



CLEVELAND HEIGHTS

SECOND AMENDED AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

Monday, June 27, 2022
Special Meeting
4:30 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) Cleveland Heights “Department 101” Presentations**
 - a. Department of Human Resources**
 - b. Department of Information Technology**
 - c. Department of Finance**
 - d. Department of Law**
 - e. Department of Planning & Development**
 - f. Department of Community Services**
- 5) LEGISLATION**

Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MS)-Municipal Services; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 1-2022 for a list of Council Committee subject matter areas (but note Resolution No. 97-2022, which was introduced on first reading on June 21, 2022).

a. **First Readings – Consideration of Adoption Requested**

RESOLUTION NO. 99-2022 (MS), First Reading. A Resolution authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation for federal funding for the Lee Road Resurfacing Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: _____/_____

Vote: _____ _____ _____
For Against No. Reading

RESOLUTION NO. 100-2022 (F), First Reading. A Resolution acknowledging receipt from the Cedar Fairmount Special Improvement District of a Plan for public services and improvements, and returning said Plan to the Board of Directors without comments or recommendations for changes; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt/Second: _____/_____

Vote: _____ _____ _____
For Against No. Reading

6) **Executive Session:**

a. *To consider the terms of a sale or lease of City-owned real property.*

7) **Adjournment**



CLEVELAND HEIGHTS

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

**Monday, June 27, 2022
Special Meeting
6:30 p.m.**

**Cleveland Heights City Hall
Executive Conference Room
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) Council appointments to City boards, commissions, committees, task forces**
- 5) Executive Session:**
 - a. *To consider the appointment or compensation of any public employee or public official.***
- 6) Adjournment**

Proposed: 6/27/2022

RESOLUTION NO. 99-2022 (MS), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Ohio Department of Transportation for federal funding for the Lee Road Resurfacing Project; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, the City has determined the need for the following described Project:

Resurfacing Lee Road from Superior Road to Mayfield Road in the City of Cleveland Heights.

WHEREAS, federal and state funding is available to cover some of the costs of this Project

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

SECTION 1. This Council hereby determines that a project to resurface Lee Road from Superior Road to Mayfield Road (hereafter the "Project") is in the public interest. The Mayor is hereby authorized to enter into an agreement with the Ohio Department of Transportation ("ODOT") for funding for the Project as follows: ODOT shall provide 100% of the funding for eligible costs of the Project, up to a maximum of \$554,870.00, which includes twenty percent (20%) Toll Revenue Credit, and eighty percent (80%) Federal Funds. Any and all Project costs exceeding the sum of \$554,870.00 shall be paid by the City.

SECTION 2. The terms of the Agreement with ODOT shall be substantially in accordance with those set forth in the draft agreement on file with the Clerk of Council, and shall include compliance with all applicable Federal, State and Local laws and regulations.

SECTION 3. 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 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet funding deadlines. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force and after the earliest time allowed by law.

RESOLUTION NO. 99-2022 (MS), *First Reading*

MELODY JOY HART
President of the Council

CRAIG COBB
Clerk of Council, *Pro tem*

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Proposed: 6/27/2022

RESOLUTION NO. 100-2022 (F), *First Reading*

By Mayor Seren

A Resolution acknowledging receipt from the Cedar Fairmount Special Improvement District of a Plan for public services and improvements, and returning said Plan to the Board of Directors without comments or recommendations for changes; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, by Resolution No. 124-2003, this Council approved the formation of the Cedar Fairmount Special Improvement District, Inc. (“Cedar Fairmount SID”) and further approved subsequent amendments to that formation; and

WHEREAS, this Council previously approved and levied assessments for five-year public services/improvements plans for the Cedar Fairmount SID; and

WHEREAS, the most recently approved Plan and assessments expire this year; and

WHEREAS, the Board of Directors of the Cedar Fairmount SID have expanded their territory and adopted a proposed public services and improvements Plan for the next three (3) years, which Plan has been submitted it to this Council and the Mayor for their comments and recommendations pursuant to Ohio Revised Code Section 1710.06; and

WHEREAS, this Council and the Mayor have reviewed said Plan and have no comments or recommendations for changes regarding same.

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

SECTION 1. This Council hereby acknowledges receipt, on its behalf and on behalf of the Mayor, of the proposed three-year public services and improvements plan for the Cedar Fairmount Special Improvement District, as adopted by the Board of Directors of the Cedar Fairmount SID, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. Said Plan is hereby returned to the Cedar Fairmount SID, pursuant to Ohio Revised Code Section 1710.06, without comments or recommendations for changes.

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. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet County assessment deadlines and allow the SID’s services to continue without interruption.

Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of the Council

Craig Cobb
Clerk of Council, *Pro tem*

PASSED:

Presented to the Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Exhibit A

PLAN OF SERVICES TO BE PROVIDED BY CEDAR FAIRMOUNT SPECIAL IMPROVEMENT DISTRICT

FORWARD:

Chapter 1710 of the Ohio Revised Code, effective September 1994, provides that owners of sixty percent (60%) of the front footage of an area may petition to create a Special Improvement District (SID). The SID is a nonprofit corporation governed by trustees and elected by the property owners (one of whom is the City Mayor or his/her designee and one appointed by City Council) of an area/district, to provide specially-desired services such as marketing, beautification/maintenance, economic development, and physical improvements/planning services.

These services are set forth in the "Plan of Services" and are in addition to services normally provided by the City of Cleveland Heights, Ohio.

Property owners representing at least sixty percent (60%) of the front footage of the Cedar Fairmount Special Improvement District (which is herein defined and referred to as the "Cedar Fairmount SID") are petitioning the Council of the City of Cleveland Heights for approval of the Plan of Services for the Cedar Fairmount Special Improvement District.

The Plan of Services seeks as its overall goal to maintain and enhance the economic viability of the Cedar Fairmount District. To that end it provides for marketing, beautification/maintenance, economic development, and physical improvements/planning services.

THE SERVICES:

The services to be provided by Cedar Fairmount SID as part of the plan are listed below as types of activities to be undertaken. It should be noted that these are presented as representative samplings. The intent is not to limit the services specifically to those described or bind services to this initial conceptual schedule.

This plan authorizes all activities as permitted under Ohio Revised Code 1710.06(A).

The Cedar Fairmount SID will provide professional management thereby delivering services to the district. The managed services will be overseen by eleven (11) members of The Board of Directors of the SID. The Board will consist of nine (9) members elected by property owners, one member appointed by Cleveland Heights City Council and the City Mayor.

MARKETING OBJECTIVES

Marketing efforts will target Cleveland Heights, University Heights, Shaker Heights and University Circle as well as other areas deemed to best reach the SID's target audience.

- Promote Cedar Fairmount SID as a destination offering retail, services, dining, nightlife, and art.
- Create and maintain a Cedar Fairmount SID website.
- Create and maintain a social media presence for Cedar Fairmount SID on any and all appropriate channels.
- Create an ongoing e-newsletter.
- Produce promotional materials for specific events.
- Present events highlighting the district and amenities.
- Maintain ongoing communication with Cedar Fairmount's merchants, restaurateurs and other tenants informing them of area-wide marketing and promotional opportunities.

BEAUTIFICATION AND MAINTENANCE

- Coordinate with independent contractors on the delivery of designed maintenance programs.
- Supervise seasonal plantings, watering, and maintenance of the planters, hanging baskets and gardens.
- Coordinate with independent contractors on the removal of snow from district sidewalks.

ECONOMIC DEVELOPMENT

- Maintain a database of current information pertaining to existing commercial and residential space.
- Inform and assist with parking for new and prospective commercial and residential tenants.
- Create and establish relationships with outside vendors to provide best practices and offer competitive pricing to existing tenants, both commercial and residential.
- Maintain ongoing communication with Cleveland Heights City Council to discover new opportunities for enhancement and expansion of the district.

PHYSICAL IMPROVEMENTS

- Maintain ongoing communication and encourage collaboration between the Cedar Fairmount SID and Flaherty & Collins, developers of Top of the Hill and The Ascent.
- Encourage cohesive branding of the district through tenants and collaborations with Flaherty & Collins, University Circle and Case Western Reserve University.

COSTS

The costs of the Plan of Services shall include those permitted pursuant to Ohio Revised Code, Section 1710.7. The annual proposed cost of the Plan of Services is budgeted at \$150,000 for the first year of its three-year operation and will include adjustments based on the Consumer Price Index for each pursuant year.

AREAS TO BE SERVED

Since we are currently evaluating the SID's expansion, the proposed areas extend as follows:

- *Cedar Road from Nighttown 12485 Cedar Road*
- *Surrey from Cedar to Euclid Heights Boulevard*
- *Surrey to 2412 Euclid Heights Boulevard*
- *Lennox from Euclid Heights Boulevard to Cedar*
- *From 2378 to 2412 Euclid Heights Boulevard*
- *Chase Bank to Luna Bakery & Café (encompassing properties on Cedar and Fairmount)*

METHOD OF ASSESSMENT

Implemented assessments for the Cedar Fairmount SID will be based on Market Value as determined by the Cuyahoga County Auditor's Office.

Assessments will be collected in semi-annual installments.

TERM OF PLAN for SERVICES

The term of the Plan for Services will be three (3) years from January 2023 through December 2026. Services will be provided during this term.

The commencement date may be amended by the Board of Directors by up to six months later as necessary thereby offering flexibility in meeting all requirements as provided in Chapter 1710 of the Ohio Revised Code and/or as necessary to provide for funding collection and cash flow for commencing operations.

The completion date will be adjusted accordingly so that the term of the Plan of Services is three (3) years from the commencement date.

PERIOD OF ASSESSMENT

The term of the assessment levied by the district shall be for three (3) years from January 2023 through December 2026.

ANNUAL REPORT

Annually on the first day of March, the Treasurer of the Board of Directors will submit to the City of Cleveland Heights Finance Director and/or City Mayor, a report of Cedar Fairmount Special Improvement District's activities and financial condition for the previous year. An annual report will be submitted to the City of Cleveland Heights and will be submitted to the Ohio Auditor of State Office for public view.