



CLEVELAND HEIGHTS

**Council Committee of the Whole
Tuesday, January 18, 2022
6:30 p.m.
City Hall – Executive Conference Room**

Agenda

1. Legislation overview/Caucus
2. Initiative Petition for an ordinance to require that a public activity park be created on 1.07 acres of city-owned land at the corner of Lee Road, Tullamore Road and Meadowbrook Boulevard.
3. Council Retreat
4. Other



CLEVELAND HEIGHTS

AGENDA (tentative) - CLEVELAND HEIGHTS CITY COUNCIL MEETING

Tuesday, January 18, 2022
Regular Meeting
7:30 p.m.

Cleveland Heights City Hall
Council Chambers
40 Severance Circle
Cleveland Heights, Ohio

- 1) Meeting called to order by Council President
- 2) Roll Call of Council Members
- 3) Excuse absent members
- 4) Approval of the minutes of the Council meetings held on December 20, 2021 and January 3, 2022
- 5) Personal communications from citizens

(Note: Citizens wishing to speak must register beforehand, and comments are limited to 3 minutes per speaker.)

- 6) Communications from the Mayor
- 7) Report of the Clerk of Council
- 8) Committee Reports

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

RESOLUTION NO. 5-2022 (CRR), *First Reading*. A Resolution proclaiming February 2022 to be American Heart Month; and declaring an emergency.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

RESOLUTION NO. 6-2022 (CRR), First Reading. A Resolution recognizing February 2022 as National African American History Month; and declaring an emergency.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

b.) FINANCE COMMITTEE

ORDINANCE NO. 7-2022 (F), First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022; and declaring an emergency.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

RESOLUTION NO. 8-2022 (F), First Reading. A Resolution updating the signatories designated for the account with Nirvana Public Funding, LLC; and declaring an emergency.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

RESOLUTION NO. 9-2022 (F), First Reading. A Resolution updating the list of City employees authorized to be signatories on certain City accounts; and declaring an emergency.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

c.) HOUSING AND BUILDING COMMITTEE

d.) MUNICIPAL SERVICES COMMITTEE

e.) PLANNING AND DEVELOPMENT COMMITTEE

ORDINANCE NO. 10-2022 (PD), First Reading. An Ordinance authorizing the Mayor to execute an agreement for the purchase of certain real property located at 13230-13232 Cedar Rd.; and declaring an emergency.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

ORDINANCE NO. 11-2022 (PD), First Reading. An Ordinance amending Ordinance No. 13-2019 to reflect the position of the Mayor and the elimination of the City Manager position based upon the change in form of government; authorizing the Mayor to file appropriate amended Articles of Incorporation.

Introduced by Mayor Seren

Vote _____
For Against No. Reading

f.) PUBLIC SAFETY AND HEALTH COMMITTEE

g.) ADMINISTRATIVE SERVICES COMMITTEE

9) Council Member Comments

10) Council President's Report

11) Adjournment

NEXT MEETING OF COUNCIL: MONDAY, FEBRUARY 7, 2022

Proposed: 1/18/2022

RESOLUTION NO. 5-2022 (CRR), *First Reading*

By Mayor Seren

A Resolution proclaiming February 2022 to be *American Heart Month*; and declaring an emergency.

WHEREAS, cardiovascular disease is responsible for approximately one (1) in four (4) deaths in the United States and is the leading cause of death among both men and women; and

WHEREAS, the risk factors for cardiovascular disease include smoking, high blood pressure, high cholesterol, obesity, physical inactivity, diabetes, family history and age; and

WHEREAS, the research is clear that there are tools available to increase survival rates of cardiovascular disease, with the American Heart Association encouraging citizens to help save lives by calling 9-1-1 if symptoms occur, becoming trained in CPR, and supporting comprehensive automated external defibrillator (“AED”) programs in their communities; and

WHEREAS, the American Heart Association and numerous governmental entities are celebrating February 2022 as American Heart Month and encouraging citizens to learn the warning signs of heart attack and stroke; and

WHEREAS, this Council joins with these entities to encourage residents to raise their awareness about heart disease in order to make healthy lifestyle choices to reduce their own risk and to recognize the warning signs and be able to assist other persons suffering cardiovascular symptoms.

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

SECTION 1. This Council hereby proclaims February 2022 to be *American Heart Month* in the City of Cleveland Heights in order to promote education and awareness with the goal of reducing cardiovascular deaths in this community and nationwide.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to recognize *American Heart Month* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in

RESOLUTION NO. 5-2022 (CRR), *First Reading*

force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 1/18/2022

RESOLUTION NO. 6-2022 (CRR), *First Reading*

By Mayor Seren

A Resolution recognizing February 2022 as *National African American History Month*; and declaring an emergency.

WHEREAS, the City of Cleveland Heights is rich in its diversity of cultures and races; and

WHEREAS, the citizens of Cleveland Heights take great pride in the harmonious relationships that exist among and within the City's many diverse communities; and

WHEREAS, this Council recognizes the importance of sharing the rich cultural and spiritual heritage of each of the City's various ethnic groups in order to foster and encourage harmony and understanding among these groups; and

WHEREAS, the month of February is recognized as *National African American History Month* by communities throughout the United States in order to honor and review the accomplishments and contributions of African Americans to the United States.

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

SECTION 1. The month of February 2022 is hereby designated *National African American History Month* in the City of Cleveland Heights in recognition of the accomplishments and contributions of African American citizens to this community and to our country. The City hereby reaffirms its commitment to maintain Cleveland Heights as a truly integrated community and to continue the tradition of appreciation and respect of our cultural diversity.

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 recognize *National African American History Month* in a timely fashion. 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. 6-2022 (CRR), *First Reading*

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 1/18/2022

ORDINANCE NO. 7-2022 (F), *First Reading*

By Mayor Seren

An Ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F), relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022; and declaring an emergency.

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

SECTION 1. Certain subparagraphs of Ordinance No. 139-2021 (F) relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2022 be, and the same hereby are increased, decreased and/or transferred in the amounts set forth in Exhibit 1.

SECTION 2. In order to provide funds for economic development, the Mayor is hereby authorized to transfer from the General Fund to the Economic Fund an amount not to exceed \$290,000.

SECTION 3. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2022, shall be made within the appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the Mayor is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

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

SECTION 5. This Ordinance 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 ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

ORDINANCE NO. 7-2022 (F), *First Reading*

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

ORDINANCE NO. 7-2022 (F), *First Reading*

Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget
101 - General	310Z - Oper Trsf/Temp Advance	Other Financing Uses	Increase to support the Economic Development Fund.	0.00	290,000.00	290,000.00
240 - Federal Miscellaneous Grants	8901 - Cain Park Admin/Start-Up	O.T.P.S.	Increase due to additional funds received from the Shuttered Venue Operators Grant.	0.00	171,041.21	171,041.21
411 - Economic Development	5101 - Planning	Capital	Increase for the purchase of a property for economic development.	0.00	290,000.00	290,000.00
602 - Sewerage Disposal	6205 - Sewer Maintenance	O.T.P.S.	Transfer Fifth Third bank fees from the water department to the sewer department.	771,050.00	18,500.00	789,550.00
	6301 - Water Admin	O.T.P.S.	Transfer Fifth Third bank fees from the water department to the sewer department.	25,800.00	(18,500.00)	7,300.00
606 - ALS Ambulance Services	7304 - ALS Ambulance Services	O.T.P.S.	Transfer for legal fees related to the ladder truck lease for the Fire Department.	252,662.00	4,500.00	257,162.00
		Capital	Transfer for legal fees related to the ladder truck lease for the Fire Department.	651,268.00	(4,500.00)	646,768.00
Total				1,700,780.00	751,041.21	2,451,821.21

Proposed: 1/18/2022

RESOLUTION NO. 8-2022 (F), *First Reading*

By Mayor Seren

A Resolution updating the signatories designated for the account with Nirvana Public Funding, LLC; and declaring an emergency.

WHEREAS, Nirvana Public Funding has requested that the City, by resolution, update and maintain a list of approved signatories to the below described account.

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

SECTION 1. The signatories designated for the investment account with Nirvana Public Funding LLC, for the investment of municipal funds through STAR Ohio, established pursuant to Resolution No. 25-2016, is hereby updated to authorize only the following employees as signatories for the specified account:

Kahlil Seren, Mayor

Amy Himmelein, Finance Director

SECTION 2. All remaining provisions of Resolution No. 25-2016 not inconsistent herewith shall remain in full force and effect.

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 the need for City financial business to continue uninterrupted and without delay. Wherefore, provided it received 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.

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

RESOLUTION NO. 8-2022 (F), *First Reading*

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 1/18/2022

RESOLUTION NO. 9-2022 (F), *First Reading*

By Mayor Seren

A Resolution updating the list of City employees authorized to be signatories on certain City accounts; and declaring an emergency.

WHEREAS, the banks listed below have requested that the City, by resolution, update its approved signatories to the described accounts.

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

SECTION 1. The following described accounts in the noted banks shall have only the following named City employees as signatories for the specified accounts:

- (1) US Bank:
 - General Operating Account (Corporate Account)
 - Controlled Disbursement for Vendors and Payroll
 - Health Care Provider Disbursement
 - Parking Ticket Lock Box
 - Police Department AccountKahlil Seren, Mayor
Amy Himmelein, Finance Director

- (2) Fifth Third Bank:
 - Water Lock Box Account
 - Sewer Lock Box AccountKahlil Seren, Mayor
Amy Himmelein, Finance Director

- (3) STAR Ohio:
 - Investment AccountKahlil Seren, Mayor
Amy Himmelein, Finance Director

SECTION 2. All General Corporate Account Checks, excluding payroll and health benefit checks, shall require the signature of two City employees as follows: 1) The signature of the Mayor; and 2) the signature of the Finance Director.

RESOLUTION NO. 9-2022 (F), *First Reading*

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 the need for City financial business to continue uninterrupted and without delay. Wherefore, provided it received 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.

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 1/18/2022

ORDINANCE NO. 10-2022 (PD), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to execute an agreement for the purchase of certain real property located at 13230-13232 Cedar Rd.; and declaring an emergency.

WHEREAS, Judith Wolf (“Wolf”) currently owns certain real property located at 13230-13232 Cedar Rd., Cleveland Heights, Ohio, Permanent Parcel No. 687-06-011 (the “Property”); and

WHEREAS, the City and Wolf entered into an agreement granting the City an option to purchase the Property upon certain terms and conditions; and

WHEREAS, the Mayor wishes to exercise the option prior to its expiration on January 31, 2022, which will require the parties to execute a purchase agreement which is subject to Council approval; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to proceed with the purchase of the Property.

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

SECTION 1. The Mayor is hereby authorized to execute a purchase agreement to acquire certain real property located at 13230-13232 Cedar Rd., Cleveland Heights, Ohio, Permanent Parcel No. 687-06-011, substantially in accordance with the agreement on file with the Clerk of Council, and to sign any other documents necessary to complete the transaction. The purchase price for the property, including all buildings on the property, is Two Hundred and Eighty Thousand Dollars (\$280,000.00). The City shall pay all closing costs and costs of transfer.

SECTION 2. Documents implementing the above transaction shall be approved as to form by and subject to the final approval of the Director of Law.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. 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 need for the City to timely consummate the purchase of the Property pursuant to the option agreement. Wherefore, provided it receives the

ORDINANCE NO. 10-2022 (PD), *First Reading*

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.

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 1/18/2022

ORDINANCE NO. 11-2022 (PD), *First Reading*

By Mayor Seren

An Ordinance amending Ordinance No. 13-2019 to reflect the position of the Mayor and the elimination of the City Manager position based upon the change in form of government; authorizing the Mayor to file appropriate amended Articles of Incorporation.

WHEREAS, this Council, by Ordinance No. 13-2019 and in accordance with the provisions of Chapter 1724 of the Ohio Revised Code, created the City Community Improvement Corporation (“CIC”) for the purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development of the City of Cleveland Heights within the territorial boundaries of the City, in furtherance of the City’s Master Plan; and

WHEREAS, Ordinance No. 13-2019 prescribed various positions of City officials and employees as ex-officio members of the CIC’s Board of Directors and officers of the Corporation, along with appointment power; and

WHEREAS, based upon the change in the form of government from a Council-Manager to a Mayor-Council system, Ordinance No. 13-2019 and the composition of the CIC must be amended to reflect the position of the Mayor instead of the City Manager position.

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

SECTION 1. The provisions of Ordinance No. 13-2019 shall be, and are hereby, amended and modified only to the extent provided herein. All provisions of Ordinance No. 13-2019 not inconsistent with the provisions of this Ordinance shall remain in full force and effect.

SECTION 2. The City Community Improvement Corporation shall be governed by a Board of Directors having five (5) members, composed as follows:

- (i) The Mayor
- (ii) The President of Council
- (iii) The Chairperson of the Planning and Development Committee of City Council
- (iv) The Director of Housing
- (v) One (1) Member Appointed by the Mayor, subject to the approval of Council

The Mayor-appointed member to the City Community Improvement Corporation shall serve for a period of three (3) years, and thereafter each subsequent Mayoral appointee shall serve for a period of three years. An appointee may be appointed for multiple terms. Any Member who is not appointed shall hold his/her position as Member for the duration of his/her tenure in the office or position to which his/her Board Member position relates.

The City Community Improvement Corporation shall have officers as follows:

President – Mayor
Vice President – President of Council
Secretary/Treasurer – as appointed by Board

SECTION 3. The Mayor is hereby authorized to file amended Articles of Incorporation with the Ohio Secretary of State for the City Community Improvement Corporation, along with any related documents.

SECTION 4. The City Community Improvement Corporation shall promptly amend its Code of Regulations at its next meeting for the conducting of its business.

SECTION 5. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 6. This Ordinance shall take effect and be in force at the earliest time permitted by law.

MELODY JOY HART
President of Council

AMY HIMMELEIN
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor



CLEVELAND HEIGHTS

Monday, December 20, 2021 Minutes

CITY COUNCIL

7:31 – 8:47 p.m.

President Stein presiding

Roll Call: Present: Cobb, Moore, Russell, Seren, Stein, Ungar
Absent: Hart

Staff present: Hanna, Himmelein, Niermann O’Neil

Approval of the minutes of the Council meeting held on November 22, 2021

Minutes were approved without any objections.

Matter of Record

Vice President Seren requested to speak before personal communications from citizens. He presented each of the outgoing council members with a plaque as a token of appreciation on behalf of City Council, City staff, and the residents of Cleveland Heights. President Stein and Council Member Ungar were recognized for their service to the community.

Personal communications from citizens

Erin Johnson, from the Noble area, said there is an apartment building on Noble where they throw their trash on the ground and they do not have a dumpster. She asked if the City Manager would be able to look into this issue.

President Stein advised Ms. Johnson to provide her contact information to the City Manager and the matter would be looked into.

Council Member Russell said she planned to speak to the Director of Public Works regarding this situation.

Wes Schwab lives in the Caledonia neighborhood and thanked the City for taking care of the mountain of garbage in front of a property on Helmsdale. Tonight, he wanted to address the center lane on N. Taylor. Drivers are using that lane as an express way and are driving dangerously fast. The lane becomes a dedicated left turn lane at Northvale

and drivers seem to be ignoring this and then cutting off other drivers who are in the correct lane. Mr. Schwab has witnessed many near accidents due to this behavior. He wanted to bring this to the City's attention and hopes they can implement additional police presence in this area.

President Stein requested that the City Manager contact the Police Chief about this situation.

A resident wanted to bring attention to trucks and cars parking overnight on Greyton and Taylor Road. They are not being ticketed and there is not enough police visibility.

Tony Cuda wanted to echo the sentiment of Vice President Seren and thank President Stein and Council Member Ungar for their service to the community.

Lauren Rudolph is a Cleveland Heights resident who lives on Fenley Road. She said there is a house next to her that is a rental but the owner lives in Colorado. She said the yard is unkempt and there are dead trees in the backyard that have fallen on her property. There is also a tree in the front yard that the City has had to trim a few times because it hangs out into the street.

President Stein asked Ms. Rudolph to provide her information to the City Manager.

Lee Barbee wanted to announce that he applied for the open City Council seat. He said he's lived in Cleveland Heights since 1969 and lives in the Forest Hills area which is the East Cleveland School District. He attended Caledonia Elementary School, Kirk Middle School, and Shaw High School. He attended Kent State University and majored in Political Science and minored in Pan-African studies. Mr. Barbee began his career as a probation officer for Children and Family Services where he oversaw the East Cleveland and Cleveland Heights area. He is currently a social worker with CFS and has been a social worker for over twenty years. He is a member of the Cleveland Heights Citizens Advisory Council and the Forest Hills Homeowners Board. Mr. Barbee is a husband and a father to two children. He lives in a generational home. He owns the house he grew up in. He ran for Council earlier this year and his campaign emphasized diversity, safety, transparency, and visibility. He also has an interest in the housing situation in Cleveland Heights as a homeowner and landlord. He recently sold a property but since it was in the East Cleveland School District, he lost \$100,000 on his house. He said it hurts homeowners in Cleveland Heights and they lose value/equity in their homes because some of the neighborhoods are part of East Cleveland schools instead of Cleveland Heights schools. He would like there to be an option for these homeowners to send their children to Cleveland Heights schools. Mr. Barbee's primary interest is in the north side

of Monticello including the North Coventry area, Forest Hills, and Noble. They deserve to have representation.

Lenora Cruz-Price is a resident and business owner in Cleveland Heights. She thanked the police for handling a situation that occurred on Saturday. She was eating her lunch in her car since they do not remove their masks while in the business. A woman ran up to her window and began banging on the glass and asked her to let her into the car and said “he’s beating me.” Ms. Cruz-Price saw a man coming and let the woman into her car, started the car and began driving away. She called the police and said they responded within four minutes. The woman asked to be dropped off at her car and as soon as Ms. Cruz-Price dropped her off, the man caught up and began beating her again. Ms. Cruz-Price was on the phone with police the entire time and witnessed the man dragging the woman into a nearby alleyway. The police arrived and handled the situation. Ms. Cruz-Price wanted to thank the police and recognize them for the great job they did handling this situation. She brought up the ARPA funds that are earmarked for this neighborhood and reiterated that additional lighting is needed in the area. The situation on Saturday could have gone a different way had Ms. Cruz-Price not seen the man dragging the woman into the alleyway. It is very dark and was difficult to see. When she asked the police about the cameras in the area, they told her they don’t work very well. She believes safety is extremely important in this area and lighting and better cameras are needed.

President Stein thanked Ms. Cruz-Price for coming tonight and bringing this situation to their attention.

Council Member Ungar said he agrees with President Stein. He has been trying to get LED lights for the City because he also believes that better lighting is needed and would help with safety in Cleveland Heights. He is leaving this to the new Mayor and Council to figure out a solution for this issue.

Ms. Cruz-Price is a teacher and had her students do a project that involved viewing lighting from outer space. Cleveland Heights has very dim lighting compared to other cities such as Lakewood and Downtown Cleveland when viewed from outer space.

Council Member Russell said they’ve been discussing this issue quite a bit and thanked Council Member Ungar for his support. She said the Noble-Taylor area is completely dark and this is something that people from both neighborhoods agreed upon. They demanded better lighting in their neighborhoods due to safety concerns. Council Member Russell lives on Fenley and wakes up very early to go to work as a school bus driver. There is a light across the street from her house but it is very dim. Her husband walks her out to her car in the morning to make sure she is safe. Cameras and lighting

are crucial. Every business should be lit up as well as the parking lots and the streets. This will help deter criminals and help residents feel safe in their neighborhoods. Council Member Russell also thanked Ms. Cruz-Price for recognizing the police department and the great job they did on Saturday.

Fran Mentch said People for the Park launched their initiative to build a public square in August. She said this initiative to build a public square on the 1.07 acres at the corner of Lee, Tullamore, and Meadowbrook is the ultimate in direct democracy that we can experience under our City Charter. Citizens wrote the legislation and if enough signatures are collected, this will go on the ballot and citizens can vote on the project. They've gathered 3,820 signatures and submitted those to the Board of Elections, who deemed 25% of those signatures to be invalid. She is most concerned about the 265 voters who signed the petition who were registered but their signatures were "not verified" when compared with what was on file with the Board of Elections. People for the Park plan to meet with the Board of Elections regarding these irregularities and they will report back. They are trying to contact those whose signatures were not verified. Please call and leave a message at the following landline: (216) 381-5356 or email cedarleepark@yahoo.com.

Erin Johnson returned to the podium to inquire if the City could trim back the trees that are encroaching over the streetlights in the Noble neighborhood.

Tiana Grant said she and her father spoke at the last meeting and wanted to thank Council and the City for repairing the manhole near their home at the corner of Quilliams and North Hampton. He was unable to attend the meeting tonight because he wasn't feeling well but wanted to express his gratitude. Her father is still waiting for his curb but was told that will be taken care of in the spring.

Mr. Wilson, Cleveland Heights resident, congratulated Council Members and the new Mayor on the election results. He said our current President is not doing so well and he's heard rumors that the Vice President may take over as President which could mean Marcia Fudge may be the next Vice President. Shontel Brown could become the HUD Secretary which would mean her congressional seat would be available. Mr. Wilson believes Council Member Russell would be the best option for our next Congress person. Because of this, he believes it would be a good idea to have her be the next Council President or Vice President.

Report of the City Manager

City Manager Niermann O'Neil said it has been an honor and a privilege for her to serve as the last City Manager of Cleveland Heights. This has been a challenging year with

COVID, budget issues, and staffing issues. She thanked City staff for their support and encouragement as well as the support she received from Council and many of the residents. City Manager Niermann O'Neil offered her support to Mayor Elect Seren and the new Council.

Report of the Clerk of Council

Nothing to report at this time.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

Council Member Russell thanked President Stein for his mentorship and support. She is extremely appreciative for everything he has done and he will be missed. She said she's enjoyed sitting next to Council Member Ungar and while they've had their ups and downs, they've had more ups than downs. She believes they've bonded and said it's been a pleasure working with him on Council. Council Member Russell also congratulated Vice President Seren as our new Mayor. She supports him 100% and will be here to help him move the city in a good direction. She can't wait to hear his plan and see his vision for Cleveland Heights. She wished residents a happy holiday season. With the recent COVID surge, she reminded residents to be careful and encouraged vaccinations.

FINANCE COMMITTEE

President Stein said Council Member Moore would be introducing the Finance Committee legislation tonight since Council Member Hart was unable to be here. However, Council Member Hart wished to say a few words and has been observing the meeting remotely.

Council Member Hart said she is absent because she is sick with COVID. She wanted to thank President Stein and Council Member Ungar for their leadership on Council. President Stein has been part of Council for approximately ten years and has provided wise and calm leadership as Council President. She appreciated working with him and the sound advice he provided whenever asked. Council Member Ungar has been on Council for over five years and has diligently challenged Council to be their best for Cleveland Heights. He brought up issues he felt were important and argued his point. Council Member Hart appreciated debating with him. She also congratulated Vice President Seren and said she is looking forward to working with him. Council Member Hart wished everyone a happy holiday and encouraged everyone to get vaccinated.

ORDINANCE NO. 157-2021 (F), *Second Reading.* An Ordinance authorizing the execution of a Property Schedule to a Master Tax-Exempt Lease/Purchase Agreement between U.S. Bancorp Government Leasing and Finance, Inc., as lessor, and the City, as lessee, for the purpose of acquiring an aerial ladder fire truck including related equipment and appurtenances, and declaring an emergency.

Introduced by Council Member Moore, Seconded by Council Member Russell

Roll Call: Ayes: Moore, Russell, Seren, Stein, Ungar, Cobb
 Nays: None

Legislation Passed

ORDINANCE NO. 161-2021 (F), *First Reading.* An Ordinance providing for the issuance and sale of not to exceed \$3,100,000 of economic development nontax revenue bonds for the purpose of refunding the City's outstanding Parking Deck Improvement Refunding Bonds, Series 2015, dated April 30, 2015, which were issued for the purpose of constructing and equipping a multi-level parking deck and improving the site thereof, and declaring an emergency.

Introduced by Council Member Moore

Legislation Introduced

ORDINANCE NO. 162-2021 (F), *First Reading.* An Ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021; and declaring an emergency.

Introduced by Council Member Moore, Seconded by Council Member Cobb

Roll Call: Ayes: Russell, Seren, Stein, Ungar, Cobb, Moore
 Nays: None

Legislation Passed

MUNICIPAL SERVICES COMMITTEE

Council Member Moore thanked President Stein and Council Member Ungar for their time on Council. She may not have been part of Council for very long, but she has been watching for quite some time. She appreciated President Stein's calm leadership during this tumultuous time. She said Council Member Ungar is passionate, informed, and makes sure he is heard. Being able to debate issues is important and not everyone is going to agree on everything. Council Member Moore said she has been impressed by City Manager Niermann O'Neil's diligence and attention to detail. She appreciates that she does everything with such care, compassion, and humanity. Council Member Moore thanked her for serving the City. She is very excited for the upcoming year and Mayor Kahlil Seren's administration. She believes in Kahlil Seren and cannot wait to see what

he will be implementing. She said he has a mind for structure and efficiency that is guided by an unwavering sense of values. She has so much faith in the next few years for this city because of Kahlil Seren. Council Member Moore wished everyone a happy holiday season and encouraged everyone to get vaccinated or boosted.

PLANNING AND DEVELOPMENT COMMITTEE

RESOLUTION NO. 160-2021 (PD), *Second Reading*. A Resolution authorizing the City Manager to enter into a Development Agreement with Amato Homes I, LLC for the redevelopment of vacant residential lots owned or controlled by the City with new single-family homes; and declaring an emergency.

Introduced by Council Member Ungar, Seconded by Council Member Russell

Roll Call: Ayes: Seren, Stein, Ungar, Cobb, Moore, Russell
 Nays: None

Legislation Passed

RESOLUTION NO. 163-2021 (PD), *First Reading*. A Resolution authorizing the Mayor to submit the Community Development Block Grant entitlement application for the year beginning January 1, 2022; and declaring an emergency.

Introduced by Council Member Ungar, Seconded by Council Member Cobb

Roll Call: Ayes: Stein, Ungar, Cobb, Moore, Russell, Seren
 Nays: None

Legislation Passed

Council Member Ungar thanked everyone for all of the nice comments. He said his decision to not run for re-election was a very difficult one because this is such a great city. He wanted to let the citizens know that he tried his best and worked as hard as he could. He always acted in what he believed was in the best interest of the city. He thanked the residents for allowing him to serve the City of Cleveland Heights. It has been such a privilege and a great honor. Council Member Ungar thanked City Manager Niermann O'Neil and City staff for all of the work they do. He congratulated Mayor Elect Seren and said he is proud of him and he's looking forward to the new administration. He appreciated the Council Members he worked with and said they were a great group of people. They may have disagreed at times but he believes they've strived to do what is best for the City. He knows the incoming Council Members, Anthony Mattox and Tony Cuda, and believes they will also make decisions based on what is best for Cleveland Heights. He's looking forward to watching the new City Council and believes the voters did a wonderful job choosing their representatives. Council Member Ungar also thanked President Stein for his service to the City and said he respects the way he has led Council during his time as President. President Stein's leadership style is calm, deliberate, fair, modest, transparent, and effective. He believes

President Stein epitomizes professionalism. He said it has been a pleasure and an honor serving with him and congratulated him on a job well done. Council Member Ungar also thanked journalist Tom Jewell for his journalistic integrity and accuracy. Mr. Jewell has been covering the City of Cleveland Heights since Council Member Ungar started on Council and he's done an impeccable job. Council Member Ungar wished everyone a very Merry Christmas, Happy Hanukkah, and a Happy New Year.

PUBLIC SAFETY AND HEALTH COMMITTEE

ORDINANCE NO. 164-2021 (PSH), *First Reading.* An Ordinance accepting and ratifying the material terms of the Janssen Settlement Agreement pursuant to the OneOhio Memorandum of Understanding consistent with the terms of the July 21, 2021, National Opioid Settlement Agreement; and declaring an emergency.

Introduced by Council Member Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Ungar, Cobb, Moore, Russell, Seren, Stein
 Nays: None

Legislation Passed

RESOLUTION NO. 165-2021 (PSH), *First Reading.* A Resolution authorizing the City Manager to execute a Memorandum of Understanding with the Cuyahoga County Board of Health concerning the Regional Sewer District Storm Water Program; and declaring an emergency.

Introduced by Council Member Cobb, Seconded by Council Member Moore

Roll Call: Ayes: Cobb, Moore, Russell, Seren, Stein, Ungar
 Nays: None

Legislation Passed

Council Member Cobb thanked President Stein and Council Member Ungar for their service to the City of Cleveland Heights. He said it was an honor and a privilege to work with them on Council. On this new Council, there will not be any Council Member who has more than three years of experience. He appreciated their perspective and valued their many years of experience. Council Member Cobb wished them both the best in their new life chapters. He also thanked City Manager Niermann O'Neil for her many years of service to the City. He doesn't believe the public realizes she is basically on the job 24/7 and appreciates everything she does. He looks forward to working with her in the new year since she will be staying on to assist the new Mayor during the transition period. Council Member Cobb wished the residents a Happy Holiday and a Joyous New Year.

ADMINISTRATIVE SERVICES COMMITTEE

ORDINANCE NO. 79-2021 (AS), *Second Reading.* An Ordinance enacting and adopting Chapter ___, “Tenant’s Right to Pay to Stay,” of the Codified Ordinances of the City of Cleveland Heights

Introduced by Council Member Ungar, Seconded by Vice President Seren

Roll Call: Ayes: Moore, Russell, Seren, Stein, Ungar, Cobb
 Nays: None

Legislation Passed

Vice President Seren thanked Council Member Ungar, Law Director Hanna, and City staff for putting together this legislation. He believes this is one of the tests of a society where they must decide if they should endeavor to protect the people who need protection or whether they should be abandoned. He sees this as a way to add protections for people who need it the most.

ORDINANCE NO. 155-2021 (AS), *Second Reading.* An Ordinance amending Section 183.01, “Public Hearing,” of Chapter 183, Political Influence by Corporate Entities, of the Cleveland Heights Codified Ordinances to the date of the public hearing that is to be held annually;

Introduced by Vice President Seren, Seconded by Council Member Cobb

Roll Call: Ayes: Russell, Seren, Stein, Ungar, Cobb, Moore
 Nays: None

Legislation Passed

RESOLUTION NO. 156-2021 (AS), *Second Reading.* A Resolution authorizing the City Manager to enter into an agreement with Arthur J. Gallagher & Company for continuation of its protected liability self-insurance program for the City; and declaring an emergency.

Introduced by Vice President Seren, Seconded by Council Member Cobb

Roll Call: Ayes: Seren, Stein, Ungar, Cobb, Moore, Russell
 Nays: None

Legislation Passed

RESOLUTION NO. 166-2021 (AS), *First Reading.* A Resolution declaring the organizational meeting of City Council on January 3, 2022 to be held at the City of Cleveland Heights Community Center; providing for the first regular meeting of City Council to be held on January 10, 2022; and declaring an emergency.

Introduced by Vice President Seren, Seconded by Council Member Cobb

Roll Call: Ayes: Ungar, Cobb, Moore, Russell, Seren, Stein
Nays: None

Legislation Passed

***MOTION** to amend Resolution No. 166-2021 to change the meeting location from the Community Center to City Council Chambers in City Hall and limit the number of people to attend the meeting in person.

Moved by Vice President Seren, Seconded by Council Member Cobb

Roll Call: Ayes: Stein, Ungar, Cobb, Moore, Russell, Seren
Nays: None

Motion Passed

Vice President Seren said this meeting is his last meeting as a member of City Council. He thanked his colleagues, both current and previous Council Members, for the valuable experience and opportunities for growth. He appreciates the lessons, comradery, and occasional conflict. Vice President Seren thanked the residents of Cleveland Heights for entrusting him with this responsibility and entrusting him with the next responsibility. He encouraged everyone to wear their masks, get vaccinated, get boosted, and avoid large gatherings of people when possible.

Report of the Council President

President Stein said it has been the honor of a lifetime to serve the residents of Cleveland Heights. He was born and raised in Cleveland Heights and being able to give back to the community that raised him has been extremely fulfilling. He thanked City staff for their hard work on the things that many residents take for granted. He thanked City Manager Niermann O'Neil for her decades of dedicated service to the residents of Cleveland Heights. President Stein said Mayor Elect Kahlil Seren has his full support and to let him know if there is anyway he can be of help. He thanked Council Members and feels heartened knowing that the City is in good hands. President Stein also thanked his family for their love and support.

ORGANIZATIONAL MEETING OF COUNCIL: MONDAY, JANUARY 3, 2022

NEXT REGULAR MEETING OF COUNCIL: MONDAY, JANUARY 10, 2022

Respectfully submitted,

Melody Joy Hart
President of Council

Amy Himmelein
Clerk of Council



CLEVELAND HEIGHTS

Monday, January 3, 2022 Minutes

CITY COUNCIL

7:35 – 8:54 p.m.

Meeting called to order by Clerk of Council

Clerk of Council Himmelein reported results of November 2, 2021 election at which Kahlil Seren was elected as Mayor and Davida Russell, Craig Cobb, Tony Cuda, Anthony Mattox Jr., and Josie Moore were elected as Council Members.

Mayor Kahlil Seren was sworn in by Law Director Bill Hanna

Mayor Seren thanked his partner Natalie, their son Blue, his moms, and his in-laws for their support. He also thanked the residents of Cleveland Heights for entrusting him with the responsibility of being the City's first Mayor. He is excited and energized to get to work this year rebuilding this government in a new form as well as tending to the needs and the priorities of the people they serve. Mayor Seren also thanked the new Council and is looking forward to working with them.

Council Member Craig Cobb was sworn in by his wife, Ruth Maguire

Council Member Tony Cuda was sworn in by Professor Kevin F. O'Neil

Council Member Anthony Mattox Jr. was sworn in by retired Ohio Supreme Court Justice Bill O'Neill

Council Member Davida Russell was sworn in by Ohio Supreme Court Justice Melody J. Stewart

Roll Call: Present: Cobb, Cuda, Hart, Mattox, Russell
Absent: Moore

Staff present: Seren, Hanna, Himmelein, Niermann O'Neil, Trupo

Nominations for President pro tempore

Clerk of Council requested nominations for President pro tempore

Council Member Hart nominated Council Member Cobb as President pro tem, which was seconded by Council Member Cuda

Roll Call: Ayes: Cobb, Cuda, Hart, Mattox, Russell
Nays: None

Motion Passed

Nominations for Office of President of Council

Council Member Cobb requested nominations for Office of President of Council

Council Member Mattox nominated Council Member Hart, which was seconded by Council Member Cuda

Council Member Mattox moved to close the floor, which was seconded by Council Member Cuda

Roll Call: Ayes: Cuda, Hart, Mattox, Russell, Cobb
Nays: None

Motion Passed

President Hart was sworn in by Cuyahoga County Council Vice President Cheryl Stephens

Nominations for Vice President of Council

President Hart requested nominations for Vice President of Council

Council Member Cuda nominated Council Member Cobb

Council Member Mattox moved to close the floor, which was seconded by Council Member Cuda

Council Member Russell wanted to make a few remarks before voting. In recent months, she had advocated for one of the top leadership positions on Council for various reasons. She had received more votes than any other candidate in the general and special election. Also, she is one of the two most senior members currently on Council and the only incumbent who lives north of Mayfield Road. She is very proud of all she was able to accomplish with the help of her colleagues during her short time on Council. As a natural leader, she understands that leadership comes with making tough decisions. Even though Council Member Russell's qualifications and achievements were not considered, to move Cleveland Heights forward and to build collaboration with her colleagues, she will be voting yes tonight.

Roll Call: Ayes: Hart, Mattox, Russell, Cobb, Cuda
Nays: None

Motion Passed

Vice President Cobb was sworn in by Law Director Bill Hanna

Other business related to Council Organization

President Hart said she will be adding the Housing Committee to the Committees of Council so there will be legislation regarding this at the next Council Meeting. On Wednesday, January 26, there will be a training on the Open Meetings Act. This is mandatory for Council Members and there will be an email sent regarding this training.

Per the City Charter, even though Mayor Seren has already been sworn in, Council needs to formally accept his resignation which was submitted on December 31, 2021.

***MOTION** to approve former Vice President Seren's resignation from City Council.

Moved by President Hart, Seconded by Vice President Cobb

Roll Call: Ayes: Mattox, Russell, Cobb, Cuda, Hart
Nays: None

Motion Passed

Approval of the minutes of the special Council meeting held Monday, November 29, 2021

Minutes were approved without any objections.

Matter of Record

Council Member comments

In the future, President Hart said she will be limiting comments to three minutes. However, since this is a special occasion and a new Council, she will allow more time.

Council Member Mattox thanked the residents of Cleveland Heights for their support and he looks forward to working with this Council and the new administration. He also thanked his family, his neighborhood, and the Empowerment Church where he pastors in East Cleveland for their support throughout this process. He's looking forward to improving areas of the city that have been overlooked, such as the Noble neighborhood where he grew up. He has connections with East Cleveland and believes a partnership between the two cities would be beneficial. Council Member Mattox encouraged residents to hold him accountable and is willing to have those tough conversations that are needed to move the City forward.

Council Member Cuda said he's been in Cleveland Heights since 1960 and every two years there are new Council Members sworn in. These are moments in time that are defined by the voters' choice for City Council and the decisions they make. Every municipality faces challenges, many are unique to each city. Some of these challenges are created by external forces such as COVID. Two years ago, Cleveland Heights took on the challenge of changing its form of government to an Elected Mayor form of government after one hundred years of having a City Manager form of government. Council Member Cuda is proud to have been a part of the Citizens for an Elected Mayor team and believes it was a historical moment for Cleveland Heights. He believes this is another historical moment because the new Mayor was sworn in as well as five council members. Next month there will be another new council person sworn in for a total of six new council members. There are also several key staffing positions that need to be filled and questions that need to be answered by this new government. Council Member Cuda wants to create a City Council that serves both as a collaborative partner but also as a strong, independent oversight body that is a check and balance on the Mayor. He spent a lot of time talking to residents and learning what is important to them and what they view as issues in the city. Council Member Cuda identified the following issues that concerned residents the most: housing, high taxes, unsatisfactory City services, crime increase, schools, and lack of responsiveness from City Council and City Hall. He believes the first step to solving these issues is identifying and acknowledging them. Once they acknowledge these problems, they need to take action. They will be most effective if they can collaborate and work as a team. Council Member Cuda thanked the members of Citizens for an Elected Mayor for making this day possible. He also thanked his wife Sandy, his brother Chris, and his mother who passed away eight years ago. He concluded by wishing everyone a Happy New Year and thanked the residents for the honor of serving the community.

Vice President Cobb said this is the third time he has taken the Oath of Office for Council. The first time was on April 15, 2019, after which he gave a lengthier speech, which is still available on the City's YouTube channel for anyone who would like to hear it. He will be brief this time and would like to thank the voters for their trust and faith in electing him to continue to serve on Council. He welcomed the new Council Members and looks forward to working with them and the new Mayor. Vice President Cobb also thanked his wife, Ruth, for her continued support, guidance, and good advice.

Council Member Russell thanked all of the residents for re-electing her to Cleveland Heights City Council. She said she is honored and humbled that she earned the trust of the voters. The New Year is a time of reflection and an opportunity to focus on the future. She is proud of everything she was able to accomplish for the residents with the help of her esteemed colleagues and hardworking staff during her first term on Council. Council Member Russell highlighted many of these accomplishments and stressed that all of this was achieved during a pandemic. She believes 2022 will bring unique opportunities to Cleveland Heights and we will live up to our motto "All Are Welcome." She said being an elected official is not easy but serving this community has been a privilege, an honor, and a pleasure. Council Member Russell thanked her husband, her children, her grandchildren, and her mother for their help and support throughout this

process. She concluded by thanking the residents for all of their support and reminded everyone that she is only an email or phone call away.

President Hart thanked Council for trusting her to be Council President. She also thanked the residents for their input and trust in herself and her colleagues. She believes today is the beginning of a new era for Cleveland Heights with an elected Mayor and a new Council, all of whom are committed to transparency, openness, and getting things done. They all are here because they want to make a difference in this City. President Hart thanked Vice President Cobb and Council Member Russell for their service in the past and everything they've been able to accomplish. She also thanked the new Council Members for their energy and excitement. Over the next few months, many things will be new since they are working with a new form of government. She stressed that this is one city, not divided by North and South. Members of Council represent all of the residents in Cleveland Heights, not just the South side or the North side. They must all work together to ensure that their vision of one city, a welcoming city, is a reality. She wants to see everyone treated equally and every neighborhood thrive. She is looking forward to working with the new Council and the Mayor to accomplish all of these things. Together, they will accomplish great things.

NEXT MEETING OF COUNCIL: MONDAY, JANUARY 10, 2022

Respectfully submitted,

Melody Joy Hart
President of Council

Amy Himmelein
Clerk of Council