



# CLEVELAND HEIGHTS

## AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

**December 16, 2022**

**Special Meeting**

**10:00 a.m.**

**Cleveland Heights City Hall  
Council Chambers  
40 Severance Cir  
Cleveland Heights, Ohio**

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Amendments to the Agenda (if necessary)**
- 5) Approval of Minutes:** November 21, 2022 and December 5, 2022
- 6) Communications from the Mayor**
- 7) Report of the Clerk of Council**
- 8) Council Proclamations**
- 9) Public Comment - Agenda Items only**

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda. Comments unrelated to the agenda may be made after Committee Reports)

- 10) 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; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.*

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

**ORDINANCE NO. 182-2022(F): *First Reading*.** An Ordinance to amend certain subparagraphs of Ordinance No. 139-2021 (F) and subsequent amending and subsequent amending ordinance, 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

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 184-2022(F): *First Reading*.** A Resolution authorizing and directing the Mayor to enter into a contract with CivicPlus for the installation and maintenance of a meeting management software program entitled CivicClerk; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Introduced by President Hart

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 185-2022(F): *First Reading*.** A Resolution declaring climate change an emergency that threatens our city, region, state, nation, humanity, and the natural world, and which demands a massive-scale mobilization to address, mitigate, and prepare for the impacts of climate change; and declaring the necessity that this Resolution become immediately effective as an emergency.

Introduced by Councilor Moore and Councilor Larson

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**b. Second Readings**

**ORDINANCE NO. 177-2022(PSH): Second Reading.** An Ordinance authorizing the Mayor to enter into a renewal of a License Agreement with the Ohio Bell Telephone Company, dba AT&T for a municipal parking lot at 13172 Cedar Road; providing compensation therefor; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 178-2022(MSES): Second Reading.** A Resolution agreeing to allow Cuyahoga County to operate an Electric Public Utility in the City of Cleveland Heights pursuant to its powers under the State of Ohio and the Laws established by the Government of Cuyahoga County.

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**RESOLUTION NO. 179-2022(MSES): Second Reading.** A Resolution authorizing the Mayor to enter into an agreement with the Cuyahoga County Board of Health for funding for lead remediation work to be performed on residential properties in the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**ORDINANCE NO. 180-2022(PD): *Second Reading*.** An Ordinance authorizing the Mayor to execute an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**d. *Third Readings***

**ORDINANCE NO. 168-2022(F): *Third Reading As Amended*.** An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2023 through December 31, 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt/Second: \_\_\_\_\_/\_\_\_\_\_

Vote: \_\_\_\_\_  
For \_\_\_\_\_ Against \_\_\_\_\_ No. Reading \_\_\_\_\_

**11) Committee Reports**

- a.)** Administrative Services Committee
  - Assignment(s): Commission/Board Restructuring
- b.)** Community Relations and Recreation Committee
- c.)** Finance Committee
- d.)** Housing and Building Committee
  - Assignments(s): Access by Political Candidates to Multi-Unit Dwellings (Cuda), Civil Option (Hart)
- e.)** Municipal Services and Environmental Sustainability Committee
  - Assignment(s): Sewer Rates

- f.) Planning and Development Committee
  - Assignment(s): GAP Financing
- g.) Public Safety and Health Committee
- h.) Committee of the Whole

**12) Public Comment - General**

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

**13) Old Business**

**14) New Business**

**15) Council Member Comments**

(Note: A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

**16) Council President's Report**

**17) Adjournment**

**NEXT MEETING OF COUNCIL: TUESDAY, JANUARY 3, 2023**



# CLEVELAND HEIGHTS

## AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

**Monday, November 21, 2022 Minutes**

### **CITY COUNCIL MEETING**

Start: 7:34pm

End: 8:37pm

**President Hart Presiding**

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

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

### **APPROVAL OF MINUTES FROM PREVIOUS MEETING:**

- November 7, 2022—APPROVED

### **\*Statement from President Hart:**

- Congratulates the Mayor, the Superintendent and the School Board for finalizing and passing the compensation agreement so that the TIF legislation can be passed this evening. She is glad we can take this important step forward toward ground breaking and that the facility sharing agreement that was written by the Mayor and agreed upon by all of Council will be passed separately.

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

- Wants to provide the appropriate credit where it is due and take a moment to thank all those who have been involved in the CLM Project; notably Brian Anderson, Director Hanna, and Director Zamft on behalf of the city. Also, would like to thank all the merchants on Lee Rd. for the support of this project and also the residents who have been important in moving this project forward. And finally would like to thank Flaherty and Collins and for them being a patient and flexible partner on this project.

## **REPORT OF THE CLERK OF COUNCIL:**

Notify Council that two notices have been received from the Ohio Division of Liquor Control advising that applications have been made by the following:

- Myron's Beverage LLC dba Myron's Deli, 2256 Lee Rd., Cleveland Heights, OH 44118 for a transfer of a C1/C2 permit to Market on Lee LLC dba Market on Lee & Dominicks Deli, 2256 Lee Rd., Cleveland Heights, OH 44118
- Cedartown Restaurant Group LLC, 12383-87-89-93 Cedar Rd., Cleveland Heights OH 44106 for a transfer of a D2/D2X/D3/D3A/D6 permit to YLT Heights LLC dba Nighttown, 12383-87-89-93 Cedar Rd., Cleveland Heights, OH 44106

### **Matter of Record**

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

## **APPOINTMENTS:**

- President Hart appointed Craig Cobb to MSES Committee, and Gail Larson to HB Committee
- All Council Members appointed to Finance Committee

## **PUBLIC COMMENT (AGENDA and NON-AGENDA ITEMS)**

### **Allen McCann**

- Advocating for the reopening of the South Rink in the Rec Center; he believes there is additional demand that could generate additional dollars for the city. He is the commissioner of the Cleveland Heights Senior Hockey League (for adults) and right now they have a 5-league team with approx. 75 players but at one point they had as many as 12 teams, and the fact that they are limited in their ice time means they can't have as many teams.

### **Herschel Weiser**

- Has concerns with the snow plowing schedule/work load of the city workers who plow; doesn't understand why there isn't a scheduled snow removal plan for weekends. The four-way intersections are especially dangerous.

### **Robin Dubin**

- Presented briefly about the Bethel-The Heights Synagogue's request for ARPA funds to replace the synagogues aging HVAC system.

**Michael Madorsky**

- Here to advocate for Horseshoe Lake as a member of Friends of Horseshoe Lake; he was here when the sewer district outlined their plan, but he wants to make clear that what they will pay for is only the stream restoration (regrading/stone placement) but anything else like trails, bridges, benches etc. on that site will be paid for by the City/tax payers.

**Jay Tekus**

- Came as the President of the Youth Hockey Association; he watched the budget hearings last week and to hear that the North rink is in danger/disrepair he is surprised and feels that the communication regarding the public discussion of potential plans for the rinks has been poor.

**Elana Bacon**

- Concerned with snow plowing from a safety perspective. She felt unsafe driving in Cleveland Heights after the snow storm, but didn't feel that way in the surrounding cities. The intersections were horrible and dangerous, she often couldn't stop her car, even going 10mph. She felt the streets were neglected by the city.

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

**RESOLUTION NO. 165-2022(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an amendment to an agreement with Valley Ford Truck, Inc. for the acquisition of a full size pick-up truck for the Utilities Division of the Department of Public Works; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to Adopt by Councilor Moore, Seconded by Councilwoman Russell

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**RESOLUTION NO. 166-2022(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Gledhill Road Machinery Company for the purchase of a Salt-Spreader and Plow Package 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 by Councilor Moore, Seconded by Councilwoman Russell

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

**ORDINANCE NO. 167-2022(MSES): *First Reading*.** An Ordinance enacted by the City of Cleveland Heights of Cuyahoga County, Ohio, hereinafter referred to as the Local Public Agency (LPA) to accept funding from the Ohio Department of Transportation for the Monticello Blvd. signal improvement project; and declaring an emergency.

Introduced by Mayor Seren

Motion to Adopt by Councilor Moore, Seconded by Councilor Larson

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed 7-0**

***b. First Reading Only***

**ORDINANCE NO. 168-2022(F): *First Reading*.** An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2023 through December 31, 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to amend by Substitution by President Hart, Seconded by Vice President Cobb

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Amended**

**RESOLUTION NO. 169-2022(PSH): *First Reading*.** A Resolution to suspend enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2023, or at such earlier time as Council may subsequently prescribe, on the following-described streets; providing for on-street overnight permit parking on

specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads; and declaring an emergency.

Introduced by Mayor Seren

**Referred to Committee (PSH)**

**RESOLUTION NO. 170-2022(PD): *First Reading*.** A Resolution authorizing the Mayor to enter into an amendment to an agreement with Start Right CDC, a non-profit corporation, for the use of Community Development Block Grant funds to provide funding for assistance with its Good Neighbor Home Rehab Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Referred to Committee (PD)**

**RESOLUTION NO. 171-2022(PD): *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with Economic and Community Development Institute for Program Management Services for Small Business Support Programs; providing compensation therefore; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Referred to Committee (PD)**

**ORDINANCE NO. 172-2022(PD): *First Reading*.** An Ordinance amending Section 1311.05, *Architectural Board of Review Fees*, of Chapter 1311, *Administration, Fees and Penalty*, of Part Thirteen, *Building Code*, of the Codified Ordinances of Cleveland Heights to revise and add certain fees for procedures and services pertaining to the administration and enforcement of the Architectural Board of Review.

Introduced by Mayor Seren

**Referred to Committee (PD)**

**ORDINANCE NO. 173-2022(PD): *First Reading*.** An Ordinance adopting a revised Schedule of Fees for procedures and services pertaining to the administration and enforcement of the Zoning Code.

Introduced by Mayor Seren

**Referred to Committee (PD)**

**ORDINANCE NO. 174-2022(PD): *First Reading*.** An Ordinance designating a schedule of fees for procedures and services related to the administration and enforcement of the provisions of Chapter 143, *Landmark Commission*, of the Codified Ordinances of the City of Cleveland Heights.

Introduced by Mayor Seren

**Referred to Committee (PD)**

***c. Second Readings***

**ORDINANCE NO. 160-2022(PSH): *Second Reading as Amended*.** An Ordinance amending Schedule I “Through Streets” of the Appendix “Traffic Schedules” of Part Three “Traffic Code” of the Codified Ordinances of the City of Cleveland Heights to remove all or portions of Euclid Heights Boulevard, Lee Boulevard, Lee Road, North Taylor Road, and South Taylor Road from the list designating “through streets” in the City of Cleveland Heights.

Motion to Amend by Substitution by Councilor Larson, Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Amended**

Motion to Adopt by Councilor Larson, Seconded by Councilor Moore

\*Discussion: Councilor Larson says this legislation was discussed in Committee this morning and the amended version is a good start toward meeting the city’s VisionZero and Green and Complete Street goals, and said in discussion during the meeting, Councilman Cuda would like to see more data used as rationale for street selection and Mayor Seren gave his rational (including density of residences and absence of medians). Drivers will be given warnings while we roll out the changes, and speed limit changes will be well marked. Councilman Cuda thanked the Mayor for providing the information he requested during COTW prior to this meeting.

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 161-2022(MSES): Second Reading.** A Resolution authorizing the Mayor to enter into an agreement with Rubicon Global, LLC, for Software Services for the Department of Public Works, Division of Refuse Collection; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Vice President Cobb

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 162-2022(MSES): Second Reading.** A Resolution authorizing the Mayor to enter into an amendment to an agreement with Valley Freightliner & Western Star, for the acquisition of a Freightliner 114SD Tandem Axle Cab and Chassis for the Department of Public Works; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Vice President Cobb

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 163-2022(MSES): Second Reading.** A Resolution authorizing the Mayor to enter into an agreement with the County of Cuyahoga to perform certain services to help maintain the City's sanitary and storm sewers; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Vice President Cobb

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 164-2022(MSES): Second Reading.** An Ordinance authorizing the Mayor to enter into an agreement with, and requesting the cooperative of, the County of Cuyahoga, Ohio ("COUNTY"), in the matter of the

Resurfacing of Warrensville Center Road from Mayfield Road to the South Corporation Line in the City of Cleveland Heights (“MUNICIPALITY”); and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilor Moore, Seconded by Vice President Cobb

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

***d. Fifth Readings***

**ORDINANCE NO. 148-2022(PD): *Fifth Reading as Amended*.** An Ordinance declaring certain improvements to real property located in the City of Cleveland Heights, Ohio to be a public purpose; declaring such improvements to be exempt from real property taxation for a period of years; making provision for the collection of service payments in lieu of taxes; establishing an urban redevelopment tax increment equivalent fund for the deposit of such service payments; authorizing a compensation agreement with the Cleveland Heights-University Heights City School District; providing related authorizations pursuant to Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43, and declaring an emergency.

Motion to Amend by Substitution by Councilman Mattox, Seconded by Councilwoman Russell

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Amended**

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

\*Discussion: Councilor Larson says she is grateful for the school district and administration that they came to an agreement that the facility agreement will be separated from this legislation, and she will be voting yes. Councilman Cuda is very appreciative for Council President’s role in keeping this legislation moving forward and the momentum of this going toward other projects. Councilor Moore says “let’s do the damn thing.”

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

**Legislation Passed**

## 9) Committee Reports

- a.) Finance Committee
  - Budget Hearings conducted 11/15, 11/16, 11/17, 11/21 and videos are posted; next hearing is 11/29 which will be Capital Budget and Summary.
- b.) Housing and Building Committee
  - Next meeting is December 5, 2022 at 4:30pm; tenants/landlords welcome to come and talk about their concerns. Meeting will be held in chambers.
- c.) Municipal Services and Environmental Sustainability Committee
  - Update from tonight's meeting; discussed legislation passed tonight; discussed multi-unit building recycling requirements.
- d.) Planning and Development Committee
  - Working on scheduling next meeting
- e.) Public Safety and Health Committee
  - Update from today's meeting; discussed sidewalk repair and sidewalk snow removal potential legislation. Next meeting 12/5 at 10am
- f.) Administrative Services Committee
  - Next meeting moved to 11/29 at 11:30am; will discuss draft legislation for charter review.
- g.) Community Relations and Recreation Committee
  - No report; thanked the Mayor for Mayor's Call Center and that she has put together some legislation that will be heard soon to go along with the Call Center.
- h.) Committee of the Whole
  - Finance Committee is being moved/included in COTW from now on

### Old Business

- None

### New Business

- None

### COUNCIL MEMBER COMMENTS

**Councilor Larson:** Nothing this evening

**Councilman Cuda:** Encourages people to keep tuning into the budget hearings as they continue.

**Vice President Cobb:** Nothing this evening

**Councilman Mattox:** Wants to extend thanks to the City for honoring Barbara Boyd at the Community Center event.

**Councilor Moore:** Wants to take a moment to reflect on the shooting that happened in Colorado Springs yesterday at the gay nightclub where 22 injured and 5 killed. Everybody she knows in the LGBTQA community is increasingly scared for their lives; it seems the rhetoric of the far right is forcing people into extremists' crosshairs and as somebody who loves people in this community it scares her. She wants to say that thoughts and prayers are not enough, but it is hard to know what can do. It was thanks to a veteran who was in the audience at the club who stopped the gunman, and he had made the statement that he thought he was done with war. She hopes here in Cleveland Heights we can be a part of changing that.

**Councilwoman Russell:** Wants to thank Judge Costello for a wonderful Tenant/Landlord Law 101 event, and thank the other council people who were able to attend. She appeals to landlords to be good landlords, and give people a decent place to stay; and tenants make sure to treat the home you rent like it is your own.

### **Council President's Report**

Attended the Tenant/Landlord Law 101 event and thought it was very helpful and people in attendance had lots of resources to take advantage of. Again, please watch the budget hearings, you will hear a lot about the city's finances. Lastly, she is very happy that we are moving forward with the CLM Project, but wants to make it clear she had no role in the passage of this. It is key to the viability of the school and the city, and are glad the school board understands the need for development.

### **Adjournment**

**NEXT MEETING OF COUNCIL: MONDAY, DECEMBER 5, 2022**



# CLEVELAND HEIGHTS

## AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

**Monday December 5, 2022 Minutes**

### CITY COUNCIL MEETING

Start: 7:38pm

End: 9:28pm

### **President Hart Presiding**

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

Also Present: Mayor Seren, Director Hanna

**\*Motion to add Resolution No. 181-2022 to the agenda for first reading—consideration of adoption requested; and move Resolution No. 176-2022 to first reading—consideration of adoption requested.**

Motion by Vice President Cobb, Seconded by Councilman Cuda

Voice Vote: Ayes: 7

Nays: 0

### COMMUNICATIONS FROM THE MAYOR

- Wants to remind Council and the community that on December 21, a piece of legislation that Council approved changing the speed limit on certain streets will take effect. On South Taylor Rd., Lee Rd., Noble Rd. (North of Monticello), Taylor Rd. (North of Monticello and South of Euclid Heights Blvd.) and on Euclid Heights Blvd. (between Coventry Rd. and Taylor Rd.) the speed limit will change on December 21, from 35mph to 25mph
- Wants to notify Council of change order number one (final) for project No. 2106 Superior Rd rehabilitation which increases the original contract amount of \$671,616.51 by \$27,989.40 to a final amount of \$699,605.91. Most of this increase was because of additional work installing a catch basin and sewer line because of poor roadway drainage, and some base repairs and lead service lines that were replaced.

## **RESPORT OF THE CLERK OF COUNCIL**

Notify Council that a notice has been received from the Ohio Division of Liquor Control advising that an application has been made by the following:

- Chipotle Mexican Grill of Colorado LLC dba Chipotle Mexican Grill 3828, 12401 Cedar Rd. Cleveland Heights, OH 44106 for a new D1 permit.

### **Matter of Record**

Matter referred to the Mayor, the Chief of Police, and the Law Director

## **COUNCIL PROCLAMATIONS**

1. Renee Richard
2. Harriet “Gusti” Krauss
3. Alexandria Ruden
4. Barbara Boyd

## **PUBLIC COMMENT (AGENDA and NON-AGENDA ITEMS)**

### **Penny Allen**

- Thanked Council for Proclamation for Gusti

### **Adam May**

- Comments on Vision Zero/Traffic Calming/Public Safety
- Doesn't think that reducing the speed limit on certain streets from 35mph to 25mph will help with speeding on residential/side streets; people are frustrated with the challenge of traversing Cleveland Heights, and by reducing speed limits on throughways will make it more likely for people to speed on side streets.

### **Deborah Van Kleef**

- Came for Gusti and appreciates the proclamation for her; but also wants to thank the Mayor and Council for lowering the speed limits, and she appreciates knowing the standard will be lower.

### **Alisa Tsentr(sp?)**

- Landlord issues; no heat in her apartment. She found out about 3 hours ago she is being evicted.

### **Robin Vanlear**

- Peace Campus/Holiday Lantern Festival; asking for Coventry Rd. between Euclid Heights Blvd. and Hampshire Rd. to be closed for about 20 minutes so they can do their procession.

## Shayna Parks

- Children's safety in the community and safety in the school; she doesn't feel safe sending her kids to school after her child was a victim that was hurt on September 8 on Derbyshire. Wants to know what the city can do to ensure safety of children. She has talked to the Chief of Police but hasn't been given a solution. Wants Council to think about what they can do to ensure that kids feel safe in their community.

**The following people all commented on saving the South Rink at the Rec Center:**

- **Brian West**
- **Christopher Lacey**
- **Ann Lavelle**
- **Barbara Rosenbaum**
- **Elana Baldwin**
- **Lisa West**
- **Travis Cox**
- **Michael Watson and sons (Daniel, Gabriel, Joey, and Nicholas)**
- **Genevieve Care**
- **Richard Goodwin**
- **Vincent LiNixon and Michelle Johnson**
- **Jeremy Pree**
- **Jay and Theo Tekus**
- **Chris Wick**
- **Jenn Wick**
- **John Dorsey**

## LEGISLATION

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

**RESOLUTION NO. 175-2022(CRR): *First Reading*.** A Resolution proclaiming January 2023 as National Poverty in America Awareness Month; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilwoman Russell

Motion to Adopt by Councilwoman Russell. Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

## **Legislation Passed**

**RESOLUTION NO. 181-2022(AS): *First Reading*.** Resolution authorizing the Mayor to apply for grant funding under the Cuyahoga County Department of Development's Community Development Supplemental Grant program to install benches in public parks, streetscapes and spaces throughout Cleveland Heights, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

## Motion to Adopt by Vice President Cobb, Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

## Legislation Passed

**RESOLUTION NO. 176-2022(AS): *First Reading.*** A Resolution establishing a Charter Review Commission, determining the number of members and method of appointment and charging said Commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Hart

Motion to Amend by Councilman Cuda, Seconded by Vice President Cobb

Roll Call: Ayes: Moore, Russell, Hart, Cobb, Cuda, Larson  
Nays: Mattox

## Motion to Adopt by Vice President Cobb, Seconded by Councilman Cuda

\*Discussion: Councilman Cuda wants everybody to know he supports having a charter review commission; he has personally supported 3 charter amendments and wants to have this charter review. Our charter is antiquated; however, this legislation has problems for him. He believes it does not follow the spirit of the Charter. This in his opinion clearly gives Council the power, not the Mayor. He believes that Council has legislative authority and that in this legislation we are giving away 1/3 of the power given to Council to the Mayor. The role of the Mayor is to testify in front of the Charter Review Commission about the executive branch point of view. He is firm on voting no on this legislation. Vice President Cobb says Council has spent hours discussing this legislation and the formation of the Charter Review Commission, and it is time to move forward.

Ultimately it will be Council's decision of what goes on the ballot based on the Commissions recommendations. We have spent too much time arguing about this process, and it is time to move forward. President Hart wants to point out many charter commissions allow the mayor to have appointees, this will be an independent charter review that will be independent of all of us, including the mayor. Councilman Mattox agrees with Vice President Cobb, and he believes the way they went about this process and the way we structured this along with the mayor that this is more a partnership and will be extremely helpful in building trust between the Council the Mayor and residents moving forward.

Roll Call:      Ayes: Mattox, Moore, Hart, Cobb, Larson  
                    Nays: Russell, Cuda

**Legislation Passed: 5-2**

**b. *First Readings Only***

**ORDINANCE NO. 177-2022(PSH): *First Reading*.** An Ordinance authorizing the Mayor to enter into a renewal of a License Agreement with the Ohio Bell Telephone Company, dba AT&T for a municipal parking lot at 13172 Cedar Road; providing compensation therefor; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

**RESOLUTION NO. 178-2022(MSES): *First Reading*.** A Resolution agreeing to allow Cuyahoga County to operate an Electric Public Utility in the City of Cleveland Heights pursuant to its powers under the State of Ohio and the Laws established by the Government of Cuyahoga County.

**Moved to MSES Committee**

**RESOLUTION NO. 179-2022(MSES): *First Reading*.** A Resolution authorizing the Mayor to enter into an agreement with the Cuyahoga County Board of Health for funding for lead remediation work to be performed on residential properties in the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

**Moved to MSES Committee**

**ORDINANCE NO. 180-2022(PD): *First Reading*.** An Ordinance authorizing the Mayor to execute an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

c. **Second Readings**

**ORDINANCE NO. 168-2022(F): Second Reading As Amended.** An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2023 through December 31, 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Amend legislation by increasing fund 216 (recreation fund) by \$500,000.00 (from general fund reserves) by Councilman Mattox, Seconded by Councilwoman Russell

\*Discussion: Councilwoman Russell wants to thank the Mayor and Councilman Mattox and Council for supporting the addition to the budget for the splashpad at the park. Happy that we are now funding that project. Councilor Larson would like to thank Councilman Mattox and the Mayor for looking at an opportunity for adding joy to Dennison Park and the residents who live around there. President Hart wants to thank them as well because she believes it is a good move for the area.

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Amended**

**RESOLUTION NO. 169-2022(PSH): Second Reading.** A Resolution to suspend enforcement of Section 351.09 of Part Three (Traffic Code) of the Codified Ordinances of the City of Cleveland Heights for the period ending December 31, 2023, or at such earlier time as Council may subsequently prescribe, on the following-described streets; providing for on-street overnight permit parking on specified portions of Kensington, Hillcrest, Belmar, Glenmont and Eddington Roads; and declaring the necessity that this legislation become immediately effective as an emergency measure.

\*Discussion: PSH Committee considered this resolutions which is an annual renewal, and spoke with the Mayor who advised that the city is starting to tow vehicles on Mayfield and Euclid Heights Blvd during commuting hours.

Motion to Adopt by Councilor Larson, Seconded by Councilman Cuda

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 170-2022(PD): Second Reading.** A Resolution authorizing the Mayor to enter into an amendment to an agreement with Start Right CDC, a non-profit corporation, for the use of Community Development Block Grant

funds to provide funding for assistance with its Good Neighbor Home Rehab Program; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**RESOLUTION NO. 171-2022(PD): Second Reading.** A Resolution authorizing the Mayor to enter into an agreement with Economic and Community Development Institute for Program Management Services for Small Business Support Programs; providing compensation therefore; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Vice President Cobb  
Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 172-2022(PD): Second Reading.** An Ordinance amending Section 1311.05, *Architectural Board of Review Fees*, of Chapter 1311, *Administration, Fees and Penalty*, of Part Thirteen, *Building Code*, of the Codified Ordinances of Cleveland Heights to revise and add certain fees for procedures and services pertaining to the administration and enforcement of the Architectural Board of Review.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 173-2022(PD): Second Reading.** An Ordinance adopting a revised Schedule of Fees for procedures and services pertaining to the administration and enforcement of the Zoning Code.

Motion to Adopt by Councilman Mattox, Seconded by Vice President Cobb

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

**ORDINANCE NO. 174-2022(PD): Second Reading.** An Ordinance designating a schedule of fees for procedures and services related to the administration and enforcement of the provisions of Chapter 143, *Landmark Commission*, of the Codified Ordinances of the City of Cleveland Heights.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Voice Vote: Ayes: 7  
Nays: 0

**Legislation Passed**

## **9) Committee Reports**

- a.) Community Relations and Recreation Committee
  - No report
- b.) Finance Committee
  - Budget hearing have been completed and budget discussed during COTW
- c.) Housing and Building Committee
  - Update from meeting today at 4:30pm, next meeting will be January 3, 2023
- d.) Municipal Services and Environmental Sustainability Committee
  - Next meeting is planned for 12/19 at 11am to review 178-2022, and 179-2022
- e.) Planning and Development Committee
  - Next meeting will be scheduled by the end of the week (will be held in December)
- f.) Public Safety and Health Committee
  - Update from meeting this morning
- g.) Administrative Services Committee
  - Applications for Charter Review Commission will be available soon
- h.) Committee of the Whole
  - No report

## **OLD BUSINESS**

- None

## **NEW BUSINESS**

- None

## **COUNCIL MEMBER COMMENTS**

**Councilman Mattox:** Appreciates the number of residents who came out to present their views including all the young people who came out.

**Councilor Moore:** Read a statement of discontent with Council for having not created a set of rules and procedures in order to guide councilmembers on how to do their jobs and achieve goals. Shares in resident's frustrations that Council has not done a good job of working together over the past 9 months. She has sent out multiple documents with suggestions to Council on both rules/procedures and legislative process but it has not been discussed as of yet. When she has suggested legislation, she feels as though Council President Hart and Vice President Cobb have instated rules/requirements on the spot that have not been voted on by Council. We need to have a strong Council to support our new strong Mayor.

**Councilwoman Russell:** Would like to thank Jay Tekus for speaking with her after last Council meeting regarding his comments on the ice rink. Would like to thank Megan Smith for sending her a thank you card after attending the Landlor/Tenant meeting; there will be these events 3 times a year (March, June and October) moving forward. The Judicial branch is partnering with her to do a toy drive in partnership with Toys for Tots and Olivia's Dream. There will be a drop off spot outside of the court rooms. Congratulations to Denison Park neighborhood and for the splash pad that will be budgeted for in 2023.

**Vice President Cobb:** Nothing tonight

**Councilman Cuda:** Wants to clarify his definition of co-equal branches of government; that both branches are equally and fully empowered to do their job. He looks forward to working on everything Councilor Moore mentioned. Also wants to say he loves the passion of sports and the support shown by the hockey lovers who came in.

**Councilor Larson:** Agrees we need to work together on council rules and processes, and looks forward to doing that in 2023. Is very concerned for those who live in apartment buildings without heat and can't wait to see what happens with the property owner at 2450 Overlook in court tomorrow.

## **COUNCIL PRESIDENT'S REPORT**

Addresses Councilor Moore's comments; Council has tried to do council rules, and they chose not to pass them but nobody suggested changes. She has received multiple emails from Councilor Moore with a lot of information and a manual for how Council should operate but we also have been in the middle of budget hearings for the past 3 weeks, and the legislative process is up for discussion in the future. We will have another retreat where the focus will be Council rules and legislative process. This is a matter for all Council to discuss.

## **ADJOURNMENT**

## **NEXT MEETING OF COUNCIL: FRIDAY, DECEMBER 16, 2022**

Proposed: 12/16/2022

ORDINANCE NO. 182-2022(F), *First  
Reading*

By: Mayor Seren

An oOrdinance to amend certain subparagraphs of Ordinance No. 139-2021 (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, 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) and subsequent amending ordinances all 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. In order to provide funds for debt payments, capital expenses, future expenses, and to eliminate negative fund balances, the Mayor is hereby authorized to transfer monies from various funds in amounts not to exceed those stated below:

FROM	AMOUNT	TO
101-GENERAL FUND	\$150,000.00	301-DEBT SERVICE FUND
101- GENERAL FUND	800,000.00	603 -PARKING FUND
101-GENERAL FUND	100,000.00	215-CAIN PARK OPERATING
101-GENERAL FUND	900,000	605 – SEWER FUNND
101-GENERAL FUND	35,000	213- POLICE FACILITY IMPROVEMENT FUND
101-GENERAL FUND	73,642	204- COMMUNICATIONS SYSTEM FUND
101- GENERAL FUND	500,000	216 REC FACILTY IMPROVEMENT FUND
101-GENERAL FUND	1,200,000	232 – POLICE PENSION FUND
101- GENERAL FUND	1,500,000	233- FIRE PENSION FUND
101-GENERAL FUND	1,966	218-MISC. STATE GRANTS FUND
101-GENERAL FUND	17,000	240-FEDERAL MISC. GRANTS FUND
101-GENERAL FUND	200,000	416-REFUSE CAPITAL FUND
101-GENERAL FUND	31,000	226-LEAD SAFE CUYAHOGA FUND
101-GENERAL FUND	51,000	228-CDBG-COVID
101—GENERAL FUND	150,000	411-ECONOMIC DEVELOPMENT FUND
231-TREE FUND	17,455	301-DEBT SERVICE FUND

ORDINANCE NO. 182-2022(F)

606- ALS AMBULANCE SERVICES	100,000.00	233-FIRE PENSION FUND
<b>TOTAL TRANSFERS FROM FUNDS</b>	\$5,770,093	

SECTION 3. 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 4. 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 5. It is necessary that this Ordinance 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 ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) 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.

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Melody Joy Hart  
President of the Council

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Addie Balester  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

## Appropriation Adjustment Fiscal Year 2022

Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget
101 - General	2101 - Mayor	Personal Services	Transfer for salaries, longevity, pension and Medicare.	656,328.00	(8,600.00)	647,728.00
		O.T.P.S.	Transfer for Operating Expenses	27,254.00	8,600.00	35,854.00
	2108 - General Operations	Personal Services	Decrease to move hospitalization expense to new Refuse fund.	7,119,468.00	(453,719.00)	6,665,749.00
	2108 - General Operations	O.T.P.S.	Transfer for Operating Expenses	1,512,105.00	50,000.00	1,562,105.00
	3101- Finance	O.T.P.S.	Transfer for Operating Expenses	62,070.00	20,000.00	82,070.00
	3102 - Oper Trsf/Temp Advance	Other Financing Uses	Increase to Eliminate Negative Fund Balance and For Future Expenses	2,340,000.00	2,009,638.00	4,349,638.00
	4101 - Law	O.T.P.S.	Transfer for Operating Expenses	527,493.00	7,950.00	535,443.00
	6207 - Vehicle Maintenance	O.T.P.S.	Transfer for Operating Expenses	1,493,198.00	239,000.00	1,732,198.00
	6211 - Traffic Signs & Signals	Personal Services	Transfer for salary, pension and longevity.	61,208.00	8,000.00	69,208.00
	7201-Police Admin	O.T.P.S.	Transfer for Operating Expenses	764,481.00	20,000.00	784,481.00
	7301 - Fire Admin	Personal Services	Transfer for salaries, pension and Medicare.	6,996,065.00	75,000.00	7,071,065.00
		O.T.P.S.	Transfer for Operating Expenses	219,008.00	5,000.00	224,008.00
	7303 - Fire Prevention	Personal Services	Transfer for salaries, pension and Medicare.	114,535.00	2,000.00	116,535.00
	8201 - Public Prop/Park Maint	Personal Services	Transfer for salaries, pension and Medicare.	1,101,519.00	90,000.00	1,191,519.00
		O.T.P.S.	Transfer for Operating Expenses	1,055,121.00	35,000.00	1,090,121.00
	8401 - Parks & Recreation Admin	Personal Services	Transfer for salary, pension and longevity.	332,410.00	26,000.00	358,410.00
	8403 - Swimming Pool	Personal Services	Transfer for salary, pension and longevity.	242,736.00	(9,000.00)	233,736.00
		O.T.P.S.	Transfer for Operating Expenses	125,386.00	23,000.00	148,386.00
	8409- Sports Programs	Personal Services	Transfer for salary, pension and longevity.	118,995.00	9,000.00	127,995.00
	8411 - Community Center Admin	O.T.P.S.	Transfer for Operating Expenses	338,334.00	57,000.00	395,334.00
202 - Foundation Grant	7301 - Fire Admin	Capital	Decrease for Expenses Not Used	75,000.00	(75,000.00)	0.00
	7402 - Housing Inspections	O.T.P.S.	Decrease for Expenses Not Used	50,000.00	(50,000.00)	0.00
206 - Law Enforcement	7205 - Law Enforcement	O.T.P.S.	Decrease for Expenses Not Used	134,647.00	(56,000.00)	78,647.00
208 - CDBG Resource	5203 - CDBG Admin Contracts	O.T.P.S.	Decrease for Expenses Not Used	636,521.00	(175,000.00)	461,521.00
	5211 - CDBG Comm. Inprove. Area	Capital	Decrease for Expenses Not Used	181,532.00	(130,000.00)	51,532.00

## ORDINANCE NO. 182-2022(F)

## Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget
5222 - Economic Dev.	5222 - Economic Dev.	O.T.P.S.	Decrease for Expenses Not Used	1,473,135.00	(1,165,000.00)	308,135.00
	5303 - CDBG Housing Press Office	Personal Services	Transfer for salary, pension and longevity.	326,030.00	47,000.00	373,030.00
		O.T.P.S.	Decrease for Expenses Not Used	301,455.00	(84,741.00)	216,714.00
	5306-CDBG Neighborhood Relate	O.T.P.S.	Decrease for Expenses Not Used	81,909.00	(81,909.00)	0.00
	5309-GIS	Personal Services	Transfer for salary, pension and longevity.	36,212.00	5,000.00	41,212.00
		O.T.P.S.	Decrease for Expenses Not Used	403,065.00	(303,591.00)	99,474.00
211 - Home Program	5503 - HOME Admin	O.T.P.S.	Decrease for Expenses Not Used	150,000.00	(50,000.00)	100,000.00
213 - Police Facility Impr Fund	7201 - Police Admin	O.T.P.S.	Decrease because there is not enough cash to cover current year appropriations.	16,022.00	(9,500.00)	6,522.00
		Capital	Decrease because there is not enough cash to cover current year appropriations.	15,000.00	(4,600.00)	10,400.00
214 - Local Programming	2108 - General Operations	Capital	Did not purchase	14,086.00	(14,086.00)	0.00
	2601 - Cable TV Admin	Personal Services	Transfer for salaries and Medicare expense.	141,167.00	27,500.00	168,667.00
216 - Rec Fac Imp Fund	8301 - Park Maintenance Admin	Capital	Increase for operating expenses	249,000.00	14,500.00	263,500.00
228- CDBG Covid	5220 - CDBG Office on Aging	O.T.P.S.	Decrease for Expenses Not Used	52,498.00	(50,000.00)	2,498.00
	5222-Economic Development	O.T.P.S.	Decrease for Expenses Not Used	290,000.00	(290,000.00)	0.00
230 - Street Lighting	6211 - Traffic Signals & Signs	O.T.P.S.	Increase for operating expenses	680,715.00	165,000.00	845,715.00
233 - Fire Pension	7301 - Fire Admin	Personal Services	Transfer for Fire pension expenses.	1,730,063.00	90,000.00	1,820,063.00
234 - Earned Benefits	2108 - General Operations	Personal Services	Transfer for payment of separation payouts.	400,000.00	45,000.00	445,000.00
240 - Federal Misc. Grant	7201 - Police Admin	Personal Services	Transfer for Salaries	15,603.00	6,854.00	22,457.00
		O.T.P.S.	Decrease for Expenses Not Used	20,363,650.00	(15,970,000.00)	4,393,650.00
241- Local Fiscal Recovery	6205 - Sewer Maintenance	Capital	Decrease for Expenses Not Used	18,000,000.00	(15,000,000.00)	3,000,000.00
	6302 - Water Distribution	Capital	Decrease for Expenses Not Used	1,377,798.00	(1,000,000.00)	377,798.00
	6205 - Sewer Maintenance	Capital	Decrease for Expenses Not Used	5,522,977.00	(3,500,000.00)	2,022,977.00
603 - Parking Fund	6210 - Parking Department	Personal Services	Decrease because there is not enough cash to cover current year appropriations.	151,691.00	(151,631.00)	60.00

## ORDINANCE NO. 182-2022(F)

## Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget
		O.T.P.S.	Decrease because there is not enough cash to cover current year appropriations.	1,212,081.00	(387,150.00)	824,931.00
		Capital	Decrease for Expenses Not Used	5,000.00	(5,000.00)	0.00
605 - Refuse Fund	6203 - Refuse Coll/Transfer Sta	Personal Services	Transfer for hospitalization expenses	2,516,581.00	(100,000.00)	2,416,581.00
606 - ALS Ambulance Services	7304 - Ambulance Services	Other Financing Uses	Increase to supplement pension expenses in place of general fund monies.	19,788.00	100,000.00	119,788.00
804 - Office On Aging	8501 - OoA Administration	O.T.P.S.	Decrease for Expenses Not Used	7,430.00	(2,000.00)	5,430.00
	8502- OoA Computer Center	O.T.P.S.	Decrease for Expenses Not Used	5,000.00	(5,000.00)	0.00
	8502-OoA Computer Center	Capital	Decrease for Expenses Not Used	3,000.00	(3,000.00)	0.00
808 - Youth Recreation Fund	8101 - Community Services Admin	Other Financing Uses	Decrease for Expenses Not Used	5,000.00	(3,999.00)	1,001.00
809 - Police Memorial Trust	7201- Police Admin		Decrease for Expenses Not Used	10,000.00	(10,000.00)	0.00
811 - Juvenile Diversion Prog	7209 - Juvenile Diversion Prog	O.T.P.S.	Decrease for Expenses Not Used	9,900.00	(9,900.00)	0.00
850- Flexible Spending Account	3101-Finance	Personal Services	Transfer for hospitalization expenses	0.00	153,000.00	153,000.00
858 - Miscellaneous Agency	3105 - Unclaimed Money	Other Financing Uses	Decrease for Expenses Not Used	20,000.00	(15,000.00)	5,000.00
				81,891,270.00	(35,834,384.00)	46,056,886.00

City of Cleveland Heights 2022 Year End Transfers			Projected Unencumbered Fund Balance	
Fund	Transfer Out	Transfer In	After Transfers	
			12/31/2022	
101 General Fund	5,709,638.00		25,240,788.73	
204 Communications System		73,642.00	0.43	To eliminate a negative fund balance
213 Police Facility Improvement		35,000.00	24,668.03	To pay for future expenses
215 Cain Park		100,000.00	2,799.00	To eliminate a negative fund balance
216 Rec Facility Improvement Fund		500,000.00	1,216,726.88	To Fund money for splash pad
218 Misc. State Grants		1,996.00	0.00	To eliminate a negative fund balance
226 Lead Safe Fund		31,000.00	43.00	To eliminate a negative fund balance
228 CDBG - Covid		51,000.00	255.12	To eliminate a negative fund balance
232 Police Pension		1,200,000.00	201,676.32	In the original 2022 budget
233 Fire Pension		1,500,000.00	313,896.63	In the original 2022 budget
240 Federal Misc. Grants		17,000.00	76.48	To eliminate a negative fund balance
301 General Obligation Bonds		150,000.00	269,299.35	In the original 2022 budget
411 Economic Development		150,000.00	295,877.10	To pay for future expenses
416 Refuse Capital Grant Fund		200,000.00	338,789.86	To eliminate a negative fund balance
603 Parking Fund		800,000.00	434,290.63	To pay for future expenses
605 Refuse Fund		900,000.00	752,679.95	To pay for future expenses
231 Tree Fund	17,455.00		1,162,197.52	
301 General Obligation Bonds		17,455.00	269,299.35	In the original 2022 budget
606 ALS Fund	100,000.00		1,192,181.50	
233 Fire Pension Fund		100,000.00	313,896.63	In the orginal 2022 budget

Proposed: 12/05/2022

RESOLUTION NO. 184-2022(F),  
*First Reading*

By Council President Hart

A Resolution authorizing and directing the Mayor to enter into a contract with CivicPlus for the installation and maintenance of a meeting management software program entitled CivicClerk; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, Council has determined the necessity for meeting management software to create better workflows and increase efficiency; and

WHEREAS, after researching many available options, the CivicClerk software has been determined to be the best option to meet Council's specific needs; and

WHEREAS, this Council believes that the terms of the proposed contract are fair and reasonable in relation to the product and services provided by CivicClerk; and

WHEREAS, under Article IV, Section III of the Charter of the City of Cleveland Heights, the Mayor "shall execute on behalf of the City all contracts ... and all other instruments to which the City is a party."

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

SECTION 1. This Council hereby finds and determines that the proposal submitted by CivicPlus is fair and appropriate in relation to the services provided and is in the best interests of the City and its residents.

SECTION 2. This Council hereby authorizes and directs the Mayor to enter into a contract with CivicPlus, for meeting management software and maintenance, in an amount not to exceed Thirty-one Thousand Four Hundred Sixty-two and 88/100 Dollars (\$31,462.88) for a Term of up to Five (5) years. The terms of the contract shall be substantially in accordance with the draft agreement attached hereto as Exhibit "A", and shall be approved as to form by the Director of Law.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

RESOLUTION NO. 184-2022(F)

SECTION 4. 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 5. It is necessary that this Resolution become immediately effective as an emergency measure for the immediate preservation of the public peace, health or safety of the City, such emergency being the need to timely engage and compensate CivicPlus for services provided to the City at the request of the City Council. 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 effect and be in force from and after the earliest time allowed by law.

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MELODY JOY HART  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

EXHIBIT A**CivicPlus**

302 South 4th St. Suite 500  
Manhattan, KS 66502  
US

**Quote #:** Q-29472-1  
**Date:** 9/19/2022 11:54 AM  
**Expires On:** 12/31/2022

**Client:**  
CLEVELAND HEIGHTS, OHIO

**Bill To:**  
CLEVELAND HEIGHTS, OHIO

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Ryan Cram	x	ryan.cram@civicplus.com		Net 30

QTY	PRODUCT NAME	DESCRIPTION	PRODUCT TYPE
1.00	CivicClerk Annual Fee	CivicClerk Annual Fee - Agenda and Minutes Management	Renewable
1.00	CivicClerk Year 1 Annual Fee Discount	Year 1 Annual Fee Discount	Renewable
1.00	CivicClerk Premium Implementation Package	Premium Implementation Package – Up to # of Boards	
1.00	CivicClerk Premium Configuration	CivicClerk Premium Configuration	One-time
1.00	CivicClerk Custom Template Design	CivicClerk Custom Template Set - includes 2 Agenda templates, 1 Item Report template, 1 Minutes template, 1 Agenda Script template	One-time
2.00	CivicClerk Consulting (1h, virtual)	1 hour Virtual Consulting	One-time
1.00	CivicClerk Virtual Training (Half Day Block)	Training (Virtual) - half day, up to 4 hours	One-time

List Price - Year 1 Total	USD 9,300.00
Total Investment - Year 1	USD 7,935.00
Annual Recurring Services - Year 2	USD 5,623.80

Total Days of  
Quote:365

RESOLUTION NO. 184-2022(F)

1. This Statement of Work ("SOW") shall be subject to the terms and conditions of the CivicPlus Master Services Agreement located at <https://www.civicplus.com/master-services-agreement> ("MSA"), to which this SOW is hereby attached as the CivicClerk Statement of Work. By signing this SOW, Client expressly agrees to the terms and conditions of the MSA throughout the Term of this SOW.
2. The initial Term of this Agreement shall be One (1) Year from the date of signing ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term or any subsequent Renewal Term, this agreement will automatically renew for up to four (4) additional 1-year renewal terms ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".
3. The Total Investment - Year 1 will be invoiced as follows:
  - a. Upon signing of this SOW – one half (50%) of the Total Investment - Year 1 Fees;
  - b. The earlier of 6 months from signing or upon completed implementation – the remaining half of the Total Investment - Year 1 Fees.
4. Annual Recurring Services shall be invoiced o12 months from signing and every 12 months thereafter. Annual Recurring Services, including but not limited to hosting, support and maintenance services, shall be subject to a 3% annual increase beginning in year 3 of service, to the extent applicable.
5. Client shall have sole control and responsibility over the determination of which data and information shall be included in the content that is to be transmitted and stored by CivicPlus. Client shall not provide to CivicPlus or allow to be provided to CivicPlus any content that (a) infringes or violates any 3rd party's Intellectual Property rights, rights of publicity or rights of privacy, (b) contains any defamatory material, or (c) violates any federal, state, local, or foreign laws, regulations, or statutes.
6. The scope of the initial implementation services to be delivered by CivicPlus are as listed above. Client is responsible for providing all information required for the configuration of the services in accordance with the scope and project timeline.
7. Upon Go-Live, any unused implementation services (ie: board configuration) will expire. Any configuration of additional boards by CivicPlus after Go-Live may incur additional one-time charges based on the scope of the desired configuration, design, and training services. Any such charges are subject to legislative approval of the costs.
8. Completion of implementation services will be determined by Go Live status. The parties agree to cooperate in a timely manner to complete all implementation tasks and deliverables in order to obtain Go-Live status of the services. CivicPlus will make reasonable efforts to confirm Go Live status with the Client, but reserves the right to deem Client's use of the services in the intended course of business as Go Live. "Go-Live" is defined as the Client's use of the services implemented by CivicPlus under this SOW for the intended purpose and with the intended audience.

Signature Page to follow.

**RESOLUTION NO. 184-2022(F)**

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW and the MSA terms and conditions found at: <https://www.civicplus.com/master-services-agreement>.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

By:

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Name:

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Title:

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Date:

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CivicPlus

By:

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Name:

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Title:

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Date:

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### Contact Information

\*all documents must be returned: Master Service Agreement, Statement of Work, and Contact Information Sheet.

<b>Organization</b>	URL	
Street Address		
Address 2		
City	State	Postal Code
CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays). Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for ensuring CivicPlus has current updates.		
<b>Emergency Contact &amp; Mobile Phone</b>		
<b>Emergency Contact &amp; Mobile Phone</b>		
<b>Emergency Contact &amp; Mobile Phone</b>		
<b>Billing Contact</b>	E-Mail	
Phone	Ext.	Fax
Billing Address		
Address 2		
City	State	Postal Code
Tax ID #	Sales Tax Exempt #	
Billing Terms	Account Rep	
Info Required on Invoice (PO or Job #)		

Are you utilizing any external funding for your project (ex. FEMA, CARES):

Y [ ] or N [ ]

Please list all external sources:

<b>Contract Contact</b>	Email	
Phone	Ext.	Fax
<b>Project Contact</b>	Email	
Phone	Ext.	Fax

Proposed: 12/16/22

RESOLUTION NO. 185-2022 (MSES),  
*FirstReading*

By: Council Members Moore and Larson

A Resolution declaring climate change an emergency that threatens our city, region, state, nation, humanity, and the natural world, and which demands a massive-scale mobilization to address, mitigate, and prepare for the impacts of climate change; and declaring the necessity that this Resolution become immediately effective as an emergency.

WHEREAS, the United Nations Intergovernmental Panel on Climate Change (IPCC) has made clear that we are in a global climate emergency by documenting the extent, speed, and acceleration of global climate change and planetary warming and their dramatic effects on our Earth; and

WHEREAS, the National Oceanic and Atmospheric Administration has determined that climate change is already increasing the frequency of extreme weather and other climate-related disasters, including fresh-water scarcity and droughts, floods, extreme weather events, increased heat, wildfires, accelerating ice mass loss that will result in sea-level rise, and species extinction; and

WHEREAS, the National Climate Assessment found that climate change due to global warming has caused, and is expected to cause additional, substantial interference with and growing losses to infrastructure, property, industry, recreation, natural resources, agricultural systems, human health and safety, the U.S. economy, and quality of life in the United States, underscoring the need for immediate climate emergency action at all levels of government; and

WHEREAS, climate-related natural disasters have increased exponentially over the past decade, costing the United States more than double the long-term average during the period of 2014 through 2018, with the National Centers for Environmental Information reporting total global costs of natural disasters from 2016 to 2021 exceeding \$100 billion each year; and

WHEREAS, in 2019, the United Nations Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services found that human-induced climate change is pushing the planet toward a sixth mass species extinction, with experts estimating our current species loss to be between 1,000 and 10,000 times higher than the natural extinction rate, and loss of biodiversity threatens the food security, water supply, and the health of humans, and has been proven to increase the likelihood of zoonotic diseases such as COVID-19; and

RESOLUTION NO. 185-2022 (MSES)

WHEREAS, critical tipping points must be avoided, as they will have, and are already having, cascading feedback effects that are predicted to cause an increasingly uncontrollable climate emergency, and with current greenhouse gas (GHG) emission levels, many of these tipping points will be passed by 2040 or sooner; and

WHEREAS, the October 8, 2018, special report of the IPCC projected that curtailing warming to 1.5°C to reduce the risks to health, livelihoods, food security, water supply, human security, economic growth, and plant and animal life this century will require an unprecedented transformation of every sector of the global economy over the subsequent 12 years; and

WHEREAS, climate change is already inflicting, and will continue to inflict, substantial damages to the Northeast Ohio region's physical, social, and economic well-being, and our regional climate change impacts, such as increased flooding, will continue to worsen; and

WHEREAS, to avoid irreversible, catastrophic climate change impacts, we cannot only focus on reducing emissions but must also dramatically increase and enable meaningful carbon sequestration while also preparing our community for significant climate impacts, and the current pace and scale of national climate action is not sufficient to avert substantial damage to the economy, environment, and human health over the coming decades; and

WHEREAS, biodiverse green spaces, notably forests, wetlands, and riparian setbacks, must be protected and enhanced, as they are vital for environmental sustainability and regeneration by providing greater carbon sequestration, diminishing urban heat islands, reducing the harmful effects of air pollution, increasing stormwater retention and filtration, and protecting against soil erosion; and

WHEREAS, marginalized communities worldwide, including people of color, immigrants, indigenous communities, low-income people, those with disabilities, and the unhoused, are disproportionately affected by climate change and must benefit from a just transition to reach zero GHG emissions with a sustainable and equitable economy; and

WHEREAS, the massive scope and scale of action necessary to stabilize the climate will require unprecedented levels of public awareness, engagement, and deliberation to develop and implement effective, just, and equitable policies to address the climate crisis; and

WHEREAS, as part of the City's commitment to working toward racial equity in all its actions, and the City's established priorities, in particular housing quality and affordability as well as economic development, it is vital that the City's climate-related actions thoroughly integrate these commitments.

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

**RESOLUTION NO. 185-2022 (MSES)**

SECTION 1. The City of Cleveland Heights joins with communities across the United States and the world to declare that we are in a climate emergency that threatens our community and others in our nation and worldwide and requires mobilizing more aggressive action on all our parts.

SECTION 2. The City of Cleveland Heights does hereby require urgent and immediate mobilization of public and private resources to mitigate global warming and prepare for the impacts of escalating climate change.

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. 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 urgent need to declare climate change an emergency and mobilize resources to address, mitigate, and prepare for the impacts of climate change. 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 effect and be in force from and after the earliest time allowed by law.

SECTION 5 The Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution to President Joe Biden, Vice-President Kamala Harris, Governor Mike DeWine, U.S. Representative Shontel Brown, U.S. Senator Sherrod Brown, U.S. Senator-elect J. D. Vance, State Senator-elect Kent Smith, and State Representative Bishara W. Addison.

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MELODY JOY HART  
President of the Council

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ADDIE BALESTER  
Clerk of Council

RESOLUTION NO. 185-2022  
(MSES)

PASSED:

Presented to the Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 12/5/22

ORDINANCE NO. 177-2022 (PSH), *Second Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to enter into a renewal of a License Agreement with the Ohio Bell Telephone Company, dba AT&T for a municipal parking lot at 13172 Cedar Road; providing compensation therefor; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, by Resolution No. 168-1997, this Council authorized a license agreement with the Ohio Bell Telephone Company, dba AT&T (“Ohio Bell”) for the use of property at 13172 Cedar Road for a municipal parking lot; and

WHEREAS, the original license agreement with Ohio Bell was subsequently extended several times, with the last renewal term expiring on November 30, 2022; and

WHEREAS, the parking lot has proven to be of benefit to the Cedar-Lee Business District and the neighborhood, and the renewal of the license agreement would be in the best interests of the City of Cleveland Heights and its residents.

BE IT ORDAINED 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 the Ohio Bell Telephone Company, dba AT&T for the renewal of a license for a parking lot at 13172 Cedar Road (the “Premises”). The term of the license renewal shall be for a period of five (5) years, commencing December 1, 2022, unless earlier terminated by either of the parties. The rental payments, which shall be paid in one lump sum annually, shall be the sum of Twelve Thousand Four Hundred Ten Dollars (\$12,410.00) for the first year, with an increase of two percent (2%) for each year thereafter. The License Agreement shall provide for the reservation of up to twelve spaces, if desired, for Lessor’s exclusive use.

SECTION 2. The license agreement authorized herein and all related documents shall contain such terms as recommended by the Mayor and Director of Law and shall be approved as to form by the Director of Law.

SECTION 3. Notice of the passage of this Ordinance 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 Ordinance 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 for a timely renewal of the license agreement..Wherefore, provided it receives the affirmative vote of five or more of

**ORDINANCE NO. 177-2022(PSH)**

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 and after the earliest time allowed by law.

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**MELODY JOY HART**  
President of the Council

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**ADDIE BALESTER**  
Clerk of Council

PASSED: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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**KAHLIL SEREN**  
Mayor

Proposed: 12/05/2022

RESOLUTION NO. 178-2022(MSES), *Second Reading*

By Mayor Seren

A Resolution agreeing to allow Cuyahoga County to operate an Electric Public Utility in the City of Cleveland Heights pursuant to its powers under the State of Ohio and the Laws established by the Government of Cuyahoga County.

WHEREAS, the City of Cleveland Heights recognizes that Cuyahoga County has created an Electric Public Utility pursuant to its authority established under the Constitution and Laws of the State of Ohio; and

WHEREAS, pursuant to an Ohio State Attorney General Legal Opinion (Opinion No. 2021-015), Cuyahoga County requires that it obtain formal agreements with municipalities where it seeks to operate its Electric Public Utility; and

WHEREAS, the County has great interest in developing energy microgrids in commercial, industrial and manufacturing districts which can utilize locally generated clean energy, on site battery storage and advanced technologies for resiliency; and

WHEREAS, the County has identified the City of Cleveland Heights as a strong geographic location and partner to work with to develop a microgrid district within; and

WHEREAS, the City of Cleveland Heights has no current franchise agreement with any electrical distribution utility which would hinder or foreclose its ability to allow Cuyahoga County to operate its Utility in the City and therefore be able to offer competition to customers.

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

SECTION 1. The City of Cleveland Heights agrees to allow Cuyahoga County to operate an Electric Public Utility in the City of Cleveland Heights pursuant to its powers under the State of Ohio and the Laws established by the Government of Cuyahoga County.

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. This Resolution shall take effect and be in force from the earliest time permitted by law.

**RESOLUTION NO. 178-2022(MSES)**

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**MELODY JOY HART**  
President of the Council

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**ADDIE BALESTER**  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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**KAHLIL SEREN**  
Mayor

Proposed: 12/5/22

RESOLUTION NO. 179-2022(MSES), *Second Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Cuyahoga County Board of Health for funding for lead remediation work to be performed on residential properties in the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Cuyahoga County Board of Health (“CCBH”) has established a program funding source entitled Lead Poisoning Prevention Subsidy (“LPPS”) for the purpose of reducing exposure to lead in existing homes in the Board’s jurisdiction; and

WHEREAS, the CCBH has awarded the City as sub-grantee the sum of Two Hundred Thousand Dollars (\$200,000.00); and

WHEREAS, acceptance of such funding will allow the City to assist City homeowners with lead remediation work in their homes, and be of benefit to the City and its residents.

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 execute an agreement with the Cuyahoga County Board of Health (“CCBH”) to accept up to Two Hundred Thousand Dollars (\$200,000.00) in grant funding pursuant to the CCBH’s Lead Poisoning Prevention Subsidy Program to assist City homeowners with lead remediation work in their properties. The terms of the agreement shall be substantially in accord with the draft agreement on file with the Clerk of Council, and 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 the public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet CCBH Program deadlines. 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 effect and be in force from and after the earliest time allowed by law.

**RESOLUTION NO. 179-2022(MSES)**

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**MELODY JOY HART**  
President of Council

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**ADDIE BALESTER**  
Clerk of Council

PASSED: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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**KAHLIL SEREN**  
Mayor

Proposed: 12/5/22

ORDINANCE NO. 180-2022 (PD), *Second Reading,*  
*As Amended*

By Mayor Seren

An Ordinance authorizing the Mayor to execute an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City is the owner of approximately 2.08 acres of property located at or in the vicinity of 2228 Noble Road, 890 Woodview Road, 870 Woodview Road, 868 Woodview Road, and 860 Woodview Road, Permanent Parcel Nos. 681-38-080, 681-38-012, 681-38-010, 681-38-009, 681-38-008, 681-06-004, and 681-06-121 in the City of Cleveland Heights (the “Property”); and

WHEREAS, TWG Development, LLC (“TWG”), an Indiana limited liability company, is interested in the potential purchase of said property for the construction of an affordable-housing residential development; and

WHEREAS, the City desires to grant an interest in the property to TWG sufficient to allow TWG to submit applications and/or otherwise explore tax credits and other funding sources for its desired project; with the understanding that no property transfer will occur until the City and TWG enter into a development agreement satisfactory to both parties; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to proceed with the execution of a purchase agreement.

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

SECTION 1. The Mayor is hereby authorized to execute a purchase agreement with TWG Development, LLC for the sale of certain real property located at located in the vicinity of Noble Road and Woodview Road identified as Permanent Parcel Nos. 681-38-080, 681-38-012, 681-38-010, 681-38-009, 681-06-004, 681-06-121, and 681-38-008 (the “Property”). The purchase price for the Property, shall be the sum of Two Hundred Forty-five Thousand Dollars (\$245,000.00) plus reasonable closing costs, or such other amount as may be negotiated by the parties in the context of a development agreement and approved by further Ordinance of this Council. The purchase agreement shall provide that a condition precedent to closing shall be the execution by the City and TWG of a development agreement satisfactory to both parties.

SECTION 2. Documents implementing the above transaction shall be approved as to form by and subject to the final approval of the Director of Law.

SECTION 3. This Council hereby determines that the Property identified in Section (1) hereinabove is not needed for municipal purposes.

SECTION 4 Notice of the passage of this Ordinance 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 5. This Ordinance 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 permit TWG to submit applications and otherwise explore funding sources for its proposed residential development. 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 immediate 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.

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MELODY JOY HART  
President of Council

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ADDIE BALESTAR  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

Proposed: 11/21/2022

ORDINANCE NO. 168-2022(F): *Third Reading,*  
*As Amended*

By Mayor Seren

An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2023 through December 31, 2023; 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. To provide for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, during the fiscal year ending December 31, 2023 the following sums in Exhibit 1 be and they are hereby appropriated.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2023, 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 City's Chief Executive, 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 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.

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Melody Joy Hart  
President of Council

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Addie Balester  
Clerk of Council

ORDINANCE NO. 168-2022(F)

PASSED:

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor

**City of Cleveland Heights**  
**2023 Expense Budget**

ORDINANCE NO. 168-2022 (F) Proposed Substitute with Council Amendment

Fund	Department	Object				Grand Total
		Personal Services	O.T.P.S.	Capital	Other Financing Uses	
101 - General	1101 - City Council	138,097.00	53,460.00	12,340.00	-	203,897.00
	2101 - Mayor's Office	576,210.00	37,550.00	-	-	613,760.00
	2106 - Civil Service Commission	2,439.00	33,500.00	-	-	35,939.00
	2107 - Landmark Commission	-	19,750.00	7,333.00	-	27,083.00
	2108 - General Operations	6,565,065.00	1,512,350.00	-	-	8,077,415.00
	2201 - Management Info Serv	277,199.00	256,395.00	-	-	533,594.00
	2501 - Community Relations	-	10,000.00	-	-	10,000.00
	2502 - Public Relations	331,596.00	91,900.00	-	-	423,496.00
	3101 - Finance	768,236.00	211,245.00	-	200.00	979,681.00
	3103 - County Auditors Deduction	-	250,000.00	-	-	250,000.00
	3102 - Oper Trsf/Temp Advance	-	-	-	2,470,000.00	2,470,000.00
	3201 - Income Tax	-	1,215,000.00	-	-	1,215,000.00
	4101 - Law	741,020.00	479,750.00	-	-	1,220,770.00
	5101 - Planning	1,509,513.00	169,385.00	16,533.00	-	1,695,431.00
	5102 - Planning Commission	8,139.00	-	7,334.00	-	15,473.00
	5103 - Board Of Zoning Appeals	5,899.00	-	7,334.00	-	13,233.00
	5104 - SID (Spec Impr District)	-	386,372.00	-	-	386,372.00
	5106 - Architect Bd of Review	11,796.00	-	7,334.00	-	19,130.00
	5602 - SBA Grants	-	164,750.00	-	-	164,750.00
	6201 - Service Admin	364,580.00	7,590.00	310.00	-	372,480.00
	6202 - Capital Projects Admin	-	23,000.00	-	-	23,000.00
	6207 - Vehicle Maintenance	918,884.00	1,593,196.00	20,240.00	-	2,532,320.00
	6208 - Street Maintenance	1,445,806.00	343,985.00	4,200.00	-	1,793,991.00
	6211 - Traffic Signs & Signals	65,689.00	149,815.00	-	-	215,504.00
	7201 - Police Admin	9,405,357.00	731,650.00	24,750.00	1,250,000.00	11,411,757.00
	7202 - Police Academy	92,428.00	69,175.00	-	-	161,603.00
	7301 - Fire Admin	7,192,587.00	312,842.00	-	1,525,000.00	9,030,429.00
	7302 - Joint Dispatch Office	-	1,676,668.00	-	-	1,676,668.00
	7303 - Fire Prevention	101,556.00	21,949.00	1,000.00	-	124,505.00
	7401 - Building Services	-	1,012,000.00	-	-	1,012,000.00
	7402 - Housing Inspections	12,278.00	117,025.00	2,500.00	-	131,803.00
	8101 - Community Services Admin	-	4,620.00	-	-	4,620.00
	8201 - Public Prop/Park Maint	1,138,204.00	1,000,990.00	-	-	2,139,194.00

**City of Cleveland Heights**  
**2023 Expense Budget**

ORDINANCE NO. 168- 2022 (F) Proposed Substitute with Council Amendment

Fund	Department	Object				Grand Total
		Personal Services	O.T.P.S.	Capital	Other Financing Uses	
	8401 - Parks & Recreation Admin	329,921.00	31,185.00	-	-	361,106.00
	8403 - Swimming Pools	250,540.00	168,139.00	-	-	418,679.00
	8405 - Ice Programs	173,175.00	20,702.00	-	-	193,877.00
	8406 - General Recreation Prog	118,337.00	49,760.00	200.00	-	168,297.00
	8409 - Sports Programs	126,995.00	70,571.00	-	200.00	197,766.00
	8411 - Community Center Admin	662,325.00	351,311.00	-	1,400.00	1,015,036.00
	8501 - Office On Aging Admin	134,377.00	20,287.00	-	210.00	154,874.00
	8601 - Public Health Admin	-	300,000.00	-	-	300,000.00
	8701 - Animal Protection	-	28,526.00	-	-	28,526.00
	9101 - Municipal Court	1,082,261.00	172,550.00	-	-	1,254,811.00
<b>101 - General Total</b>		<b>34,550,509.00</b>	<b>13,168,943.00</b>	<b>111,408.00</b>	<b>5,247,010.00</b>	<b>53,077,870.00</b>
201 - Street Constr, Maint	6201 - Service Admin	55,777.00	-	-	-	55,777.00
	6208 - Street Maintenance	128,103.00				128,103.00
	6213 - Monticello Blvd		37,802.00			37,802.00
	6215 - Road Repaving-State/Cnty		20,480.00			20,480.00
	6220 - Taylor Road		63,799.00			63,799.00
	6236 - Annual Street Surface			2,300,000.00		2,300,000.00
	6312 - Meadowbrook Blvd Rehab		118,922.00	-		118,922.00
<b>201 - Street Constr, Maint Total</b>		<b>183,880.00</b>	<b>241,003.00</b>	<b>2,300,000.00</b>		<b>2,724,883.00</b>
206 - Law Enforcement	7205 - Law Enforcement		88,800.00			88,800.00
<b>206 - Law Enforcement Total</b>			<b>88,800.00</b>			<b>88,800.00</b>
207 - Drug Law Enforcement	7206 - Drug Law Enforcement	65,943.00	98,750.00			164,693.00
<b>207 - Drug Law Enforcement Total</b>		<b>65,943.00</b>	<b>98,750.00</b>			<b>164,693.00</b>
208 - CDBG Resource	5201 - CDBG Financial Admin	13,852.00				13,852.00
	5203 - CDBG Admin Contracts		404,075.00			404,075.00
	5211 - CDBG Comm'l Area Improve			181,531.00		181,531.00
	5220 - CDBG Office On Aging	39,143.00				39,143.00
	5222 - Economic Development	67,619.00	1,352,000.00	1,200.00		1,420,819.00
	5224 - CDBG Admin	128,170.00	124,900.00	4,500.00		257,570.00

**City of Cleveland Heights**  
**2023 Expense Budget**

ORDINANCE NO. 168-2022 (F) Proposed Substitute with Council Amendment

Fund	Department	Object				Grand Total
		Personal Services	O.T.P.S.	Capital	Other Financing Uses	
208 - CDBG Resource Total	5228- CDBG Public Works		200,000.00			200,000.00
	5301 - CDBG Home Repair Resource		207,845.00			207,845.00
	5303 - CDBG Housing Pres Office	417,923.00	305,000.00	2,000.00		724,923.00
	5304 - CDBG Code Enforcement	69,513.00				69,513.00
	5309 - GIS	98,165.00	5,000.00	6,500.00		109,665.00
	8407 - Child Care Summer Program		15,000.00			15,000.00
208 - CDBG Resource Total		834,385.00	2,613,820.00	195,731.00	-	3,643,936.00
211 - Home Program	5503 - HOME Admin		400,000.00			400,000.00
	5505 - HOME Program Income		122,000.00			122,000.00
211 - Home Program Total		-	522,000.00	-	-	522,000.00
213 - Police Facility Impr Fund	7201 - Police Admin		25,000.00			25,000.00
213 - Police Facility Impr Fund Total		-	25,000.00	-	-	25,000.00
214 - Local Programming	2108 - General Operations		74,086.00			74,086.00
	2201 - MIS			25,000.00		25,000.00
	2502 - Public Relations	149,157.00				149,157.00
	2601 - Cable TV Admin	27,000.00	182,400.00	70,000.00		279,400.00
214 - Local Programming Total		176,157.00	256,486.00	95,000.00	-	527,643.00
215 - Cain Park Operating	8901 - Cain Park Admin/Start-Up	248,126.00	1,079,450.00			1,327,576.00
	8905 - Arts Festival/Art Gallery		27,600.00			27,600.00
	8906 - Theater		151,295.00			151,295.00
215 - Cain Park Operating Total		248,126.00	1,258,345.00	-	-	1,506,471.00
216 - Rec Fac Imp Fund	3101 - Finance				23,295.00	23,295.00
	8301 - Park Maintenance Admin		167,000.00	685,000.00		852,000.00
216 - Rec Fac Imp Fund Total		-	167,000.00	685,000.00	23,295.00	875,295.00
221 - Indigent DUI Treatment	9101 - Municipal Court		40,000.00			40,000.00
221 - Indigent DUI Treatment Total		-	40,000.00	-	-	40,000.00

**City of Cleveland Heights**  
**2023 Expense Budget**

ORDINANCE NO. 168-2022 (F) Proposed Substitute with Council Amendment

<b>Fund</b>	<b>Department</b>	<b>Object</b>				<b>Grand Total</b>
		<b>Personal Services</b>	<b>O.T.P.S.</b>	<b>Capital</b>	<b>Other Financing Uses</b>	
222 - Muni Ct. Computerization	9101 - Municipal Court	10,191.00	30,000.00	20,000.00		60,191.00
222 - Muni Ct. Computerization Total		10,191.00	30,000.00	20,000.00	-	60,191.00
225 - Muni Ct. Spec. Projects	9101 - Municipal Court	14,008.00	35,500.00	75,000.00		124,508.00
225 - Muni Ct. Spec. Projects Total		14,008.00	35,500.00	75,000.00	-	124,508.00
226 - Lead Safe Cuyahoga	5303 - CDBG Housing Pres Office		789,585.00			789,585.00
226 - Lead Safe Cuyahoga Total		-	789,585.00	-	-	789,585.00
228 - CDBG-COVID	5203 - CDBG Admin Contracts		193,035.00			193,035.00
	5220 - CDBG Office On Aging		50,000.00			50,000.00
	5222 - Economic Development		290,000.00			290,000.00
	5224 - CDBG Admin		29,000.00			29,000.00
228 - CDBG-COVID Total		-	562,035.00	-	-	562,035.00
230 - Street Lighting	3101 - Finance		10,500.00			10,500.00
	6211 - Traffic Signs & Signals		681,000.00			681,000.00
230 - Street Lighting Total		-	691,500.00	-	-	691,500.00
231 - Tree	310Z - Oper Trsf/Temp Advance				17,455.00	17,455.00
	8801 - Forestry	825,792.00	375,554.00	2,000.00		1,203,346.00
231 - Tree Total		825,792.00	375,554.00	2,000.00	17,455.00	1,220,801.00
232 - Police Pension	7201 - Police Admin	1,512,244.00				1,512,244.00
232 - Police Pension Total		1,512,244.00	-	-	-	1,512,244.00
233 - Fire Pension	7301 - Fire Admin	1,764,663.00				1,764,663.00
233 - Fire Pension Total		1,764,663.00	-	-	-	1,764,663.00
234 - Earned Benefits	2108 - General Operations	400,000.00				400,000.00
234 - Earned Benefits Total		400,000.00	-	-	-	400,000.00
240 - Federal Misc. Grants	5101 - Planning	-	200,000.00			200,000.00

**City of Cleveland Heights**  
**2023 Expense Budget**

ORDINANCE NO. 168-2022 (F) Proposed Substitute with Council Amendment

<b>Fund</b>	<b>Department</b>	<i>Object</i>				<b>Grand Total</b>
		<b>Personal Services</b>	<b>O.T.P.S.</b>	<b>Capital</b>	<b>Other Financing Uses</b>	
240 - Federal Misc. Grants Total		-	200,000.00	-	-	200,000.00
241 - Local Fiscal Recovery	2108 - General Operations		19,000,000.00			19,000,000.00
	2201 - MIS			400,000.00		400,000.00
	6205 - Sewer Maintenance			6,800,000.00		6,800,000.00
	7201 - Police Admin			200,000.00		200,000.00
	7301 - Fire Admin			340,000.00		340,000.00
241 - Local Fiscal Recovery Total		-	19,000,000.00	7,740,000.00	-	26,740,000.00
301 - G.O. Bond Retirement	3101 - Finance		1,580,114.00			1,580,114.00
301 - G.O. Bond Retirement Total		-	1,580,114.00	-	-	1,580,114.00
402 - Financed Capital Projects	2201 - Management Info. Serv.			522,000.00		522,000.00
	5101 - Planning			350,000.00		350,000.00
	6201 - DPW			420,000.00		420,000.00
	7201 - Police Admin			40,000.00		40,000.00
	8201 - Public Prop/Park Maint.			235,000.00		235,000.00
402 - Financed Capital Projects Total		-	-	1,567,000.00	-	1,567,000.00
411 - Economic Development	5101 - Planning		312,000.00	7,334.00		319,334.00
411 - Economic Development Total		-	312,000.00	7,334.00	-	319,334.00
412 - City Hall Maint & Repair	2102 - City Hall Maint/Repair		15,000.00			15,000.00
412 - City Hall Maint & Repair Total		-	15,000.00	-	-	15,000.00
416 - Refuse Capital Fund	6203 - Refuse Coll/Transfer Sta			380,000.00		380,000.00
416 - Refuse Capital Fund Total		-	-	380,000.00	-	380,000.00
601 - Water Administration	6301 - Water Admin		500.00			500.00
	6302 - Water Distribution		-	1,305,500.00		1,305,500.00
	6314 - Runnymede/Quilliams Wtr		20,207.00			20,207.00
	6326 - Cedar Wtr/Swr Loan Iss #2		47,044.00			47,044.00
601 - Water Administration Total		-	67,751.00	1,305,500.00	-	1,373,251.00

**City of Cleveland Heights**  
**2023 Expense Budget**

ORDINANCE NO. 168-2022 (F) Proposed Substitute with Council Amendment

Fund	Department	Object				Grand Total
		Personal Services	O.T.P.S.	Capital	Other Financing Uses	
602 - Sewerage Disposal	6205 - Sewer Maintenance	1,498,645.00	946,150.00	5,151,041.00	12,000.00	7,607,836.00
	6301 - Water Admin		8,000.00			8,000.00
	6312 - Meadowbrook Blvd Rehab		8,522.00			8,522.00
	6326 - Cedar Wtr/Swr Loan Iss #2		4,267.00			4,267.00
	6327 - Demington Sewer		38,240.00			38,240.00
602 - Sewerage Disposal Total		1,498,645.00	1,005,179.00	5,151,041.00	12,000.00	7,666,865.00
603 - Parking Fund	6210 - Parking Department		1,011,525.00			1,011,525.00
603 - Parking Fund Total		-	1,011,525.00	-	-	1,011,525.00
605 - Refuse Fund	6203 - Refuse Coll/Transfer Sta	2,565,458.00	1,329,218.00	33,000.00		3,927,676.00
605 - Refuse Fund Total		2,565,458.00	1,329,218.00	33,000.00	-	3,927,676.00
606 - ALS Ambulance Services	7304 - ALS Ambulance Services	434,487.00	355,150.00	296,600.00		1,086,237.00
606 - ALS Ambulance Services Total		434,487.00	355,150.00	296,600.00	-	1,086,237.00
701 - Hospitalization Self-Ins	3101 - Finance	7,000,000.00				7,000,000.00
701 - Hospitalization Self-Ins Total		7,000,000.00	-	-	-	7,000,000.00
804 - Off/Aging Donations	8501 - Office On Aging Admin		7,430.00			7,430.00
	8502 - OOA-Sr Computer Center		5,000.00	3,000.00		8,000.00
	804 - Off/Aging Donations Total		-	12,430.00	3,000.00	-
808 - Youth Recreation Donation	8101 - Community Services Admin		-		5,000.00	5,000.00
808 - Youth Recreation Donation Total		-	-	-	5,000.00	5,000.00
811 - Juvenile Diversion Prog	7209 - Juvenile Diversion Prog		10,000.00			10,000.00
811 - Juvenile Diversion Prog Total		-	10,000.00	-	-	10,000.00
857 - Sales Tax	3101 - Finance		-		250.00	250.00
857 - Sales Tax Total		-	-	-	250.00	250.00

**City of Cleveland Heights  
2023 Expense Budget**

ORDINANCE NO. 168-2022 (F) Proposed Substitute with Council Amendment

Fund	Department	<i>Object</i>				Grand Total
		Personal Services	O.T.P.S.	Capital	Other Financing Uses	
858 - Miscellaneous Agency	3105 - Unclaimed Money	-			20,000.00	20,000.00
	7201 - Police Admin		60,000.00		-	60,000.00
	7401 - Building Services				12,000.00	12,000.00
	7402 - Housing Inspections		-		350,000.00	350,000.00
858 - Miscellaneous Agency Total		-	60,000.00	-	382,000.00	442,000.00
Grand Total		52,084,488.00	45,922,688.00	19,967,614.00	5,687,010.00	123,661,800.00