot

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

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

**c.) COMMUNITY RELATIONS AND RECREATION COMMITTEE**

**d.) FINANCE COMMITTEE**

**e.) MUNICIPAL SERVICES COMMITTEE**

**f.) PLANNING AND DEVELOPMENT COMMITTEE**

**10) Consent Agenda**

*Note: Individual Consent Agenda items are not discussed separately during the Council meeting, unless removed from the Consent Agenda on the request of a member of Council. Once an item is removed from the Consent Agenda it will be placed on the Regular Agenda.*

**RESOLUTION 84-2020 (F), Second Reading.** A Resolution approving the adoption of the 2021 Tax Budget

**RESOLUTION 87-2020 (PSH).** A Resolution authorizing the City Manager to enter into an agreement with Motorola Solutions, Inc. for the purchase of upgraded police-worn body cameras and associated software for the Police Department through the Ohio Department of Administrative Services Cooperative Purchasing Program

**RESOLUTION 88-2020 (F).** A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a

portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights

**RESOLUTION 89-2020 (F)**. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights

**RESOLUTION 90-2020 (PSH)**. A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor

Motion to suspend rules by Council Member \_\_\_\_\_

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

Motion to adopt by Council Member \_\_\_\_\_

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

- 11) **Mayor’s Report**
- 12) **Adjournment**

**NEXT MEETING OF COUNCIL: TUESDAY, SEPTEMBER 8, 2020**

Proposed: 07/06/2020

RESOLUTION NO. 82-2020 (PSH), *Second Reading*

By Consent Agenda

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

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

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

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

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

SECTION 2. This Council basis its objections and concerns, in part, on Chief of Police Annette M. Mecklenburg's correspondence to the Clerk of Council, attached hereto and incorporated herein as Exhibit A. Specifically, this Council finds that there have been an overwhelming number of calls for police service to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 during approximately a three-and-a-half-year period. This Council further finds that those calls for police service include numerous disturbances, fights, unruly patrons, and other criminal incidents, including a shooting that was precipitated by a physical altercation that occurred while waiting in line to enter the establishment.

RESOLUTION NO. -2020 (PSH)

SECTION 3. This Council hereby requests that a hearing on the issue of renewal be held in Cuyahoga County, Ohio.

SECTION 4. The Director of Law is specifically authorized to pursue this objection, or to resolve same, if in the best interest of the City.

SECTION 5. 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 6. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet state deadlines for objection to renewal of permits. Wherefore, provided it receives the affirmative vote of five 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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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:



*City of trees... symbol of a live  
and growing community with  
diverse roots founded in a rich  
variety of cultural heritages...  
thriving in the awareness of  
the present and rising to the  
challenge of the future*

CITY OF  
**CLEVELAND HEIGHTS**  
DIVISION OF POLICE

# EXHIBIT A

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

June 23, 2020

Amy Himmelein  
Clerk of Council

Dear Ms. Himmelein,

As the Chief Law Enforcement Officer for the City of Cleveland Heights, please present to City Council my objection to the 2019-2020 renewal of a liquor permit Zooz Limited, for the premises located at 2781 Euclid Heights Blvd. dba City & East Hookah Bar ("City & East") for Permit #9961333.

Over the past several years, the Police Department has experienced a significant increase in the number of calls for service to City & East. In 2016, there were over 20 calls for service including no less than six disturbances, four reports of theft/missing property, and six follow-up investigations. In 2017, the Police Department experienced an increase in the number of calls for service from the previous year. The over 40 calls consisted of no less than 18 disturbances, three suspicious activity complaints, and two Assaults. In addition, Officers needed to respond back to this establishment on four additional occasions to conduct follow-up investigations. In 2018, the calls for service continued to increase. The over 65 calls for service included, in part, 22 disturbance complaints, four suspicious activity complaints, three follow-up investigations, five found/lost property calls, and one assault. In 2019, officers responded to over 44 calls for service to City & East. The calls consisted in part of 14 disturbances, four suspicious activity calls, three noise complaints and one felonious assault. In addition to the police calls for service, the Cleveland Heights Fire Department has also had to respond to City & East on multiple occasions, including three times in 2019, for intoxicated patrons who had to be transported to the hospital for medical treatment. As of March 1, 2020, officers had already responded to 12 calls for service to City & East, including three disturbances, one welfare check and one theft.

Furthermore, given the substantial increase in calls for service to City & East over the past couple years, it has become necessary for increased Officer patrols, presence, and business checks in the area of this establishment in order to keep the peace and maintain good order of the neighborhood in which City & East is located. It is worth noting that since March 1, 2020, the calls for service to City & East have essentially ceased due to the COVID-19 pandemic and they were forced to close the establishment.

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

- On February 23, 2020, at 2:09 am an Officer called for assistance at City & East disorderly unwanted patron. As additional officers arrived, the male had already been escorted from the property. However, another disturbance between a male and female ensued while the large crowd was dispersing from the establishment. Officers were able to intervene and separate the two parties before it escalated and each party was issued a criminal violation citation for Disorderly Conduct.
- On February 9, 2020, at 1:54 am several officers responded to City & East to assist with a large unruly crowd leaving the establishment. While on scene Officers were notified by a highly intoxicated patron that he believed he had been pushed down the stairs by one of the bouncers. Officers attempted to investigate the claim, however the owner stated that the cameras were not working properly and there was no video available. While officers were dealing with other disturbances resulting from the crowd dispersing, the male who made the complaint left the scene. Officers continued to investigate the matter, however they were not able to substantiate the claim due to the intoxication level of the alleged victim.
- On September 20, 2019, at 1:58 am officers responded to City & East on a report of a fight. Upon arrival officers learned that a male and female were arguing as they were leaving the establishment. It was reported that the male slammed the female in the courtyard area after exiting City & East. Officers located the male walking away from the scene and when they attempted to stop him but he continued walking. The male then turned and pushed an officer. As officers were struggling with the male who was resisting arrest, a firearm fell from his person. The male was eventually subdued and placed under arrest. The firearm was fully loaded and it was learned that it had been reported stolen. The male was charged with Carrying a Concealed Weapon, Weapons Under Disability, Receiving Stolen Property, Obstructing Official Business and Resisting Arrest.
- On June 15, 2019, at 11:43 pm an assault occurred at City & East. While escorting two extremely intoxicated females from the establishment, one of the females struck a

security guard in the face. As additional officers arrived on the scene, one of the females refused to get into the police cruiser after being placed under arrest and kicked one of the arresting officers. Both females were arrested and charged with Disorderly Conduct-Intoxication and one was charged with Assaulting a Police Officer.

- On May 24, 2019, at 1:29 am a male was shot in the Courtyard outside City & East. Just prior to the shooting, the suspect and the victim were involved in a physical altercation while waiting in line to enter City & East. The males were separated and the suspect was escorted out of the building by an off-duty officer and the owner of City & East, Tony LaHood. A few minutes later the suspect returned to the lobby and punched the victim in the head. The suspect male was once again escorted out by the Mr. LaHood. Approximately 15 minutes later, the suspect once again returned and engaged in a physical altercation with the victim, during which he pulled out a gun and shot the victim in the leg. The suspect then fled the area. The suspect male was never identified after being escorted out of the lobby of City & East either time and he still has not been identified. This incident remains an open investigation.
- On April 11, 2019, at 11:34 pm Officers responded to City & East regarding a female patron who was disorderly inside the establishment and refusing to leave. The female, 18 years of age, was intoxicated and combative with the security guards who carried outside of the establishment because she refused to walk. Once outside, the female attempted to spit at one of the security guards. As officers attempted to arrest the female, she resisted and had to be subdued. The female was charged with Assault, Disorderly Conduct, and Resisting Arrest.
- On March 2, 2019 at 12:02 am Officers responded to a disturbance at City & East, during which one of the bouncers was struck in the face by a female patron. According to the employees the female was being removed from the establishment when she struck the bouncer, however he nor the owner wished to pursue criminal charges against the female.
- In the early morning hours of February 17, 2019, as patrons were leaving City and East, several fights and disturbances occurred that resulted in three arrests. One female and one male were both arrested for Disorderly Conduct. A third party, an 18 year old male, was also arrested for Disorderly Conduct – Intoxication and Underage Consumption of an Alcoholic Beverage.
- On June 14-15, 2018, Officers observed large crowds gathered immediately outside City & East, which eventually led to several fights. Due to the overwhelming amount

of persons gathered outside the establishment, twelve Officers from the Cleveland Heights Police Department, and numerous other Officers from surrounding municipalities (University Heights, Shaker Heights, and South Euclid) responded to the area. Officers estimated over 200 people exited the bar. Notwithstanding the vast amount of Officers on scene, it took over thirty minutes to disperse the large crowds from the area and restore the peace.

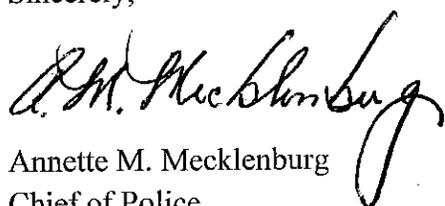
- On June 10, 2018, at 2:00 am Officers in the area of City & East witnessed a fight break out during which a male became extremely aggressive and made threats to get a gun. The male, who was intoxicated and trying to re-enter City & East, was arrested for disorderly conduct.
- On April 20, 2018, at 2:10 am Officers were flagged down regarding a disturbance at City & East, during which a male threatened to shoot everyone in the establishment. One male was arrested for Aggravated Menacing.
- On March 16, 2018, at 12:12 am Officers responded to City & East for a reported disturbance. Security guards on the scene advised that an intoxicated male attempted to cut in line to get in the establishment and was told to leave. When the male became combative, one of the security guards used a taser to subdue the male and then placed him in handcuffs. Upon police arrival, the security guard refused to pursue any criminal charges against the male. However, the male was arrested for voluntary intoxication and an outstanding warrant.
- On March 11, 2018, at 1:50 am a male reported to Officers that he was threatened by another male with a gun while leaving City & East.
- On February 23, 2018, at 1:49 am Officers in the area of City & East observed two females involved in an altercation out front. The females were both combative and one appeared to be intoxicated. Both had an "X" on their hand, which is used at City & East to indicate underage customers. The females were arrested for Disorderly Conduct and Underage Liquor Restrictions.
- On February 16, 2018, at 1:15 am Officers responded to a disturbance at City & East. It was reported that security guards encountered a problem with three patrons who were denied admission into the establishment. During an altercation with the three patrons, security guards pepper sprayed two of the parties. All three were arrested.
- On December 29, 2017, at 2:04 am Officers in the area observed a large crowd gathering in front of City & East and shortly thereafter an altercation ensued. Two

males were arrested; one for Carrying a Concealed Weapon (firearm) and Possession of Marijuana and the other for Underage Consumption of Liquor. It was later confirmed that both males had been inside City & East earlier and were escorted out by security following a disturbance.

- On June 30, 2017, at 12:05 am Officers responded to City & East after dispatch received information about an unknown person going to “shoot up” the establishment. Upon arrival Officers received a second call of a male claiming to have been assaulted by the security guards. Officers attempted to resolve the situation however one male was uncooperative and belligerent. He was issued a criminal violation for Disorderly Conduct.
- On April 1, 2017, at 11:19 pm Officers responded to a disturbance at City & East. Upon arrival Officers discovered that security guards were detaining a male on the ground after he was found to be in the bar drinking from his own personal alcohol bottle and became combative with security when being escorted out of the bar. The male was arrested for Criminal Trespass and Underage Persons Liquor Restrictions.

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

Sincerely,

A handwritten signature in black ink, appearing to read "A.M. Mecklenburg". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Annette M. Mecklenburg  
Chief of Police

Proposed: 07/20/2020

ORDINANCE NO. 86-2020 (AS)

By Council Member

An Ordinance providing for the submission to the electors of the City of Cleveland Heights of proposed amendments to the Charter of the City of Cleveland Heights for placement on the November 3, 2020 ballot; and declaring an emergency.

WHEREAS, on November 5, 2019, amendments to the Charter of the City of Cleveland Heights to change the form of government to a Mayor-Council system of government, collectively known as “Issue 26,” were approved by the electors of the City of Cleveland Heights; and

WHEREAS, the Issue 26 amendments included provision in Section VII-1 of the City’s Charter for the holding of a primary election for candidates for the office of Mayor to be held on the second Tuesday after the first Monday in September whenever there are three (3) or more candidates certified for that office; and

WHEREAS, this Council has determined that as a result of the provision for such primary election ambiguities exist within the City’s Charter with respect to the timeframe allotted for candidates for elective office to collective signatures and file petitions for elective office under Article VII, Section 3(e), accept candidacy for such office under Article VII, Section 4, or file a declaration as a write-in candidate under Article VII, Section 5 with reference to the date of said primary election; and

WHEREAS, pursuant to Article XIII of the Charter of the City of Cleveland Heights and the Constitution of the State of Ohio, this Council has determined to authorize and direct the submission to the electors of the City of Cleveland Heights of proposed charter amendments to resolve these election-related ambiguities, as described herein, at the general election to be held on Tuesday, November 3, 2020, which election is not less than 60 nor more than 120 days from the effective date of this Ordinance, and that submitting the same to the electors is in the best interest of the City and its residents; and

WHEREAS, Article XIII of the Charter of the City of Cleveland Heights provides that amendments to the Charter may be submitted to the electors of the City of Cleveland Heights by a vote of five (5) members of this Council.

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

SECTION 1. This Council directs that there shall be submitted to a vote of the electors of the City of Cleveland Heights, at the general election to be held at the usual places of voting in said City on Tuesday, November 3, 2020, the question of whether selected provision of the Charter of the City of Cleveland Heights should be amended to read as set forth in the document attached hereto as Exhibit A and incorporated herein by reference.

SECTION 2. The Cuyahoga County Board of Elections is hereby directed to submit the following question to the electors of the City of Cleveland Heights at the general election on Tuesday, November 3, 2020 in substantially this form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

**“Shall Article VII, Sections 3, 4 and 5 of the Charter of the City of Cleveland Heights be amended to provide that the timeframes for candidates for elective office to collect signatures, file petitions for elective office, accept candidacy for such office, or file a declaration as a write-in candidate shall be based on the date of the primary election that is required to be held when there are three or more candidates certified for the office of Mayor regardless of whether or not a primary election is actually required to be held?  
\_\_\_ Yes \_\_\_ No”**

SECTION 3. The Clerk of Council is hereby instructed to file forthwith a certified copy of this Ordinance and the proposed form of the ballot question with the Cuyahoga County Board of Elections not less than sixty (60) nor more than one hundred twenty (120) days prior to November 3, 2020, for the Board’s processing in the manner provided by the general laws of the State of Ohio.

SECTION 4. The Clerk of Council is hereby directed to provide notice of the proposed amendments pursuant to Article VIII-5 of the Charter of the City of Cleveland Heights, by either: (1) printing or mailing to each registered elector an official publicity pamphlet, or (2) publicizing official publicity in a newspaper published and generally circulated in the City, or if no such newspaper is published in the City, then in a newspaper of general circulation within the City, at least once a week for not less than two consecutive weeks with the first publication being at least thirty (30) days prior to November 3, 2020. Such publicity pamphlet or publication shall contain a full text of the proposed Charter amendments, with the respective ballot title(s), together with any explanation or argument for or against such measure which may have been filed with the Clerk of Council.

SECTION 5. Pursuant to Article XIII of the Charter of the City of Cleveland Heights, if the majority of electors voting thereon vote in favor of adopting the proposed amendments to the Charter of the City of Cleveland Heights, it shall become a part of the Charter at the time fixed in the amendments, and if no time is fixed therein.

SECTION 6. 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 submit to the electors of the City of Cleveland Heights the proposed amendments to Charter of the City of Cleveland Heights amendments in time to meet Board of Elections deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Ordinance

ORDINANCE NO. 86-2020 (AS)

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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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

## **EXHIBIT A**

### **SECTION VII-3. PETITION FOR PLACES ON BALLOTS.**

The name of any elector of the City shall be printed upon the ballot if there is filed with the election authorities prescribed by general law a petition in accordance with the following requirements:

(a) Such petition shall 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 he is a candidate. The nomination of each candidate shall be made by separate petition.

(b) Such petition shall be signed by electors of the Municipality equal in number to not less than two percent of the total number of voters voting at the last regular election of municipal officers.

(c) Each elector signing a petition shall add to his signature his place of residence, with street and number and date of signing. No elector shall sign more nominating petitions for different candidates for a particular office than there are positions to be filled for that office at the election for which the petition is signed. If he does so, his signatures on all petitions which postdate his signing the permissible number of petitions shall be invalid. All signatures shall be made with ink.

(d) The signature of all petitioners need not be appended to one paper, but to each separate paper there shall be attached a signed statement of the circulator thereof, made under penalty of election falsification, stating the number of signers thereto, that each person signed in the circulator's presence on the date mentioned, and that the signature is that of the person whose name it appears to be.

(e) Such petition shall not be signed by any electors more than one hundred eighty (180) days prior to the ~~day of such election date established in Section VII-1 for the primary election that is required to be held when there are three or more candidates certified for the office of Mayor,~~ and such petitions shall be filed with the election authorities prescribed by general law not ~~less-later~~ than 4:00 p.m. on the ninetieth ninety (90<sup>th</sup>) days previous to the day of such election prior to the date set for that primary election, regardless of whether or not a primary is actually required to be held for the Mayoral election. ~~This section shall become effective January 1, 2017. This section shall become effective January 1, 2021.~~

### **SECTION VII-4. ACCEPTANCE.**

Any person whose name has been submitted for candidacy by any such petition shall file an acceptance of such candidacy with the election authorities not later than eighty-five (85) days previous to ~~said election the date established in Section VII-1 for the primary election that is required to be held when there are three or more candidates certified for the office of Mayor, regardless of whether or not a primary is actually required to be held for the Mayoral election;~~ otherwise, the name of that person shall not appear on the ballot. The signature of a candidate upon a declaration of candidacy contained as part of petitions filed with the election authorities, in accordance with law, shall constitute compliance with the requirements of this section. ~~This section shall become effective January 1, 2017. This section shall become effective January 1, 2021.~~

(Amended 11-8-16.)

**SECTION VII-5. WHO ELECTED.**

The voter may write the name of any candidate who has properly filed a declaration as a write in candidate with the election authorities on or before the seventy-second (72nd) day before ~~the election shall be counted, the date established in Section VII-1 for the primary election that is required to be held when there are three or more candidates certified for the office of Mayor, regardless of whether or not a primary is actually required to be held for the Mayoral election.~~ Such declaration shall state the name of the candidate, his or her place of residence, and the office for which he or she desires to run. A write in candidate shall be an elector of the City at the time his or her declaration as such a candidate is filed with the election authorities. ~~This section shall become effective January 1, 2017.~~ This section shall become effective January 1, 2021.  
(Amended 11-8-16.)

Proposed: 07/06/2020

RESOLUTION NO. 84-2020 (F), *Second Reading*

By

A Resolution approving the adoption of the 2021 Tax Budget; and declaring an emergency.

WHEREAS, the City Manager has previously prepared and submitted to the Council a proposed 2021 Tax Budget for Council's review and evaluation; and

WHEREAS, the members of the Council have subsequently met with the City Manager and her staff for the purpose of review, evaluation, and to discuss their recommendations on the proposed Budget; and

WHEREAS, a copy of the proposed 2021 Tax Budget is available for inspection by the general public at the office of the Director of Finance at the City Hall; and

WHEREAS, a notice of public hearing (which will be held July 20, 2020 at 7:00 pm) will be given at least ten (10) days prior to the public hearing on said 2021 Tax Budget.

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

SECTION 1. This Council hereby approves the adoption of the 2021 Tax Budget as is on file in the office of the Director of Finance, Clerk of Council.

SECTION 2. The Clerk of Council is hereby directed to make a copy of the approved 2021 Tax Budget a matter of record.

SECTION 3. The Director of Finance is hereby directed to file two (2) copies of the approved 2021 Tax Budget with the Cuyahoga County Budget Commission.

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

SECTION 5. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to permit its timely filing with the Budget Commission within the period permitted by law. 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.

RESOLUTION NO. 84-2020(F), *Second Reading*

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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

# ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit

City of Cleveland Heights

For the Fiscal Year Commencing

January 1, 2021

Fiscal Officer Signature \_\_\_\_\_

Date \_\_\_\_\_

## COUNTY OF CUYAHOGA

### **Background**

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

### **Ohio Revised Code Section 5705.281**

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

### **County Budget Commission Duties**

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

### **County Budget Commission Action**

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

### **Alternative Tax Budget Information Filing Deadline**

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

# **GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION**

## **SCHEDULE 1**

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any new levies. This will help to ensure that no levies are missed.

In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

## **NOTE:**

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;

"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully, adopted under this chapter or by other information required per ORC 5705.281."

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback, and the personal property 10,000 exempt monies.

## **SCHEDULE 2**

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all funds.

In column 3, total estimated receipts should include all revenues plus transfers in excluding property taxes and local government revenue. All taxing authority must submit a list of all tax transfers.

## **SCHEDULE 3**

The general purpose of schedule 3 is to provide inside/charter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad valorem property tax to pay debt service on general obligation debt as it becomes due, unless that debt service is paid from other sources.

## **SCHEDULE 4**

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to pay debt service on those bonds.

## **SCHEDULE 5**

The general purpose of schedule 5 is to properly account for tax anticipation notes. See schedule 5 for more details.

# DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)  
(List All Levies Of The Taxing Authority)

City of Cleveland Heights - 2021

## SCHEDULE 1

I Fund	II Purpose	III Authorized By Voters On MM/DD/YY	IV Levy Type	V Number Of Years Levy To Run	VI Tax Year Begins/ Ends	VII Collection Year Begins/ Ends	VIII Maximum Rate Authorized	IX \$ AMOUNT Requested Of Budget Commission
101-GENERAL FUND	Current Expenses		Inside and Charter		January 1, 2021	January 1, 2021	9.62	\$7,810,000.00
216-RECREATION FACILITIES IMPROVEMENT	Current Expenses		Charter		January 1, 2021	January 1, 2021	0.70	\$575,000.00
232-POLICE PENSION	Current Expenses		Inside		January 1, 2021	January 1, 2021	0.30	\$245,000.00
233-FIRE PENSION	Current Expenses		Inside		January 1, 2021	January 1, 2021	0.30	\$245,000.00
301-BOND RETIREMENT	Debt Service		Debt Millage		January 1, 2021	January 1, 2021	1.50	\$1,250,000.00
Totals							12.42	\$10,125,000

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

## SCHEDULE 2

I	II	III	IV	V	VI	VII
Fund BY Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Resources Available for Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
101-GENERAL FUND	10,000,000.00	9,160,000.00	31,621,000.00	50,781,000.00	42,000,000.00	8,781,000.00
102-BUDGET STABILIZATION ACCOUNT	0.00	0.00	100,000.00	100,000.00	100,000.00	0.00
301-BOND RETIREMENT FUND	80,000.00	1,250,000.00	800,000.00	2,130,000.00	2,100,000.00	30,000.00
232-POLICE PENSION FUND	0.00	245,000.00	955,000.00	1,200,000.00	1,200,000.00	0.00
233-FIRE PENSION FUND	0.00	245,000.00	1,255,000.00	1,500,000.00	1,500,000.00	0.00
201-STREET MAINTENANCE FUND	700,000.00	0.00	1,600,000.00	2,300,000.00	1,600,000.00	700,000.00
202-FOUNDATION GRANTS FUND	40,000.00	0.00	5,000.00	45,000.00	5,000.00	40,000.00
203-FIRST SUBURBS CONSORTIUM FUND	2,000.00	0.00	0.00	2,000.00	0.00	2,000.00
204-COMMUNICATIONS DISPATCH FUND	0.00	0.00	0.00	0.00	0.00	0.00
205-PUBLIC WORKS MAINTENANCE FUND	400.00	0.00	0.00	400.00	0.00	400.00
206-LAW ENFORCEMENT TRUST FUND	200,000.00	0.00	5,000.00	205,000.00	50,000.00	155,000.00
207-DRUG LAW ENFORCEMENT FUND	100,000.00	0.00	50,000.00	150,000.00	120,000.00	30,000.00
208-COMMUNITY DEVELOPMENT BLOCK GRANT FUND	600,000.00	0.00	1,500,000.00	2,100,000.00	1,500,000.00	600,000.00
211-H.O.M.E. PROGRAM FUND	200,000.00	0.00	170,000.00	370,000.00	170,000.00	200,000.00
212- FEMA FUND	-50,000.00	0.00	50,000.00	0.00	0.00	0.00
213-POLICE IMPROVEMENT FUND	40,000.00	0.00	20,000.00	60,000.00	20,000.00	40,000.00
214-LOCAL PROGRAMMING FUND	500,000.00	0.00	522,280.00	1,022,280.00	500,000.00	522,280.00
215-CAIN PARK FUND	0.00	0.00	700,000.00	700,000.00	700,000.00	0.00
216-RECREATIONAL FACILITIES IMPROVEMENT FUND	250,000.00	575,000.00	0.00	825,000.00	580,000.00	245,000.00

# STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

## SCHEDULE 2

I Fund BY Type	II Beginning Estimated Unencumbered Fund Balance	III Property Taxes and Local Government Revenue	IV Other Sources Receipts	V Total Resources Available for Expenditures	VI Total Estimated Expenditures & Encumbrances	VII Ending Estimated Unencumbered Balance
217-PUBLIC RIGHT OF WAY FUND	150,000.00	0.00	8,000.00	158,000.00	10,000.00	148,000.00
221-INDIGENT DUI TREATMENT FUND	200,000.00	0.00	10,000.00	210,000.00	15,000.00	195,000.00
222-COURT COMPUTER FUND	20,000.00	0.00	60,000.00	80,000.00	50,000.00	30,000.00
223-DUI ENFORCEMENT EDUCATION FUND	100,000.00	0.00	5,000.00	105,000.00	50,000.00	55,000.00
225-COURT SPECIAL PROJECTS FUND	1,500,000.00	0.00	100,000.00	1,600,000.00	300,000.00	1,300,000.00
226-LEAD SAFE FUND	25,000.00	0.00	200,000.00	225,000.00	200,000.00	25,000.00
227-NEIGHBORHOOD STABILIZATION PROGRAM FUND	100,000.00	0.00	0.00	100,000.00	0.00	100,000.00
230-STREET LIGHTING FUND	900,000.00	0.00	1,000,000.00	1,900,000.00	1,000,000.00	900,000.00
231-FORESTRY FUND	500,000.00	0.00	1,095,000.00	1,595,000.00	1,500,000.00	95,000.00
234-EARNED BENEFITS FUND	0.00	0.00	600,000.00	600,000.00	600,000.00	0.00
237-FIRST SUBURBS DEVELOPMENT COUNCIL	40,000.00	0.00	0.00	40,000.00	0.00	40,000.00
402-CAPITAL EQUIPMENT/IMPROVEMENTS FUND	400,000.00	0.00	500,000.00	900,000.00	700,000.00	200,000.00
411-ECONOMIC DEVELOPMENT FUND	1,000,000.00	0.00	30,000.00	1,030,000.00	50,000.00	980,000.00
412-CITY HALL MAINTENANCE FUND	50,000.00	0.00	20,000.00	70,000.00	20,000.00	50,000.00
415-RING ROAD CONSTRUCTION FUND	25,000.00	0.00	0.00	25,000.00	0.00	25,000.00
601-WATER FUND	1,000,000.00	0.00	40,000.00	1,040,000.00	40,000.00	1,000,000.00
602-SEWER FUND	3,000,000.00	0.00	5,880,750.00	8,880,750.00	6,000,000.00	2,880,750.00
603-PARKING FUND	300,000.00	0.00	1,058,800.00	1,358,800.00	1,300,000.00	58,800.00
606-AMBULANCE SERVICE FUND	1,000,000.00	0.00	900,000.00	1,900,000.00	1,000,000.00	900,000.00
701-HOSPITALIZATION	0.00	0.00	9,000,000.00	9,000,000.00	9,000,000.00	0.00
703-WORKERS COMP	100,000.00	0.00	0.00	100,000.00	0.00	100,000.00
804-OFFICE ON AGING DONATIONS FUND	5,000.00	0.00	4,000.00	9,000.00	4,000.00	5,000.00
808-YOUTH RECREATION DONATION FUND	20,000.00	0.00	5,000.00	25,000.00	5,000.00	20,000.00
809-POLICE MEMORIAL FUND	10,000.00	0.00	0.00	10,000.00	600.00	9,400.00
810-YOUTH ADVISORY COMMISSION FUND	70.00	0.00	100.00	170.00	100.00	70.00
811-JUVENILE DIVERSION PROGRAM FUND	2,000.00	0.00	5,000.00	7,000.00	5,000.00	2,000.00
857-SALES TAX FUND	300.00	0.00	0.00	300.00	0.00	300.00

858-MISCELLANEOUS AGENCY FUND	1,000,000.00	0.00	50,000.00	1,050,000.00	150,000.00	900,000.00
864-NEORS D BILLING FUND	0.00	0.00	0.00	0.00	0.00	0.00

# UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)  
 (Do Not Include General Obligation Debt Being Paid By Other Sources)  
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

## SCHEDULE 3

I Purpose Of Bonds Or Notes	II Date Of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Calendar Year	V Amount Required To Meet Calendar Year Principal & Interest Payments	VI Amount Receivable From Other Sources To Meet Debt Payments
2014 - Refund Ring Road Improvement Bonds	07/14	12/29	\$1,760,000.00	\$181,568.00	
2015 - Off Street Parking Bonds Refunded	04/15	12/28	\$3,355,000.00	\$458,106.00	
2014 - Various Purpose Bonds	04/14	12/28	\$1,395,000.00	\$299,500.00	
2015 - Various Purpose Bonds	04/15	12/29	\$1,174,000.00	\$195,424.00	
2016 - Various Purpose Bonds	04/16	12/30	\$1,125,000.00	\$181,488.00	
2017 - Various Improvement Bonds	2017	12/28	\$900,000.00	\$175,340.00	
2017 - Building Improvement Bonds	2017	12/37	\$5,345,000.00	\$406,326.00	
2018 - Vehicle Bonds	2018	12/27	\$455,000.00	\$72,968.00	
2010 - Monticello & Taylor St. Improvement Note	Proposed	07/22	\$133,000.00	\$13,000.00	
2010 - Street Improvement Note	Proposed	07/22	\$76,000.00	\$10,000.00	
2012 - Motorized Equipment Note	Proposed	07/22	\$27,000.00	\$26,000.00	
2013 - Motorized Equipment Note	Proposed	07/22	\$129,000.00	\$63,000.00	
2019 - Sewer Motorized Equipment Note	Proposed	07/22	\$253,389.00	\$0.00	
2019 - Forestry Motorized Equipment Note	Proposed	07/22	\$214,412.00	\$0.00	
2019 - Police Radios Note	Proposed	07/22	\$163,199.00	\$0.00	
<b>Totals</b>			<b>\$16,505,000.00</b>	<b>\$2,082,720.00</b>	



# TAX ANTICIPATION NOTES

(Schools Only)

## SCHEDULE 5

Tax anticipation notes are issued in anticipation of the collection of the proceeds of a property tax levy. The amount of money required to cover debt service must be deposited into a bond retirement fund, from collections and distribution of the tax levy, in the amounts and at the times required to pay those debt charges as provided in the legislation authorizing the tax anticipation notes. (ORC Section 133.24)

The appropriation to the fund which normally receives the tax levy proceeds is limited to the balance available after deducting the amounts to be applied to debt service.

After the issuance of general obligation securities or of securities to which section 133.24 of the ORC applies, the taxing authority of the subdivision shall include in its annual tax budget, and levy a property tax in a sufficient amount, with any other monies available for the purpose, to pay the debt charges on the securities payable from property tax. (ORC Section 133.25)

	Name Of Tax Anticipation Note Issue	Name Of Tax Anticipation Note Issue
Amount Required To Meet Budget Year Principal & Interest Payments:		
Principal Due		
Principal Due Date		
Interest Due		
Interest Due Date		
Interest Due		
Interest Due Date		
Total		
Name Of The Special Debt Service Fund		

Amount Of Debt Service To Be Apportioned To The Following Settlements:		
February Real		
August Real		
June Tangible		
October Tangible		
Total		
Name Of Fund To Be Charged		

Proposed: 07/20/2020

RESOLUTION NO. 87-2020 (PSH)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with Motorola Solutions, Inc. for the purchase of upgraded police-worn body cameras and associated software for the Police Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; and declaring an emergency.

WHEREAS, the Chief of Police has determined there is a need for upgraded police-worn body cameras and associated software for the Police Department; and

WHEREAS, Section 171.11 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the Administrative Services Cooperative Purchasing Program without obtaining competitive bids; and

WHEREAS, the Chief of Police and City Manager have determined that the selected equipment may be purchased from Motorola Solutions, Inc. through this State Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said equipment by this means.

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 any and all agreements, and to sign any related documents, necessary for the purchase of upgraded police-worn body cameras and associated software with Motorola Solutions, Inc. through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements Section 171.11 of the Cleveland Heights Codified Ordinances. The agreement shall provide for the purchase of the selected equipment at a total cost not to exceed One Hundred Eighty-Five Thousand Three Hundred Ten Dollars (\$185,310.00). All agreements hereunder shall be approved as to form by the Director of Law.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet vendor deadlines and to equip the Police Department 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. 87-2020 (PSH)

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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

Proposed: 7/20/2020

RESOLUTION NO. 88-2020 (F)

By Council Member

A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; and declaring an emergency.

WHEREAS, this Council, by the adoption of Resolution No. 49-2020, declared the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; and

WHEREAS, the City has received timely written objections to the estimated assessments on file with the Director of Finance/Clerk of Council; and

WHEREAS, it is necessary for this Council, pursuant to Ohio Revised Code Section 727.16, to appoint an Assessment Equalization Board to hear said objections and to fix the time and place for the hearing upon said objections.

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

SECTION 1. Dennis Kennedy, Mary Kovachik, and Angie Rich, who are disinterested freeholders in Cuyahoga County but outside the City of Cleveland Heights, are hereby appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated assessments on file with the Clerk of Council and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in Resolution No. 49-2020 and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 2. The Board shall meet to hear said objections at Cleveland Heights City Hall, 40 Severance Circle. The City Manager is hereby designated to fix the date and time of said hearing. Notice shall be given pursuant to Section 727.16 of the Ohio Revised Code. Upon the completion of such equalization, the Board shall report its recommendations to City Council.

SECTION 3. 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.

RESOLUTION NO. 88-2020 (F)

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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 14, 2020, if it is to be added to the 2020 Tax Duplicate. 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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JASON STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

Proposed: 7/20/2020

RESOLUTION NO. 89-2020 (F)

By Council Member

A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring an emergency.

WHEREAS, this Council, by the adoption of Resolution 48-2020, declared the necessity of assessing a portion of the expense of street lighting within the City of Cleveland Heights; and

WHEREAS, the City has received timely written objections to the estimated assessments on file with the Director of Finance/Clerk of Council; and

WHEREAS, it is necessary for this Council, pursuant to Ohio Revised Code Section 727.16, to appoint an Assessment Equalization Board to hear said objections and to fix the time and place for the hearing upon said objections.

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

SECTION 1. Dennis Kennedy, Mary Kovachik, and Angie Rich, who are disinterested freeholders in Cuyahoga County but outside the City of Cleveland Heights, are hereby appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated assessments on file with the Clerk of Council and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in Resolution No. 48-2020 and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 2. The Board shall meet to hear said objections at Cleveland Heights City Hall, 40 Severance Circle. The City Manager is hereby designated to fix the date and time of said hearing. Notice shall be given pursuant to Section 727.16 of the Ohio Revised Code. Upon the completion of such equalization, the Board shall report its recommendations to City Council.

SECTION 3. 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 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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 14, 2020, if it is to be added to the 2020 Tax Duplicate. 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

RESOLUTION NO. 89-2020 (F)

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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JASON STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

Proposed: 07/20/2020

RESOLUTION NO. 90-2020 (PSH)

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor; and declaring an emergency.

WHEREAS, the City of Cleveland Heights and Cleveland Heights-University Heights School District have identified a need for crossing guards to ensure the safety of residents of the City and students of the School District; and

WHEREAS, the Chief of Police has recommended that the services offered by All City Management Services, Inc. best meet the City's needs; and

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

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

SECTION 1. The City Manager be, and she is hereby, authorized to enter into any and all agreements, and to sign any related documents, necessary for crossing guard services through All City Management Services, Inc. The agreement for said services shall not exceed One Hundred Fifty-Three Thousand Two Hundred Thirty-Three Dollars (\$153,233.00), with one-half of the costs, in the amount of Eighty-Two Thousand Five Hundred and Three Dollars (\$82,503.00), to be reimbursed to the City by the Cleveland Heights-University Heights School District. The Agreement with All City Management Services shall be substantially in accordance with the draft attached hereto as "Exhibit A," and all agreements and documents authorized hereunder shall be subject to the final 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 provide crossing guard services at the earliest time possible to protect the safety and welfare of residents and school children. 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. 90-2020 (PSH)

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JASON S. STEIN, Mayor  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:



## AGREEMENT FOR CROSSING GUARD SERVICES

This AGREEMENT FOR CROSSING GUARD SERVICES (the "Agreement") is dated February \_\_, 2020 and is between the CITY OF CLEVELAND HEIGHTS (hereinafter called the "City") and ALL CITY MANAGEMENT SERVICES, INC., a California corporation (hereinafter called the "Contractor").

### WITNESSETH

The parties hereto have mutually covenanted and agreed as follows:

1. This Agreement is for a term which commences on Contractor's best availability of personnel on or about April 20, 2020 and ends on June 30, 2021.
2. The Contractor will provide personnel equipped and trained in appropriate procedures for crossing pedestrians in marked crosswalks. Such personnel shall be herein referred to as a "Crossing Guard". Contractor will perform criminal background checks and confirm employment eligibility through E-Verify on all prospective personnel. The Contractor is an independent contractor and the Crossing Guards to be furnished by it shall at all times be its employees and not those of the City.
3. The City's representative in dealing with the Contractor shall be designated by City of Cleveland Heights.
4. The City, in consultation with Cleveland Heights-University Heights School District, shall determine the locations where Crossing Guards shall be furnished by the Contractor. The City shall notify Contractor of the locations of the Crossing Guards by \_\_\_\_\_. The Contractor shall provide at each designated location personnel properly trained as herein specified for the performance of duties as a Crossing Guard. The Contractor shall provide supervisory personnel to verify that Crossing Guard activities are taking place at the required places and times, and in accordance with the terms of this Agreement.
5. The Contractor shall maintain adequate reserve personnel to be able to furnish alternate Crossing Guards in the event that any person fails to report for work at the assigned time and location and agrees to provide immediate replacement.
6. In the performance of its duties the Contractor and all employees of the Contractor shall conduct themselves in accordance with the conditions of this Agreement and all applicable laws of the state in which the Services are to be performed.
7. Persons provided by the Contractor as Crossing Guards shall be trained in all applicable laws of the state in which the Services are to be performed pertaining to general pedestrian safety in school crossing areas.

EXHIBIT A

8. Crossing Guard Services (the “Services”) shall be provided by the Contractor at the designated locations on all days in which school is in session in the area under City’s jurisdiction. The Contractor also agrees to maintain communication with the designated schools to maintain proper scheduling.
9. The Contractor shall provide all Crossing Guards with apparel by which they are readily visible and easily recognized as Crossing Guards. Such apparel shall be uniform for all persons performing the duties of Crossing Guards and shall be worn at all times while performing said duties. This apparel must be appropriate for weather conditions. The Contractor shall also provide all Crossing Guards with hand held Stop signs and any other safety equipment which may be necessary.
10. The Contractor shall at all times provide workers' compensation insurance covering its employees and shall provide and maintain liability insurance for Crossing Guard activities. The Contractor will provide to the City a Certificate of Insurance naming its officials, officers and employees as additional insureds. Such insurance shall include commercial general liability with a combined single limit of not less than \$2,000,000.00 per occurrence and in aggregate for property damage and bodily injury. Such insurance shall be primary with respect to any insurance maintained by the City and shall not call on the City's insurance contributions. Such insurance shall be endorsed for contractual liability and personal injury and shall include the City, its officers, agents and interest of the City. Such insurance shall not be canceled, reduced in coverage or limits or non-renewed except after thirty (30) days written notice has been given to the City.
11. Contractor agrees to defend, indemnify and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions, claims for damages to persons or property, penalties, obligations or liabilities (each a “Claim” and collectively, the “Claims”) that may be asserted or claimed by any person, firm, entity, corporation, political subdivision or other organization arising out of the sole negligent acts or omissions, or willful misconduct, of Contractor, its agents, employees, subcontractors, representatives or invitees.
  - a) Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses including attorney's fees incurred in connection herewith.
  - b) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the sole negligence of Contractor hereunder, Contractor agrees to pay City, its officers, agents, or employees, any and all costs and expenses incurred by the City, its officers agents or employees in such action or proceeding, including, but not limited to, reasonable attorney's fees.
  - c) In the event that a court determines that liability for any Claim was caused or contributed to by the negligent act or omission or the willful misconduct of City, liability will be apportioned between Contractor and City based upon the parties’ respective degrees of culpability, as determined by the court, and Contractor’s duty to indemnify City will be limited accordingly.
  - d) Notwithstanding anything to the contrary contained herein, Contractor’s indemnification obligation to City for Claims under this Agreement will be limited to the maximum combined

aggregate of Contractor's general liability and umbrella insurance policies in the amount of \$10,000,000 (Ten Million Dollars).

12. Either party shall have the right to terminate this Agreement by giving sixty (60) days written notice to the other party.
13. The Contractor shall not have the right to assign this Agreement to any other person or entity except with the prior written consent of the City.
14. The City agrees to pay the Contractor for the Services rendered pursuant to this Agreement the sum of Twenty-six Dollars and Twenty-seven Cents (**\$26.27**) per hour, per Crossing Guard during the term. Based on a minimum of thirteen (13) sites and a projected (5,833) billed hours shall not exceed One Hundred and Fifty-three Thousand, Two Hundred and Thirty-three Dollars (\$153,233.00) per year.
15. Payment is due within thirty (30) days of receipt of Contractor's properly prepared invoice.
16. Contractor may request a price increase during the term as a result of any legally-mandated increases in wages or benefits imposed in the state or municipality in which the Services are to be performed and to which Contractor's employees would be subject. Contractor shall provide City with 60 days-notice of its request to increase pricing. City agrees to review and respond to said notice within 30 days of receipt.
17. The City jointly shall have an option to renew this Agreement. In the event this Agreement is extended beyond the end of the term set forth above, the compensation and terms for the Services shall be established by mutual consent of both parties.
18. This Agreement constitutes the complete and exclusive statement of the agreement among the parties with respect to the subject matter hereof and supersedes all prior written or oral statements among the parties, including any prior statements, warranties, or representations. This Agreement is binding upon and will inure to the benefit of the parties hereto and their respective heirs, administrators, executors, successors, and assigns. Each party hereto agrees that this Agreement will be governed by the law of the state in which the Services are to be performed, without regard to its conflicts of law provisions. Any amendments, modifications, or alterations to this Agreement must be in writing and signed by all parties. There will be no presumption against any party on the ground that such party was responsible for preparing this Agreement or any part of it. Each provision of this Agreement is severable from the other provisions. If any provision of this Agreement is declared invalid or contrary to existing law, the inoperability of that provision will have no effect on the remaining provisions of the Agreement which will continue in full force and effect.

**[SIGNATURES FOLLOW ON NEXT PAGE]**

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement the day and year written below.

**CITY**

**CONTRACTOR**

**City of Cleveland Heights**

**All City Management Services, Inc.**

By \_\_\_\_\_  
Signature

By \_\_\_\_\_  
D. Farwell, Corporate Secretary

\_\_\_\_\_  
Print Name and Title

Date \_\_\_\_\_

Date \_\_\_\_\_

DRAFT



# CLEVELAND HEIGHTS

**Monday, July 6, 2020 Minutes**

**COMMITTEE OF THE WHOLE**

6:11 – 8:36 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Russell, Seren, Stein, Ungar

Staff present: Briley, Hanna, Himmelein

Topics discussed: Legislation, Charter Amendment and Legislation Process & Deadlines

**Executive Session**

6:11 – 8:36 p.m.

Council Member Dunbar made a motion to begin Executive Session, which was seconded by Council Member Hart to consider the appointment of a public official.

Roll Call: Ayes: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Nays: None

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

Roll Call: Ayes: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Nays: None

**CITY COUNCIL**

8:36 – 10:07 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Excused: None

Staff present: Briley, Hanna, Himmelein

Minutes from the City Council meeting held Monday, June 15, 2020, were approved with submitted edits.

## **Personal communications received from citizens (via electronic mail)**

Since our last City Council meeting on June 15, 2020, we have received messages from the following individuals: Bridget Guhde (5 messages), Gail Larson, Edward Dea, and Joie Hill.

Ms. Gudhe, Mr. Dea, and Ms. Hill wrote in opposition to Ordinance 54-2020, the amendment to the Chapter 943 Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures, which is on 3rd reading tonight.

Ms. Gudhe further emphasized the negative health impacts from EMF/radiation exposure and cited a link to MDSafeTech.org to support these concerns, she expressed concern about the risks involved with 5G technology around schools, she encouraged the City Council to consider legislation that would mandate public schools eliminate wireless technology in schools and outlaw cellular structures near the school property. Ms. Gudhe explains that wireless technology makes her physically ill when exposed to it and described the symptoms that experienced when exposed to Electromagnetic frequencies including Headaches, Insomnia, Anxiety, Heart Arrhythmia (for example Atrial fibrillation or A-fib) and Palpitations, Difficulty concentrating, Dizziness, Tinnitus (Ears ringing), Cancer, Fatigue, Irritability/Stress, ADHD. She also made contact with an attorney who has done work in another state to oppose the technology and requested a meeting with him, the City's Law Director, and City Manager to discuss safer legislation options.

Mr. Dea wrote to join the opposition to Ordinance 54-2020 citing potential health risks and hazards along with the impact on and decrease to property values, privacy, and security breaches that hundreds of research studies have shown. He encouraged the Council not to enact the legislation in a knee-jerk fashion, to create a space for open dialogue with government transparency.

Ms. Hill requested that a hold be placed on the roll-out of 5G equipment and facilities until further research proving its safety has been provided to the citizens of Cleveland Heights. She cited a website [chelseagreen.com](http://chelseagreen.com) or a local bookstore to purchase the book *The Invisible Rainbow: A History of Electricity and Life*, by Arthur Firstenberg, which elaborates upon research conducted on the effect of EMFs on Nature and human health. She urged the Council to consider their children and grandchildren and to do their research to ascertain that 5G is safe for nature and humanity before steamrolling on under the pressure of top-down edicts from Big Tech. She referenced that Easton, CT successfully placed a hold on 5G and the Netherlands and Australia, purportedly, are attempting to place a moratorium on it until proof of its safety is provided, along with other activists across the country who are opposing 5G installation.

Ms. Larson wrote to ask that the severe damage done to the sidewalks, tree lawn, and yard as a result of the City's firetruck being removed from a sinkhole at the corner of Cleveland Heights Boulevard and Glenwood Road back in May be repaired as soon as possible. The residents were told this "will be fixed next week". She says the sidewalks are a hazard and the residents deserve to have their property restored.

## **Report of the City Manager**

Tanisha Briley gave an overview of her report to Council which may be read in full at [https://www.clevelandheights.com/DocumentCenter/View/7090/cc\\_packet\\_07012020?bidId=](https://www.clevelandheights.com/DocumentCenter/View/7090/cc_packet_07012020?bidId=).

## **Report of the Chief of Police**

Chief Mecklenburg made a statement that a document will be posted online with policies and how the Police Department will move forward with revised policies. She stated the City is working on a contract to work with Lexipol on police enforcement policy revisions and training for officers. The Chief stated she is currently developing an amendment to the use of force policy including a ban on chokeholds and strangleholds, a requirement that officers employ de-escalation techniques, and a requirement that officers intervene for excessive use of force by other officers. Any incidents must be reported to their immediate supervisor. There is already a requirement that officers complete a comprehensive use of force report, but the revision will add they must complete it any time they point their firearm at someone. Officers will receive training once the revised policy is complete.

The bias-free policing policy has already been revised and is annually reviewed. Officers must report any bias-based policing they observe or are aware of. There may not be any retaliatory action to any officer reporting bias-based policing. Data must be collected concerning race and gender of all self-initiated traffic stops.

Chief Mecklenburg met with the Ohio Collaborative on June 25 regarding final certification for our Group 1 standards and provisional certifications on Group 2 standards. She stated the department will move forward with Group 3 and 4 which are expected to be completed in the next few months.

The Police Department is very willing to work with the community and be accountable to them for all of their actions. Forms were developed for citizens' complaints and compliments which will be posted on the website. The Chief stated she is committed to transparency and all law enforcement policies and procedures will be made available to the public. There are already five of them on the city's website and more will be added.

The Chief stated the department is looking for ways to recruit and hire diverse Police candidates. She is looking for ways to expand that process and reach out to other police academies, universities, and colleges in the area. She'd like to have more involvement in the criminal justice program at the high school level to encourage students who are members of the community to one day join the Police Department.

Mental wellness and health checks will be implemented for all officers. The department is looking for funding to expand this and connecting officers to peer support groups.

The department fully supports regular training in the following areas beginning by the end of this year: Implicit and Racial Bias Training, De-escalation Techniques as Alternatives to Deadly Force, and Cultural Diversity.

Council Member Russell thanked the Chief for meeting with the young adults last Tuesday and thanked her for being responsive to their requests. Chief Mecklenburg stated she enjoyed meeting with them and she is collecting more information for them.

Council Member Dunbar thanked the Chief for her report.

Mayor Stein thanked the Chief for her report and updates on our policies. Mayor Stein thanked Council Member Russell for her speaking tour with the youth and letting them be heard.

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

No report

### **PLANNING AND DEVELOPMENT COMMITTEE**

No report

### **PUBLIC SAFETY AND HEALTH COMMITTEE**

**RESOLUTION 78-2020 (PSH).** A Resolution condemning the murder of George Floyd by the Minneapolis Police Department, declaring racism a public health crisis, and expressing support for state-wide legislation to combat racism and implement best police practices to address racial bias and improve police-community relations

Council Member Ungar made a statement about his work with Council Members Russell and Hart in developing this important legislation.

Introduced by Council Member Ungar, Seconded by Council Member Hart

Council Member Hart stated it was important to have action items such as a task force included in the legislation. Council Member Russell thanked Council and staff for gathering information and moving forward with developing a task force quickly and correctly.

Council Member Hart made a motion to amend this resolution to say, “including a total of 91 in Cleveland itself since records have been kept.” The motion was seconded by Council Member Dunbar.

Roll Call for amendment: Ayes: Hart, Russell, Seren, Stein, Ungar, Dunbar  
Nays: None

**Motion Passed**

Council Member Seren stated he appreciated his colleagues' work on this important resolution. He made a statement about working on these issues in a substantive and ongoing way.

Mayor Stein stated this is not ceremonial legislation because developing a task force is actionable. He thanked Council Members Ungar, Russell, and Hart for working on this legislation.

Roll Call: Ayes: Russell, Seren, Stein, Ungar, Dunbar, Hart  
Nays: None

### **Legislation Passed**

Council Member Ungar stated he didn't believe transition issues belonged to a committee, but Council is responsible for a smooth transition to an elected Mayor form of government. He requested that the transition be part of every Council agenda for reporting and discussion from now until the time it is implemented. A lot of this work will be done by the law department and outside consultants if necessary. A lot of external input including the CEM group and residents will be needed. He expects that legal counsel tee up the decisions for Council to make so they can have a deliberative process among Council.

Tanisha Briley stated that a consent agenda item involves the objection to the renewal of a liquor license for City and East. Information and history were provided to Council in a letter earlier today. The objection is the staff and the Chief's recommendation. She stated there was time, if Council chose, to remove it from the consent agenda and consider it at the next Council meeting. Mayor Stein asked her to clarify that the staff was not recommending to pull it from the agenda. Tanisha Briley stated it would be her recommendation to vote on the objection tonight. Council discussed who had a chance to read the letter and agreed to postpone that piece of legislation so everyone had a chance to read it.

## **ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 51-2020 (AS), *Third Reading***. An Ordinance amending Section 111.21, "Voting," of Chapter 111, Council, of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights to allow Council members to recuse themselves from voting due to a conflict of interest

Vice Mayor Seren made a statement about the background and development of this legislation.

Introduced by Vice Mayor Seren, Seconded by Council Member Dunbar

Council Member Hart proposed an amendment to codify the procedure that a member can call a point of order if the conflict of interest is not apparent. It would ensure that Robert's Rules of Order be followed in this process. Vice Mayor Seren stated he seconded the amendment and this is a friendly amendment that does not substantively

change the legislation, but does clarify the procedure. Council Member Ungar stated it does nothing to simplify or streamline, so he would vote against the amendment in favor of the original wording.

Roll Call for amendment: Ayes: Seren, Hart, Russell  
Nays: Stein, Ungar, Dunbar

**Motion Fails**

Roll Call: Ayes: Stein, Ungar, Dunbar, Hart, Russell, Seren  
Nays: None

**Legislation Passed**

**ORDINANCE NO. 108-2019 (AS), Third Reading.** An Ordinance amending Chapter 749, "Fair Practices" to include the nonconsensual dissemination of a person's private sexual images as a prohibited, discriminatory rationale for the purposes of fair employment, education, and housing practices

Vice Mayor Seren made a statement about this legislation being a companion piece to the State passing legislation criminalizing what is colloquially known as revenge porn. He stated images are sent to employers and landlords to damage that person's life.

Introduced by Vice Mayor Seren, Seconded by Council Member Hart

Roll Call: Ayes: Ungar, Dunbar, Hart, Russell, Seren, Stein  
Nays: None

**Legislation Passed**

Vice Mayor Seren thanked his colleagues for passing those two pieces of legislation.

## **COMMUNITY RELATIONS AND RECREATION COMMITTEE**

**RESOLUTION 79-2020 (CRR).** A Resolution to support Ohio House Bill 535, also known as the CROWN ("Creating A Respectful and Open Workplace for Natural Hair") Act

Introduced by Council Member Russell, Seconded by Council Member Dunbar

Council Member Seren made a statement about his own mother's difficulties and stated it is disgusting that many women are told to look a certain professional way other than what is natural to them.

Roll Call: Ayes: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Nays: None

**Legislation Passed**

Council Member Russell stated the city is looking to have another free COVID-19 testing sometime around July 23 and possibly another in August with more information forthcoming.

She stated she is working with the Public Safety and Health Committee trying to get a roundtable of community leaders to participate in moving our community forward in diversity.

Council Member Ungar commended those that were responsible for organizing the COVID-19 testing and those that participated. Tanisha Briley gave a shout out to Joe McRae for his part in planning the event. Council Member commended Joe McRae and stated the next one will be at Severance.

## **FINANCE COMMITTEE**

Council Member Hart stated there was a Finance Committee on June 29 and the next step is for the revised budget to be prepared as well as the 2021 budget. Tanisha stated that they are currently working on the budget and they could discuss what was expected for a revision.

## **MUNICIPAL SERVICES COMMITTEE**

**ORDINANCE NO. 54-2020 (MS), *Third Reading***. An Ordinance amending Chapter 943, “Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures,” of Part Nine, Streets, Utilities and Public Services Code of the Codified Ordinances of Cleveland Heights

Introduced by Council Member Dunbar, Seconded by Council Member Seren

Council Member Dunbar stated the state has already enabled this infrastructure. The Law Director has looked into how the city will be impacted and what we can control. Bill Hanna stated that Chapter 943 ensures the city complies with federal and state law that govern the installation of those facilities, while at the same time exercising all the leverage and authority permitted to the city under Ohio law and consistent with federal law to protect the public right of way and the residents of the city. He made a statement about the history of Chapter 943, state and federal laws, and some of the issues surrounding small cell technology.

Council Member Hart stated state and federal government has already approved this infrastructure so the actual legislation before them tonight further protects the city and helps residents. She stated she supports the idea of a state commission of 5G health effects.

Council Member Dunbar stated there are going to be costs for our city to permit the small cell installations. We have a responsibility to make sure they’re doing the right thing, to

monitor it and make it the best it can be.

Council Member Russell thanked everyone for their Emails about small cells and the education she received through that material. She stated she supports this as a safety precaution for our residents.

Vice Mayor Seren stated this country has a long history of protecting the interest of corporations that do not always enable the health benefits of citizens, but that is not what we're talking about here. We are restricted by state and federal law and this legislation does not deal with permission of creating that infrastructure, but the restrictions around it. Mayor Stein thanked Vice Mayor Seren for his explanation.

Roll Call: Ayes: Hart, Russell, Seren, Stein, Ungar, Dunbar  
Nays: None

**Legislation Passed**

Council Member Dunbar stated that there will be a Municipal Services Committee meeting next Monday to follow up on the report done by the Refuse and Recycling Committee. Tanisha Briley stated the meeting will be recorded and available online.

**Consent Agenda**

**ORDINANCE NO. 57-2020 (F), Second Reading.** An Ordinance providing for the issuance and sale of \$1,105,000 of notes, in anticipation of the issuance of bonds, for the purpose of paying costs of (i) reconstructing, resurfacing and otherwise improving City streets, together with necessary appurtenances thereto, (ii) rebuilding Monticello Boulevard and Taylor Road, including engineering and planning costs with respect thereto, (iii) acquiring motorized equipment and appurtenances thereto, (iv) acquiring motor vehicles and equipment used in performing the functions of the City's Department of Public Works, Sewer Utilities Division, (v) acquiring motor vehicles and equipment used in performing the functions of the City's Department of Public Works, Forestry Division and (vi) acquiring mobile radios for use by the City's Police Department, together with the necessary related equipment

**RESOLUTION NO. 80-2020 (CRR).** A Resolution proclaiming July 2020 to be National Parks and Recreation Month in the City of Cleveland Heights

**RESOLUTION NO. 81-2020 (F).** An Ordinance suspending the levying of admissions tax under Chapter 155, "Admissions Tax," of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights; placing a moratorium on the collection and remittance of the same

**RESOLUTION NO. 82-2020 (PSH).** A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd.,

Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio

**RESOLUTION NO. 83-2020 (AS)**. A Resolution authorizing the City Manager and her designees to establish a temporary permit program for the establishment or expansion of outdoor dining facilities and use of public and private property or right-of-way in response to the COVID-19 emergency

**RESOLUTION NO. 84-2020 (F), First Reading**. A Resolution approving the adoption of the 2021 Tax Budget

**RESOLUTION NO. 85-2020 (PD)**. A Resolution authorizing the City Manager to enter into an agreement with Cleveland Housing Network Housing Partners, a non-profit corporation, for the use of Community Development Block Grant funds to provide emergency rental assistance to income-eligible tenants unable to pay their full monthly rent due to the economic impact from COVID-19; providing compensation therefor

Vice Mayor Seren moved to remove Resolution No. 82-2020.

Motion to suspend rules by Council Member Dunbar, Seconded by Council Member Hart

Roll Call: Ayes: Russell, Seren, Stein, Ungar, Dunbar, Hart  
Nays: None

**Motion Passed**

Motion to adopt by Council Member Dunbar, Seconded by Council Member Ungar

Roll Call: Ayes: Seren, Stein, Ungar, Dunbar, Hart, Russell  
Nays: None

**Legislation Passed**

### **Mayor's Report**

Mayor Stein stated there will be a public hearing for the 2021 Tax Budget on July 20 at 7:00 p.m. It will be held virtually, recorded, and available online.

Mayor Stein stated there will be a special meeting held later this week to pass legislation to mandate the wearing of a mask in Cleveland Heights.

**NEXT MEETING OF COUNCIL: MONDAY, JULY 20, 2020**

Respectfully submitted,

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Jason S. Stein, Mayor

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Amy Himmelein, Clerk of Council  
/jkc