



CLEVELAND HEIGHTS

Monday, February 7, 2022 Minutes

CITY COUNCIL

7:45 – 8:52 p.m.

President Hart presiding

Roll Call: Present: Cobb, Cuda, Hart, Mattox, Moore, Russell
Absent: None

Also Present: Mayor Seren, Hanna, Himmelein, Niermann-O'Neil

Approval of the minutes of the Council meeting held on January 10, 2022

Minutes were approved without any objections.

Matter of Record

Personal communications from citizens

Marian Bryant returned to talk about the issue on Mayfield Road between South Noble Road and Warrensville Road, regarding the enormous barrels. Ms. Bryant states that she received no follow up from Mayor Seren after the last meeting. She's wondering if they need to hire a consultant to come out, evaluate the situation and report back to council, and estimates it would cost about \$40K-45K. She states that the pots have become garbage cans and now they have snow on them.

Mayor Seren stated he has Ms. Bryant's information and he'll be reaching out with a little bit more information about the entire process. He stated that it's an ongoing discussion with planning.

Destiny Burns is advocating for two legislative measures today, the first is the measure to purchase property on Cedar Road near Lee, which she requests that the Council vote yes on. The second is the petition ordinance for those who oppose the Cedar Lee Meadowbrook development. Ms. Burns strongly urges the Council to follow the recommendation of the January 24 Committee of the Whole meeting and vote no, to reject the petition. She's a homeowner and business owner in the Cedar Lee district and states the development would be a lifeline and it needs to proceed as planned. She does not think that the people behind this initiative to stop the development are going to be deterred but as a taxpayer and citizen, she's outraged by the waste of time and resources needed to facilitate it. She recognizes the petitioners' right to propose it and oppose the development but thinks that it's an attempt to invalidate a contract, calling it unconstitutional on a state and federal level. If this petition is going to be on the May 3rd ballot, she states, she will do everything she can to defeat it. Ms. Burns thanks the Council for their support of the project, calling it vital to the city.

Fran Mentch acknowledges that the Council will vote down the petition initiative for the Meadowbrook Law public square but states that according to the Charter, her group still has the right to get it on the ballot and they will do so. She cites an obligation to the signatories of the petition – where they received 3,417 valid signatures. Ms. Mentch states the petition indicates strong community interest and concern. Since 2013, the city has tried to develop the 5 acres of land but she says the city has never asked the citizens what they want what done with it. Three of the petitioners submitted three formal proposals during those years. In 2021, they asked multiple times that the idea of a public square be put on the agenda. The petition was certified two weeks ago and Ms. Mentch said someone on their behalf asked City Council and City staff to meet with them to discuss a compromise but she says Council refused. She states they can't be impartial because the city is representing Flaherty and Collins and not the citizens of Cleveland Heights. She's looking forward to victory in May and gave the petition initiative's domain name: Cedarleepublicsquare.com.

Danielle Dronet is a Cleveland Heights resident in private mental health practice. She's joining Ohio Revolution and Partners in Health Engage in seeking the City Council's endorsement of Medicare for All. She cites the spiraling effect she sees the majority of her patients go through when they don't have the means to pay for medical care. And the struggle is not limited to just her patients with long term issues, but with most everyone. She discussed the economic downfall that happens when people have to make the choice between paying their bills or having enough money for necessities versus affording their medical costs. She said Medicare for All is about the ability to afford life without the financial death caused by medical bills.

Avi Horwitz spoke on behalf of Rachel Collyer (a third generation Cleveland Heights resident and community organizer), urging City Council to introduce and pass a resolution in support of Medicare for All, no one should have to go without lifesaving medical care and make impossible choices between paying for necessary prescriptions or rent. It is morally imperative that we pass Medicare for All as quickly as possible.

Amber Akhter is a CWRU biochemistry major here as part of a student organization called Partners in Health Engage, which focuses on local and global health equity. Despite the Affordable Care Act, 30 million Americans are still uninsured. She's urging City Council to support a resolution for Medicare for All. She's an aspiring doctor and she can no longer sit back and watch the healthcare infrastructure crumble.

Jordan Reif is a senior at Case and is also with Partners in Health Engage and urges City Council to support a resolution for Medicare for All. She concurred with Amber that the current system is failing us. She does not enjoy sharing her personal story but feels it's important. She went into anaphylactic shock as a result of an allergic reaction when she was in high school so she now has to carry EpiPens with her everywhere, every day. A few years ago, she tried to pick up her EpiPens but the pharmacy was out, there was a shortage. She was offered a German alternative but it wasn't covered by her insurance so she had to pay out of pocket, at a cost in the hundreds, which is not affordable for many. We can't live in a country that requires people to make these life-or-death decisions. She strongly urges that City Council introduce and pass a resolution in support of Medicare for all.

David Berenson came to the meeting thinking he'd probably comment on the Cedar Lee Meadowbrook development but after hearing all of the people discussing Medicare for all, he wanted to talk about that first. He is a long-time type 1 diabetic. He personally supports Medicare for All for those who want it. Regarding the development, he's sad that they are voting either yes or no on the entire thing. He agrees with the need for the development but he also says there is a need for the green space. He wishes there was a compromise. Now that he's not 'overly employed' for the first time in years, he would be the first one to volunteer to be on discussion group regarding it.

Michael Bennett wants to thank the Council for their courageous action at the Jan 24 meeting to recommend rejecting the proposed ordinance. He hopes the Council takes up the recommendation and affirms it as a strong reaffirmation of the project. He recognizes the petitioners' right to put it on the ballot but hopes it happens sooner rather than later because of the cost of putting it on the May 3 ballot and doesn't want to see it cost more if it requires a special election. He is confident it will lose at the polls once people see the need for the development. The plan calls for 2.3 acres of green space, more than double than what was proposed by the petitioners, though some of that is going to be private areas for the residents living there. He wanted to thank the Council for their vote.

Joanne Siegel is a long-time Cleveland Heights resident and small business owner. Her first request is that the Council honor the contract with Flaherty and Collins, in other words, she requests they reject the proposed ordinance. Her second request is that they purchase the two buildings on Cedar so they can be included in the development and her third request is that the Council elect a new Council Member who fully supports the development contract. She fully supports the City entering into the contract for the development because it develops all the parcels at once rather than a staggered plan. She states that the citizens backing the ballot have not shown they have a reasonable source of funding for the public park. Who is going to pay to have it done and who is going to maintain it? She thinks citizens have had plenty of time to express their opinions and now is the time to act.

Walter Thiem wanted to thank the council, F&C Development and their architects for all the work they've done to make project happen. He thinks it's a good-looking project and the mixed use and ample public green space will fit in well and add to the vibrancy of the business district. He also requests they reject the public park proposal.

Communications from the Mayor

Mayor Seren wasn't intending to announce this now but in response to the communication they've received, he wanted to announce that he has drafted a resolution in support for Medicare for All with the plan to introduce it at the next regular Council meeting. He's currently looking for co-sponsors for the resolution. He recognizes it's ceremonial, but acknowledges that every bit of advocacy helps.

Council Member Russell states she would like to co-sponsor the resolution and has additional information about union efforts in support of Medicare for All. Other Council Members also expressed interest in co-sponsoring. Council President Hart indicates that it looks like Mayor Seren would have unanimous support.

***MOTION** to request for permission to bid Project #2201-2022 Street Resurfacing and ADA Curb Ramp Replacement Program, Project #2202-2022, 2023, 2024 Pavement Striping Program, and Project #2203-2022 East Overlook Waterline Replacement and Street Resurfacing Project, and to notify Council of Change Order Number 1 Final for Project #1903-2019, 2020, 2021 Pavement Striping Program and Change Order Number 2 Final for Project #2006 Delamere Drive Basement Flooding Relief Project.

Moved by Council Member Russell, seconded by Council Member Moore.

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

Motion Passed

Report of the Clerk of Council

Notified Council that a notice has been received from the Ohio Department of Liquor Control advising that an application has been made by Hunan Coventry LLC, d/b/a Hunan on Coventry, 1800 Coventry Road, 1st Floor and Basement, Cleveland Heights, OH 44118 for a transfer of a D5 and D6 permit from Hunan Coventry Mingli Inc., d/b/a/ Hunan on Coventry, 1800 Coventry Road, 1st Floor and Basement, Cleveland Heights, OH 44118

Matter of Record

Referred to: The Mayor, Chief of Police, and the Director of Law

New Business

***MOTION** to appoint Gail Larson to the seat vacated by former Council Member Kahlil Seren.

Moved by Vice President Cobb, seconded by Council Member Cuda

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

Motion Passed

FINANCE COMMITTEE

ORDINANCE NO. 12-2022 (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.

Motion to adopt by Council President Hart, seconded by Council Member Russell

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

Legislation Passed

Council President Hart discussed the typical need to adjust the budget. In Ordinance 12-2022, the first two changes are a budget increase for leadership classes for the Mayor, and an increase to help with purchasing additional properties on Cedar for economic development, both funded with unbudgeted cash. The other two are increases that are funded; one is for Parking Deck Improvement Refunding Bonds where revenue will cover the cost. Other one is OWDA loan proceeds. The loan proceeds will cover the cost so they don't have any budget impact.

HOUSING AND BUILDING COMMITTEE

Nothing formal to report at this time. Council Member Cuda stated that the Committee's meeting has been cancelled but will be rescheduled. He requests that anybody who is interested in housing issues in Cleveland Heights join them once it's been rescheduled.

MUNICIPAL SERVICES COMMITTEE

RESOLUTION NO. 13-2022 (MS), First Reading. A Resolution authorizing the Mayor to enter into a grant agreement with the Northeast Ohio Regional Sewer District to accept funds under the 2022 Member Community Infrastructure Grant Program for the SSO Control of CH-2, CH-12, CH-30, CH-33, CH-39 and Rehabilitation Project; and declaring an emergency.

Motion to adopt by Council Member Moore, Seconded by Vice President Cobb

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

Legislation Passed

RESOLUTION NO. 14-2022 (MS), First Reading. A Resolution authorizing the Mayor to enter into a grant agreement with the Northeast Ohio Regional Sewer District to accept funds under the 2022 Member Community Infrastructure Grant Program for the design control of the SSOs CH-9, CH-32, CH-57 AND CH-58 (Monmouth) Project; and declaring an emergency.

Motion to adopt by Council Member Moore, Seconded by Council Member Russell

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

Legislation Passed

PLANNING AND DEVELOPMENT COMMITTEE

ORDINANCE NO. 10-2022 (PD), *Second 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.

Motion to adopt by Council Member Mattox, Seconded by Council Member Moore

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

Legislation Passed

PUBLIC SAFETY AND HEALTH COMMITTEE

Nothing formal to report at this time. The committee had their meeting a couple of hours prior, attended by Council Member Cuda, Council President Hart, Council Member Mattox, Council Member Russell and Mayor Seren. They discussed six issues: the police department staffing issues, traffic stop data collection, complaints of random gun fire on New Year's Eve, the chronic problem of people speeding/running stop signs, and the Racial Justice Taskforce, where Robert Lampley gave a presentation regarding the goals on policing the task force is looking into. The presentation is posted online. It was basically a progress report and they are looking for recommendations in the coming months.

ADMINISTRATIVE SERVICES COMMITTEE

ORDINANCE NO. 15-2022 (AS), *First Reading.* 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 May 3, 2022 ballot; and declaring an emergency.

Legislation Introduced

Council Member Cuda said they are putting forth an amendment and will try and get it on the May 3rd ballot to allow Council to hire a Clerk of Council and any other employees they'd need to help them in their work. He wanted to thank his committee members, for letting him introduce the legislation, and Law Director Bill Hanna and Len Friedson from Citizens for an Elected Mayor for their help.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

RESOLUTION NO. 16-2022 (CRR), *First Reading.* A Resolution recognizing March 2022 as National Women's History Month; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Legislation Introduced

COMMITTEE OF THE WHOLE

Council President Hart stated that the park initiative was referred to the Committee of the Whole and that Committee had a report prepared. Council President Hart read the report from the Committee of the Whole that called for the rejection of the initiative ordinance and urged the passage of the ordinance which memorializes the rejection of the initiative ordinance. She confirmed with Law Director Bill Hanna that it's not required that they vote to accept the report.

ORDINANCE NO. 17-2022 (COTW), First Reading. An Ordinance to require that a public activity park be created on the 1.07 acres of city-owned land at the corner of Lee Road, Tullamore Road and Meadowbrook Boulevard in Cleveland Heights, Ohio.

***MOTION** to suspend the rules on Ordinance No. 17-2022.

Moved by Council Member Cuda, seconded by Council Member Cobb

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

Motion Passed

Motion to adopt by Council President Hart, Seconded by Council Member Cobb

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

Legislation Failed

ORDINANCE NO. 18-2022 (COTW), First Reading. An Ordinance rejecting the Initiative Petition for a proposed 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 in Cleveland Heights, Ohio; and declaring an emergency.

Motion to adopt by Council President Hart, Seconded by Council Member Russell

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

Legislation Passed

Council President Hart explained that the Ordinance was passed as an emergency so that it could be placed on the May 3 ballot if the petitioners require, rather than holding a special election.

Council Member Comments

Council Member Mattox recognized the service departments for an amazing job clearing the streets of snow. He heard great things from residents so he wanted to shout them out. He also wanted to thank the Mayor as he's made history as not just the First Mayor but the First African American Mayor, congratulating him.

Council Member Moore seconded, expressing her gratitude for the excellent job with snow removal. She also encouraged residents who haven't cleared their sidewalks/driveways to clear them, so people aren't walking in the streets.

Council Member Russell also wanted to thank the public service workers for the snow removal. She suggested the creation of a public registry for individuals who have their own snow plows to help residents to get out of the snow if they can't do it themselves. She wants to thank Collette Clinkscale for an amazing job done. She's happy to say garbage cans and trucks are coming soon. She has discussed with Council President Hart the ARPA funds for the Noble Taylor area. A meeting is scheduled for March 13th. It will only be for the Noble area residents (by their request, not hers) with the intent to narrow down their wish list for the ARPA funds. She requested the presence of Mayor Seren at the meeting.

Vice President Cobb also wanted to express appreciation for snow removal services, saying the residents have to understand that the amount of snow has been unusual and the city has done a great job taking care of it. He also congratulated Council Member Larson for her appointment.

Council Member Cuda highlighted neighbors helping neighbors in the snow. He welcomed Council Member Gail Larson as well. He also stated his friend passed away that morning of February 7th, he was a COVID long-hauler. Council Member Cuda wanted to talk about thinking about mask wearing, getting vaccinated, getting boosted and staying safe. He thought the way to honor people's memories is to get the word out and keep reminding people how important it is.

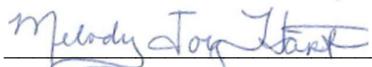
Council Member Russell thanked the Parks and Recs department for giving out COVID boosters last weekend.

Report of the Council President

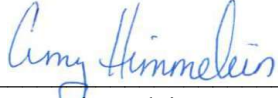
Council President Hart congratulated Gail Larson for her appointment and noted she wants to swear her in as soon as possible so they are fully staffed. She wanted to explain why they 'declare emergency'. Emergency means a piece of legislation will go into effect immediately. If that language is not there, it won't go into effect until 30 days after. There are some things they do that way, even after a couple of readings, because they want it to go into effect as soon as it's enacted.

NEXT MEETING OF COUNCIL: TUESDAY, FEBRUARY 22, 2022

Respectfully submitted,



Melody Joy Hart
President of Council



Amy Himmelein
Clerk of Council