



# CLEVELAND HEIGHTS

Tuesday, September 6, 2022 Minutes

## CITY COUNCIL MEETING

7:54pm-9:41pm

### **President Hart Presiding**

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

**Also Present: Mayor Seren, Director Hanna**

**\*Vice President Cobb excused**

### **SWEARING IN OF NEW CLERK OF COUNCIL (ADDIE BALESTER):**

- Director Hanna issued the oath of office

### **APPROVAL OF THE MINUTES FROM PREVIOUS MEETING(S):**

- June 6, 2022—APPROVED
- June 14, 2022—APPROVED
- June 21, 2022—APPROVED

### **Motion to add Car Free Day legislation at the end of the first readings**

Motion: Cuda

Second: Larson

Discussion: none

**Ayes: 6**

**Nays: 0**

### **COMMUNICATIONS FROM THE MAYOR:**

- Highlighted Caledonia School which is in Cleveland Heights but is part of the East Cleveland School District. Got permission from ECSD Superintendent to use the school for ARPA meetings and got to tour the school. A few council members attended as well. Spoke to Superintendent to reach out to the rest of council to set up a tour.
- Youth internship program that the school and city has been working on has received grant funding.

- High Community Congress recognition/celebration of 50 years of work which has led to a diverse community that we are all proud of.
- **Proclamations from the Mayor:**
  - Lana Cowell
  - Linda Johnston
  - Suzanne Nigro
  - Family of Jeanne Martin-Diamond accepting on her behalf
  - Nancy Cappelletti
- **Ask Council to add RES 134-2022 to the agenda**
  - Motion: Hart
  - Second: Russell
  - Discussion: Cuda thanks Heights Community Congress on a personal level and thanks those he has worked with throughout his time living/working in the Heights
  - Ayes: 6
  - Nays: 0

**Motion Passed**

**REPORT OF THE CLERK OF COUNCIL:**

Notify Council that one notice has been received from the Ohio Division of Liquor Control advising that applications have been made by the following:

- WIZBANG Theatre LLC d/b/a WIZBANG Theatre, 2134 Lee Rd. Cleveland Heights, OH 44118 for a new D3 permit.

**Matter of Record**

**PRESENTATION BY THE RACIAL JUSTICE TASK FORCE:**

- Housing & Economic Mobility—Chairperson, Gary Benjamin
  - Develop initiatives, programs, and/or legislation that ensures existing and future tenants of rental properties to have access to legal representation while participating in eviction hearings or court proceedings to minimize the number of evictions within the city and reinforce long-term housing and residency
  - Expand the current Pay-to-Stay Legislation to minimize the number of evictions on a tenants record and reinforce long-term housing and residency
  - Enhance communication between city staff and minority business owners to offer resources that help increase ownership sustainability
- Health & Education—Chairperson, Lisa Hunt
  - Partner with Metro Health (Cleveland Heights Campus) to address health disparities among minorities within the community; strengthen existing collaborations; create an annual community health fair offering information and resources

- Strengthen partnership with Cuyahoga Board of Health to increase awareness and the use of available health and mental health resources among members of the community
- Partner with CH-UH Schools to establish youth advisory committee to work in partnership with Council and the RJTF to develop youth forums highlighting youth experiences related to diversity and racial inclusion in the education system and throughout the community.
- Public Safety—Chairperson, Robert Lampley
  - Provide the community with an update and outcomes of the training the members of the police department received in Policy Analysis & Community Engagement, Data Analysis, and the Civilian Review Board from CSU
  - Promote departmental training specific to the City of Cleveland Heights in the areas of *use of force* and *traffic stops*
  - Create a data collection process that identified specific reasons for traffic stops and demographics of individuals involved in traffic stops that may include, but not be limited to; *race, age, gender*
  - Schedule and implement monthly or bi-monthly *anti-bias* training sessions that allows open dialogue around significant police interactions with members of the community and how attitudes of a bias nature may influence these interactions
  - Include administrative and city staff persons in the same or similar training sessions

**PUBLIC COMMENT (AGENDA ITEMS ONLY):**

- None

**LEGISLATION:**

**First Readings**

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

**ORDINANCE NO. 122-2022 (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.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 123-2022 (F): First Reading.** A Resolution authorizing and directing the Mayor to enter into a contract with TimeZero Enterprises for Council retreat facilitation services, increasing Council’s budget to provide funds therefor, and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor More

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 124-2022 (F): First Reading.** A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 125-2022 (F): First Reading.** An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 126-2022 (F): First Reading.** A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, remove snow therefrom, and planting, maintaining and removing shade trees within the City of Cleveland Heights and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 127-2022 (F): First Reading.** An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing

snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 128-2022 (F): First Reading.** A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for the public services plan for the Cedar Fairmount Special Improvement District and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by President Hart, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 129-2022 (F): First Reading.** An Ordinance determining to proceed with the implementation through assessment of a public services plan for the Cedar Fairmount Special Improvement District.

Motion to Adopt by President Hart, Seconded by

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 133-2022 (AS): First Reading.** A Resolution recognizing September 22, 2022 as Car Free Day and Park(ing) Day 2022 in Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Councilwoman Russell

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 134-2022 (CRR): First Reading.** A Resolution declaring September 19, 2022 to be Heights Community Congress Day; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to Adopt by Councilwoman Russell, Seconded by Councilor Moore

Voice Vote: Ayes: 6  
Nays: 0

**Legislation Passed**

b. **First Readings Only**

**RESOLUTION NO. 130-2022 (F): First Reading.** Resolution accepting the amounts and rates as determined by the Budget Commission, authorizing the necessary tax levies and certifying them to the County Fiscal Officer, and declaring the necessity that this Resolution become immediately effective as an emergency measure.

**Legislation Introduced**

**RESOLUTION NO. 131-2022 (F): First Reading.** Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2022 tax year collection pursuant to Section 321.34 of the Ohio Revised Code, and declaring the necessity that this Resolution become immediately effective as an emergency measure.

**Legislation Introduced**

**RESOLUTION NO. 132-2022 (MS). First Reading.** An Ordinance authorizing the Mayor to enter into an agreement for recycling processing services between the City of Cleveland Heights and Waste Management and declaring an emergency.

**Legislation Introduced:  
Moved to Committee (MSES)**

c. **Second Readings**

**ORDINANCE NO. 78-2021 (PSH) Second Reading.** An Ordinance enacting and adopting Chapter 522 “Lead Hazards,” of Part Five, General Offenses Code, of the Codified Ordinances of the City of Cleveland Heights; repealing Chapter 1347, “Certificate of Occupancy,” of Part Thirteen, Building Code, of the Codified ordinances of the City of Cleveland Heights, and adopting a replacement Chapter 1347, “Certificate of Occupancy,” and amending Section 1345.99, “Penalty,” of Chapter 1345, “Enforcement and Penalty,” of Part Thirteen, Building Code, of the Codified Ordinances of the City of Cleveland Heights.

**Legislation Moved to Third Reading**

**ORDINANCE NO. 121-2022 (AS), Second Reading.** An Ordinance giving final approval of the compensation rates and benefits proposed by the tentative labor agreement with the Laborers’ Local 860 Laborers’ International Union of North America (Local 860) for the time period covering April 1, 2022 through march 31, 2025; giving the Mayor the authority to sign said agreement; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Larson

Roll Call: Ayes: 6  
Nays: 0

**Legislation Passed**

**COMMITTEE REPORTS**

- a.) Administrative Services Committee (Vice President Cobb)
  - i. None.
  
- b.) Community Relations and Recreation Committee (Councilwoman Russell)
  - i. Wants to help with ARPA survey as far as the “digital divide” for those who do not have access to internet; an ARPA Fund survey weekend Saturday, September 17 and Sunday, September 18.
  
- c.) Finance Committee (President Hart)
  - i. None
  
- d.) Housing and Building Committee (Councilman Cuda)
  - i. Update from meeting today; Mayor and Director Butler attended, as well as Start Right CDC.
  - ii. Discussed many issues including vacant/abandoned housing
  - iii. Presentation from Start Right regarding housing rehabs and new builds they are working on
  
- e.) Municipal Services and Environmental Sustainability Committee (Councilor Moore)
  - i. MSES will meet next Monday, September 12 at 6pm to discuss waste management contract
  - ii. September 19 at 5pm regularly scheduled meeting will be held as normal
  - iii. Upcoming legislation: multi-unit building recycling program
  
- f.) Planning and Development Committee (Councilman Mattox)
  - i. Upcoming meeting this month will be a joint meeting with a developer to get updates on a project; stay tuned for date/time
  
- g.) Public Safety and Health Committee (Councilor Larson)
  - i. Encouraging people to come to the public meeting September 12, 7pm
  
- h.) Committee of the Whole (President Hart)

- i. None

**PUBLIC COMMENT: GENERAL**

- Lillian Hall: Concerned regarding the aquatics program; specifically with mismanagement by Parks and Rec Department regarding staffing. Asks City Council to investigate this mismanagement.
- Kimberly Ulatowski: Has some questions regarding the high school pool being used by residents; she was told the city could not offer programs due to budget cuts—wants to know what the cost is. She is also concerned about the privatization of services within the City
- Jonathan Slater: Advocating for dedicated bike lanes.
- Marianne Simon: Solution to the traffic pattern change on Cedar Hill; paint directly on the street, on each lane, what street that lane is directed to.
- Jennifer Shriver Lang: Advocating for reopening of the South Rink because it is a community asset that can earn revenue for the City.

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

- None

**COUNCIL MEMBER COMMENTS:**

- Mattox: Continue to fill out ARPA surveys; next location Delisle Center on Taylor Rd. on September 21, 6:30pm
- Moore: Remind everybody that voter registration deadline is October 11; update your voter registration information if already registered. Heights Family Academy, Saturday September 10, 9am-12pm and Heights Music Hop, Saturday September 10, Lee Rd and Nobel Rd Neighborhood
- Russell: if other businesses or volunteers want to join ARPA survey weekend, you can call her at 216-333-3137 or email her council email address
- Cuda: Hopes a discussion on Charter Review will be placed on next COTW meeting; wants to welcome Addie Balester as new Clerk of Council; and is glad we will be addressing Appraisal Gap Legislation soon.
- Larson: Happy that Addie Balester has joined the team; and glad that Heights Community Congress was recognized tonight.
- Hart: Election is coming up, important to have good voter turn-out. October 11 is the last day to register, and if you have moved recently, you must change your address; wants to congratulate Heights Community Congress on their 50 years of work; she hopes to see



you all for the Heights Home tour on September 18; and wants to welcome Addie Balester as the new Clerk of Council.

**COUNCIL PRESIDENT REPORT:**

**ADJOURNMENT**

**NEXT MEETING OF COUNCIL: MONDAY, SEPTEMBER 19, 2022**



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Melody Joy Hart  
President of Council



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Addie Balester  
Clerk of Council