



## 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, Himmeltein, 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](mailto: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

Melody Joy Hart

President of Council

Amy Himmeltein

Amy Himmeltein

Clerk of Council