



CLEVELAND HEIGHTS

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

Monday, August 8, 2022
Special Meeting
6:30 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) Executive Session:

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

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 passed on August 1, 2022).

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

RESOLUTION NO. 111-2022 (F), First Reading. A Resolution declaring the necessity of implementing a public services plan for the Cedar Fairmount Special Improvement District, Inc.; 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. 112-2022 (PSH), First Reading. A Resolution authorizing an agreement with Horton Emergency Vehicles for the purchase of a remounted ambulance for the Fire Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; 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

b. First Reading Only

ORDINANCE NO. 113-2022 (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 the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

6) Adjournment

NEXT REGULAR COUNCIL MEETING: MONDAY, AUGUST 15, 2022

Proposed: 8/8/2022

RESOLUTION NO. 111-2022 (F), *First Reading*

By Mayor Seren

A Resolution declaring the necessity of implementing a public services plan for the Cedar Fairmount Special Improvement District, Inc.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council has received a petition for adoption of a three-year public services plan which was executed by the owners of over sixty percent (60%) of the property in the Cedar Fairmount Special Improvement District, Inc., as determined by front footage; and

WHEREAS, by Resolution No. 101-2022, this Council approved said public services plan; and

WHEREAS, estimated first-year assessments for the affected properties, as well as the total costs of the plan, are now on file with the Clerk of Council; and

WHEREAS, because of time constraints this Council desires to appoint an Assessment Equalization Board to hear any objections which may be made to the estimated assessments.

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

SECTION 1. This Council hereby declares it necessary to implement a three-year public services plan for the Cedar Fairmount Special Improvement District, Inc., with such plan being attached hereto as Exhibit A and incorporated herein.

SECTION 2. One hundred percent (100%) of the cost of the public services plan of One Hundred Twenty Thousand Dollars (\$120,000.00) annually shall be paid for by special assessments.

SECTION 3. The parcels of property to be assessed for the public services plan are as follows:

685-16-057	685-24-075	685-26-005
685-18-021	685-26-001	685-16-056
685-18-022	685-26-002	685-16-055
685-18-023	685-26-003	685-16-053
685-18-024	685-26-004	685-16-054
685-18-025	685-18-026	685-18-030
685-18-031	685-18-032	685-18-027
685-18-841(C)	685-18-842(C)	685-18-843(C)

RESOLUTION NO. 111-2022 (F), *First Reading*

685-18-844(C)	685-18-845(C)	685-18-033
685-18-034	685-18-035	685-18-037
685-18-038	685-18-039	685-18-040
685-18-006	685-18-005	685-18-001

SECTION 4. The method of levying the special assessment shall be by a percentage of the current tax value of the property assessed.

SECTION 5. The costs of the public services plan and the estimated first-year assessments for affected properties are presently on file with the Clerk of Council and available for inspection.

SECTION 6. The Clerk of Council be, and he is hereby, authorized and directed to serve notice of the passage of this Resolution upon the owners of each of the properties included in the Special Improvement District in the manner provided by law, and to make appropriate record of proof of service.

SECTION 7. _____, _____, and _____, who are disinterested freeholders of the City of Cleveland Heights, are hereby appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated assessments on file with the Director of Finance and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in 101-2022 and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 8. The Board shall meet to hear said objections, if any. The Mayor is hereby designated to fix the date and time of such hearing. Notice shall be given pursuant to Section 727.16 of the Ohio Revised Code. Upon completion of such equalization, the Board shall report its recommendations to City Council.

SECTION 8. 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 9. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet county taxing 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 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 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

- o Maintain ongoing communication and encourage collaboration between the Cedar Fairmount SID and Flaherty & Collins, developers of Top of the Hill and The Ascent.
- o 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 \$120,000 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.

Proposed: 8/8/2022

RESOLUTION NO. 112-2022 (PSH), *First Reading*

By Mayor Seren

A Resolution authorizing an agreement with Horton Emergency Vehicles for the purchase of a remounted ambulance for the Fire Department through the Ohio Department of Administrative Services Cooperative Purchasing Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, it is necessary to replace one of the City's ambulances that has reached the end of its service life and whose maintenance costs are excessive as compared to the value of the unit; and

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

WHEREAS, the Mayor has determined that the selected vehicle may be purchased through this State Cooperative Purchasing Program at a lower price than could be obtained through bidding and that it would be in the City's best interests to purchase said equipment by this means.

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

SECTION 1. The Mayor be, and he is hereby, authorized to enter into an agreement with Horton Emergency Vehicles for the purchase of a remounted ambulance for the Fire Department through the Ohio Department of Administrative Services Cooperative Purchasing Program, in accordance with the requirements of Section 171.11 of the Cleveland Heights Codified Ordinances. The agreement shall provide for remount of an existing Holton body to a new Chevrolet/GMC G-4500 cutaway (Duramax Diesel Engine). The purchase price shall not exceed the sum of Two Hundred Sixteen Thousand (\$216,397.00), which shall include selected options. All agreements hereunder shall be approved as to form by the Director of Law.

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

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to purchase the vehicle under the existing state term pricing schedule. 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

RESOLUTION NO. 112-2022 (PSH), *First Reading*

effect and be in force from and after the earliest time allowed by law.

MELODY JOY HART
President of Council

CRAIG COBB
Clerk of Council, Pro Tem

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 8/8/2022

ORDINANCE NO. 113-2022 (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 the necessity that this legislation become immediately effective as an emergency measure.

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. 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 3. 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 4. It is necessary that this Ordinance become immediately effective as an emergency measure 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 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.

MELODY JOY HART
President of Council

ORDINANCE NO. 113-2022 (F), *First Reading*

CRAIG COBB
Clerk of Council, Pro Tem

Passed:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

ORDINANCE NO. 113-2022 (F), *First Reading*

Exhibit 1

Fund	Department	Object	Reason	Requested			Net Effect to Budget
				Approved Budget	Change	Revised Budget	
411 - Economic Development	5101 - Planning	Capital	Increase for the purchase of land.	310,000.00	775,000.00	1,085,000.00	Increase - Unbudgeted cash will be used.
Total				310,000.00	775,000.00	1,085,000.00	

Current General Fund Unbudgeted Revenue	-212,574.86
Changes to the General Fund	<u>0.00</u>
Total	-212,574.86