



# CLEVELAND HEIGHTS

## COUNCIL UPDATE

August 27, 2021

### MEETINGS & REMINDERS

Monday, August 30	6:00 p.m.	Finance Committee of Council City Hall – Council Chambers
	7:00 p.m.	Council Committee of the Whole City Hall – Council Chambers
	7:30 p.m.	Special City Council Meeting City Hall – Council Chambers
Wednesday, September 1	6:00 p.m.	Planning and Development Committee City Hall – Council Chambers
Thursday, September 2	3:30 - 4:30 p.m.	Civil Service Meeting City Hall – Council Chambers
	6:00 p.m.	Historic Preservation Guidelines Project Online
	6:00 - 8:00 p.m.	Meet Your Police Police Academy, Noble Road
Monday, September 6		Labor Day City Hall and Community Center Closed

### LEGISLATION

- **Amendment to Start Right MOU.** A Resolution authorizing the City Manager to enter into an amendment to the Memorandum of Understanding with the Start Right Community Development Corporation, for the redevelopment of vacant residential lots owned or controlled by the City with new single-family homes;

- **Bond Ordinance.** An Ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,725,000 for the purpose of refunding for debt charges savings certain of the City's outstanding Severance Ring Road Improvement Refunding Bonds, Series 2014, dated July 2, 2014, which were issued for the purpose of refunding for debt charges savings certain of the City's then-outstanding Severance Ring Road Improvement General Obligation Bonds, Series 2004, dated September 1, 2004, which were issued for the purpose of paying the property owners' portion, in anticipation of the collection of special assessments heretofore levied, and the City's portion of the cost of improving Ring Road, including its access roads to Mayfield and Taylor Roads, located as Severance Town Center and all appurtenances thereto, by reconstructing the roadway and installing sidewalks, curbs, water lines, storm sewers, traffic signals, retaining walls, lighting and streetscape, together with all appurtenances thereto,
- **Cedar-Lee-Meadowbrook Extension.** A Resolution authorizing the City Manager to enter into an amendment to the Memorandum of Understanding with F&C Development, Inc. concerning the "Cedar-Lee Meadowbrook" development;
- **Charter Amendment.** An Ordinance providing for the submission to the electors of the City of Cleveland Heights of proposed amendments to the Charter of the City of Cleveland Heights for placement on the November 2, 2021 ballot; and declaring an emergency.
- **National Preparedness Month.** A Resolution proclaiming September 2021, National Preparedness Month;
- **Prostate Cancer Awareness Month.** A Resolution joining communities throughout the nation in proclaiming September 2021, Prostate Cancer Awareness Month;
- **Recreation Advisory Board Name Change.** An Ordinance repealing Chapter 141, "Recreation Advisory Board," of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, and adopting a replacement Chapter 141, "Parks and Recreation Advisory Board."
- **School Crossing Guards.** A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor;
- **Welcoming Week.** A Resolution proclaiming September 10 – 19, 2021, Welcoming Week;

## **CITY MANAGER'S REPORT**

- Block parties this weekend
  - Friday, August 27<sup>th</sup>
    - **Burlington 5:30-7:30pm;**
  - Saturday, August 28<sup>th</sup>:
    - **Scarborough 12-8:00pm;**
  - Sunday, August 29<sup>th</sup>:
    - **Fenley Road 4-8:00pm;**
    - **Washington Blvd 2-7:00pm;**
    - **Wood (Crest and Maple) 2-7:00pm**
- Due to the uptick in covid issues City Hall will remain closed until October 1<sup>st</sup>. In addition, numerous Board and Commission members have expressed concern regarding in person meetings, as a result legislation has been prepared for those meetings to be virtual. However, Council and Committee meetings will remain in person per our Charter. Masks will be mandatory for those attending and staff will supply masks for those who do not have them.
- Monday's meeting will be - the Finance Committee (6:00pm) meeting followed by COW and a Council meeting. Timely legislation needs to be addressed and there is no regularly scheduled Council meeting the following week due to Rosh Hashanah. The next regular Council meeting will be on Monday, September 13th.

### **Included in this packet are:**

- The results of the ARPA citizen survey that was posted online and the beginning discussion on allocation of funds. Staff has done a diligent job determining what projects are eligible for the funds.
- Enclosed are the materials presented at the Public Safety & Health Committee regarding the overview of the Department responsibilities and also progress made on initiatives.
- A memo regarding Storefront funds allocated for the Noble and Taylor commercial districts.



# CLEVELAND HEIGHTS

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## **ECONOMIC DEVELOPMENT REPORT – August 25, 2021:**

### **CEDAR-LEE-MEADOWBROOK:**

- Staff continues to be in negotiations with the Development Agreement with our Development Partner Flaherty & Collins at this time;
- Traffic & Parking: WSP and Desman consulting have been contracted with to analyze the traffic and parking analysis associated with this project – this analysis is underway;
- Public engagement process is underway – open house meetings were held on August 5, and August 11;

### **NEIGHBORHOOD REDEVELOPMENT PROGRAM (NRP) INFILL HOUSING CONSTRUCTION:**

- Given Council's approval of the MOU Agreement for the Caledonia Neighborhood infill housing project, the staff is now engaged in negotiating the Development Agreement with Start Right CDC – the Development Agreement will then go to Council for consideration;
- Given Council's approval of the MOU Agreement for the Desota Avenue infill housing project, the staff is now engaged in negotiating the Development Agreement with Amato Homes – the Development Agreement will then go to Council for consideration;

### **TAYLOR TUDOR PLAZA:**

- Given Council's authorization for the Administration to issue an RFQ/RFP for the redevelopment/rehab of these three buildings, we anticipate that the RFQ/RFP will be released during the week of August 23, 2021;

### **TOP OF THE HILL:**

- Construction on the project continues, with the completion date anticipated to be July of 2022;



# CLEVELAND HEIGHTS

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## **Noble/Taylor Corridor Grant Program**

In order to help support investment, new business growth, and improve the overall condition of the commercial areas along the Noble and Taylor Road corridors, this grant program would provide assistance to both existing and new businesses located in these target areas.

This grant opportunity will utilize existing funding and capacity within the Commercial Revolving Loan Fund (CRLF). The CRLF program guidelines will be updated to include a forgivable loan provision for businesses within the Noble/Taylor area. These forgivable loans would be structured similarly as to the SBA Small Business Grant, with 1/3 third of the loan forgiven each year for three years and payment put on stand-by as long as the business is in compliance with the terms of the agreement.

Additional guidelines/terms to be incorporated into the CRLF guidelines to facilitate:

- Up to \$200,000 within the CRLF earmarked to support Noble/Taylor forgivable loans/grants;
- \$35,000 maximum forgivable loan/grant;
- A minimum of one low-to-moderate income job created/retained for each approved project;
  - This is a requirement prescribed via the Federal government;
  - Failure to meet this requirement will result in the City exercising a “clawback” option on any funds disbursed.
- Loans forgiven over a three-year period and all repayment put on stand-by;
- Eligible uses for the funds include:
  - Inventory;
  - Equipment;
  - Working capital;
  - Employee/employment related expenses;
- Businesses will be required to provide a minimum of 25% equity of the approved project (i.e. a \$40,000 approved project would receive a \$30,000 forgivable loan with the remaining \$10,000 coming from the business).
- Failure to meet the terms of the loan/grant agreement will result in the forgivable loan being converted to a traditional term loan at pre-determined rates and amortization schedule.
- Eligible business criteria:
  - For-profit business;
  - Brick and mortar location within a commercial district within the Noble-Taylor corridors;
  - Business has or will complete all necessary City approvals/permits;
  - Review of a business plan/financials by a small business technical assistance provider.

# Memo

**To:** Susanna Niermann-O'Neil, City Manager

**From:** Amy Himmelein, Finance Director

**Date:** August 9, 2021

**Re:** June 2021 Financial Statements

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Attached are the June 2021 Unencumbered Balances Statement for All Funds and the Review of General Fund Statement. The review below encompasses activity from January through June 2021.

## **Review of General Fund**

### **Revenue**

- Municipal Income Tax increased 23.54%. June 2021 revenue is from May 2021 collections by RITA. The increase is mainly in the collections of individual income tax.
- State Levied/Shared Taxes increased 23% because more has been received in local government funds from the County and the State.
- Intergovernmental Grants & Contracts decreased 61.7% from 2020 due to a worker's comp refund of approximately \$750,000 being received in April 2020.
- Charges for Services decreased 26.9% due to a large decrease in landfill/refuse fees collection. These collections have decreased 20% from the same time in 2020.
- Fees, Licenses, Permits decreased 23% because the City had received the building permit for Top of the Hill by this time last year.
- Interest Earnings decreased 89.7% from this time in 2020 due to the decline in interest rates from the pandemic.
- Fines and Forfeitures increased 19% due to the Court collecting more in fines and court costs.
- All Other Revenue increased 637.9% due to the timing of recording administrative fees owed from foreclosure bonds. The revenue recorded in January was for 2021 administrative fees. The additional revenue recorded in February was the proportional amount charged for bonds received during 2020. Going forward the Building department will charge the admin fee at the beginning of the year and whenever a bond is received. The City also received the retainage refund from RITA for 2020 in the amount of \$421,000.

### **Expenditures**

- Personal Services overall has decreased 10.4% because there was one more pay as of this time in 2020.
- Public Health Administration Other decreased 95.3% due to the timing of the payment to the Board of Health.
- Overall, Parks and Recreation has decreased 14.1% due to the closure of the community center as a result of COVID-19.
- Finance Department Other decreased 42.7% as a result of not needing an interim Finance Director in 2021.

- Police Administration Other increased 36.1% due to an encumbrance to pay for a full year's lease of the body cameras plus payments for crossing guards.
- Fire Administration Other increased 35% due to encumbering uniforms for fire personnel and some repairs to vehicles.
- Joint Dispatch increased 34.4% due to encumbering the full year's anticipated payments to HHCC.
- Building Department Other decreased 63.8% as a result of less being owed to SafeBuilt. The City pays a percentage of building permit revenue to SafeBuilt and as noted above the City has received less in building permit revenue in 2021 compared to 2020.
- Refuse Collection Other increased 80.8% due to new costs associated with recycling and landfill.
- Vehicle Maintenance Other increased 18.9% due to the purchase of gasoline and encumbering expected gasoline purchases.
- Street Maintenance Other decreased 21.2% due to less salt purchases in 2021 compared to 2020.
- General Operations Personal Services increased 188% due to encumbering larger unemployment fees from COVID-19 unemployment claims and higher payment of worker's compensation fees.
- General Operations Other increased 15.2% due to the payment for liability insurance which Council approved at the end of December 2020.
- Law Department Other increased 56.3% due to higher than average use of legal counsel.
- Special Improvement Districts increased 81.3% due to encumbering the entire estimated payment to the SID's at the beginning of 2021 instead of encumbering them later in the year as was done in 2020.
- Transfers and Advances increased due to the advance to the Financed Capital Projects fund to pre-fund refuse capital purchases.

### **Review of All Funds**

Overall, the negative unencumbered fund balances mean the City has not received enough revenue to cover the expenditures plus encumbrances currently incurred. These negative balances will be corrected by year end, unless they are related to grants or another revenue source that has yet to be received.

- Financed Capital Projects fund balance increased due to receiving the advance from the General Fund to pre-fund refuse capital purchases.
- The Water fund increased and the Sewer fund decreased due to moving revenue from the Sewer fund to the Water fund that was misclassified to the Sewer fund in 2020.

UNENCUMBERED BALANCES FOR ALL FUNDS  
AS OF JUNE 30, 2021

FUND NUMBER	FUND NAME	UNENCUMBERED BALANCE AS OF 1/1/21	YTD REVENUE	YTD EXPENDITURES + ENCUMBRANCES	12/31/2020 ENCUMBRANCES	UNENCUMBERED BALANCE AS OF 6/30/2021
101	GENERAL	\$18,147,004	\$25,830,113.59	\$26,995,896	\$660,671	\$17,641,893
102	BUDGET STABILIZATION ACCOUNT	\$100,000	\$0	\$0	\$0	\$100,000
201	STREET CONSTRUCTION	\$1,301,343	\$1,026,053	\$916,093	\$366,338	\$1,777,641
202	FOUNDATION GRANTS	(\$50,138)	\$0	\$210,625	\$0	(\$260,763)
203	FIRST SUBURBS CONSORTIUM	\$2,501	\$0	\$0	\$0	\$2,501
204	COMMUNICATION SYSTEMS OPERATION	(\$73,642)	\$0	\$0	\$0	(\$73,642)
205	PUBLIC WORKS FACILITY IMPROVEMENT	\$423	\$0	\$0	\$0	\$423
206	LAW ENFORCEMENT TRUST	\$161,775	\$19,685	\$40,574	\$11,858	\$152,744
207	DRUG LAW ENFORCEMENT TRUST	\$107,575	\$140,280	\$76,385	\$463	\$171,932
208	CDBG RESOURCE	(\$671,920)	\$1,496,484	\$1,108,287	\$111,901	(\$171,823)
210	EPA BROWNFIELD GRANT	\$0	\$0	\$0	\$0	\$0
211	HOME PROGRAM	\$246,352	\$80,582	\$102,155	\$350	\$225,129
212	FEMA	\$159,866	\$0	\$44,372	\$19,375	\$134,869
213	POLICE FACILITY IMPROVEMENT	\$3,533	\$140	\$13,837	\$10,303	\$139
214	LOCAL TV PROGRAMMING	\$953,085	\$214,377	\$479,538	\$2,856	\$690,781
215	CAIN PARK	\$5,080	\$65,812	\$110,293	\$0	(\$39,401)
216	RECREATION FACILITY IMPROVEMENT	\$494,921	\$354,389	\$530,445	\$33,371	\$352,237
217	PUBLIC RIGHT OF WAY	\$164,932	\$0	\$0	\$0	\$164,932
221	INDIGENT DUI TREATMENT	\$271,196	\$11,402	\$0	\$0	\$282,599
222	MUNICIPAL COURT COMPUTERIZATION	\$56,017	\$30,574	\$7,658	\$0	\$78,934
223	DUI - ENFORCEMENT/EDUCATION	\$121,432	\$2,427	\$0	\$0	\$123,859
225	MUNI COURT - SPECIAL PROJECTS	\$2,130,836	\$51,112	\$6,644	\$1,241	\$2,176,545
226	LEAD SAFE PROGRAM - CUYAHOGA CNTY	(\$111,820)	\$170,332	\$50,970	\$0	\$7,542
227	NEIGHBORHOOD STABILIZATION PRGM	\$123,584	\$0	\$0	\$0	\$123,584
228	CDBG-COVID	(\$165,286)	\$106,829	\$363,760	\$15,000	(\$407,217)
230	STREET LIGHTING	\$1,301,403	\$524,824	\$430,899	\$0	\$1,395,327
231	TREE FUND	\$529,493	\$640,032	\$564,908	\$73,622	\$678,238
232	POLICE PENSION	\$143,750	\$132,697	\$537,742	\$0	(\$261,295)
233	FIRE PENSION	\$43,893	\$132,697	\$776,539	\$0	(\$599,949)
234	EARNED BENEFITS	\$476,987	\$2,163	\$323,984	\$0	\$155,165
237	FIRST SUBURBS DEVELOPMENT COUNCIL	\$57,754	\$0	\$0	\$0	\$57,754
238	CORONAVIRUS RELIEF FUND	\$26,659	\$40,286	\$448,820	\$458,264	\$76,390
239	REFUSE GRANT FUND	\$0	\$0	\$0	\$0	\$0
240	FEDERAL MISCELLANEOUS GRANTS	\$0	\$0	\$25,060	\$0	(\$25,060)
241	LOCAL FISCAL RECOVERY	\$0	\$19,408,531	\$0	\$0	\$19,408,531
301	G.O. BOND RETIREMENT	\$558,728	\$2,248,573	\$2,085,081	\$0	\$722,220
402	FINANCED CAPITAL PROJECTS	\$914,836	\$4,400,000	\$3,675,894	\$0	\$1,638,942
411	ECONOMIC DEVELOPMENT	\$1,095,857	\$8,087	\$150,262	\$125,725	\$1,079,408
412	CITY HALL MAINTENANCE AND REPAIR	\$100,949	\$12,765	\$14,922	\$0	\$98,792
415	SEVERANCE RING ROAD RECONSTRUCTION	\$35,045	\$0	\$0	\$0	\$35,045
416	REFUSE CAPITAL FUND	\$0	\$0	\$0	\$0	\$0
601	WATER	\$705,213	\$969,442	\$1,270,467	\$76,506	\$480,694
602	SEWER	\$4,669,776	\$1,927,102	\$3,824,377	\$664,055	\$3,436,556
603	PARKING	\$218,194	\$197,944	\$394,562	\$11,521	\$33,097
606	AMBULANCE SERVICES	\$1,321,006	\$451,946	\$498,840	\$21,710	\$1,295,822
701	HOSPITALIZATION	\$1,568,362	\$3,499,685	\$3,499,685	\$0	\$1,568,362
703	WORKERS COMPENSATION	\$204,767	\$0	\$0	\$0	\$204,767
804	OFFICE ON AGING	\$14,311	\$1,785	\$721	\$0	\$15,376
808	YOUTH RECREATION SCHOLARSHIP	\$59,826	\$0	\$0	\$0	\$59,826
809	POLICE MEMORIAL TRUST FUND	\$11,808	\$0	\$0	\$0	\$11,808
810	YOUTH ADVISORY COMMISSION	\$71	\$0	\$0	\$0	\$71
811	JUVENILE DIVERSION PROGRAM	\$6,903	\$3,858	\$0	\$0	\$10,760
857	SALES TAX	\$535	\$161	\$193	\$0	\$503
858	MISCELLANEOUS AGENCY	\$2,020,412	\$170,400	\$387,229	\$0	\$1,803,584
864	NEORSD	\$214	\$0	(\$63)	\$0	\$278
TOTALS		\$39,565,401	\$64,373,570	\$49,967,653	\$2,665,132	\$56,636,450

**CITY OF CLEVELAND HEIGHTS**  
**REVIEW OF GENERAL FUND**  
**AS OF JUNE 30, 2021**

<b>REVENUES:</b>	6/30/2020 Actual	2021 Budget	6/30/2021 Actual	Percentage 2021 Budget	Difference 2021 vs 2020
Property Taxes	\$3,908,005	\$7,175,859	\$4,008,671	56%	\$100,666
Municipal Income Tax	\$12,879,015	\$28,000,000	\$15,910,719	57%	\$3,031,704
Other Local Taxes	\$12,169	\$50,000	\$0	0%	(\$12,169)
State Levied/Shared Taxes	\$773,086	\$1,554,900	\$950,515	61%	\$177,429
Intergovernmental Grants & Contracts	\$1,406,623	\$910,000	\$538,191	59%	(\$868,432)
Charges For Services	\$1,686,606	\$3,100,000	\$1,233,438	40%	(\$453,168)
Fees, Licenses, Permits	\$2,105,572	\$2,295,000	\$1,621,818	71%	(\$483,753)
Interest Earnings	\$189,211	\$200,000	\$19,453	10%	(\$169,758)
Fines and Forfeitures	\$641,777	\$1,720,000	\$763,784	44%	\$122,007
All Other Revenue	\$104,702	\$786,500	\$772,624	98%	\$667,922
Sale of Assets	\$100	\$0	\$10,900	0%	\$10,800
<b>Total Revenues</b>	<b>\$23,706,866</b>	<b>\$45,792,259</b>	<b>\$25,830,114</b>	<b>56%</b>	<b>\$2,123,247</b>

<b>EXPENDITURES:</b>	6/30/2020	6/30/2021			
	Expenditures + Community Services	2021 Expenditures + Encumbrances	Expenditures + Budget Amended	Percentage 2021 Budget	Difference 2021 vs 2020

Commission on Aging	\$0	\$0	\$0	0%	\$0
Community Relations Personal Services	\$20,405	\$106,386	\$0	0%	(\$20,405)
Community Relations Other	\$2,688	\$12,550	\$647	5%	(\$2,041)
Public Relations Personal Services	\$113,695	\$175,358	\$81,549	47%	(\$32,146)
Public Relations Other	\$28,769	\$117,000	\$17,684	15%	(\$11,085)
Community Services Admin Personal Services	\$105,108	\$0	\$0	0%	(\$105,108)
Community Services Administration Other	\$330	\$6,600	\$0	0%	(\$330)
Public Health Administration	\$127,465	\$245,950	\$5,950	2%	(\$121,515)
<b>Total Community Services</b>	<b>\$398,461</b>	<b>\$663,845</b>	<b>\$105,831</b>	<b>16%</b>	<b>(\$292,630)</b>

**Parks and Recreation**

Public Properties & Park Maint Personal Services	\$533,617	\$1,169,812	\$544,239	47%	\$10,622
Public Properties & Park Maintenance Other	\$699,667	\$1,091,432	\$644,664	59%	(\$55,003)
Parks & Recreation Admin Personal Services	\$121,479	\$317,547	\$147,541	46%	\$26,062
Parks & Recreation Administration Other	\$5,745	\$37,388	\$8,400	22%	\$2,655
Swimming Pools Personal Services	\$12,832	\$273,629	\$18,276	7%	\$5,444
Swimming Pools Other	\$2,019	\$131,450	\$40,105	31%	\$38,085
Cain Park (Transfer)	\$0	\$0	\$0	0%	\$0
Ice Programs Personal Services	\$98,842	\$250,987	\$30,421	12%	(\$68,420)
Ice Programs Other	\$7,904	\$19,928	\$4,228	21%	(\$3,676)
General Recreation Programs Personal Services	\$33,472	\$144,222	\$26,732	19%	(\$6,740)
General Recreation Programs Other	\$12,766	\$34,300	\$9,723	28%	(\$3,043)
Sports Programs Personal Services	\$30,540	\$126,995	\$13,200	10%	(\$17,340)
Sports Programs Other	\$24,408	\$105,100	\$18,528	18%	(\$5,880)
Community Center Personal Services	\$253,834	\$645,335	\$174,869	27%	(\$78,965)
Community Center Other	\$229,045	\$496,258	\$121,627	25%	(\$107,418)
Office on Aging Personal Services	\$67,790	\$169,838	\$48,220	28%	(\$19,570)
Office on Aging Other	\$30,621	\$34,300	\$7,846	23%	(\$22,775)
<b>Total Parks and Recreation</b>	<b>\$2,164,581</b>	<b>\$5,048,522</b>	<b>\$1,858,619</b>	<b>37%</b>	<b>(\$305,961)</b>

**Finance Department**

Finance Department Personal Services	\$164,141	\$440,679	\$194,158	44%	\$30,017
Finance Department Other	\$152,937	\$194,300	\$87,595	45%	(\$65,343)
Income Tax	\$514,760	\$1,015,000	\$527,518	52%	\$12,758
<b>Total Finance Department</b>	<b>\$831,838</b>	<b>\$1,649,979</b>	<b>\$809,271</b>	<b>49%</b>	<b>(\$22,567)</b>

**Planning & Development**

Landmark Commission	\$11	\$16,100	\$0	0%	(\$11)
Planning Department Personal Services	\$121,860	\$521,991	\$168,059	32%	\$46,199
Planning Department Other	\$4,921	\$33,000	\$16,585	50%	\$11,664
Planning Commission Personal Services	\$1,260	\$8,138	\$2,035	25%	\$775
Planning Commission Other	\$2,446	\$3,900	\$1,194	31%	(\$1,252)
Architectural Board of Review Personal Services	\$2,616	\$11,492	\$2,616	23%	(\$0)
Architectural Board of Review Other	\$145	\$500	\$0	0%	(\$145)
Board of Zoning Appeals Personal Services	\$1,260	\$5,813	\$2,132	37%	\$872
Board of Zoning Appeals Other	\$1,276	\$2,975	\$1,133	38%	(\$143)
<b>Total Planning &amp; Development</b>	<b>\$135,794</b>	<b>\$603,910</b>	<b>\$193,752</b>	<b>32%</b>	<b>\$57,958</b>

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**CITY OF CLEVELAND HEIGHTS**  
**REVIEW OF GENERAL FUND**  
**AS OF JUNE 30, 2021**

<b>Public Safety</b>	6/30/2020 Expenditures + Encumbrances	2021 Budget Amended	6/30/2021 Expenditures + Encumbrances	Percentage 2021 Budget	Difference 2021 vs 2020
Traffic Signs & Signals Personal Services	\$29,423	\$61,039	\$27,833	46%	(\$1,590)
Traffic Signs & Signals Other	\$107,527	\$146,450	\$105,630	72%	(\$1,897)
Police Administration Personal Services	\$4,004,383	\$8,983,659	\$3,592,042	40%	(\$412,341)
Police Administration Other	\$338,632	\$1,131,929	\$460,868	41%	\$122,236
Police Academy Personal Services	\$107	\$0	\$0	0%	(\$107)
Police Academy Other	\$50,225	\$41,796	\$35,060	84%	(\$15,165)
Police Vehicle Maintenance Personal Services	\$0	\$0	\$0	0%	\$0
Police Vehicle Maintenance Other	\$0	\$0	\$0	0%	\$0
Fire Administration Personal Services	\$3,338,972	\$6,800,509	\$3,061,402	45%	(\$277,570)
Fire Administration Other	\$164,730	\$289,820	\$222,413	77%	\$57,683
Joint Dispatch (Transfer)	\$0	\$0	\$0	0%	\$0
Joint Dispatch	\$1,116,323	\$1,500,000	\$1,500,000	100%	\$383,677
Fire Prevention Personal Services	\$51,919	\$106,500	\$47,345	44%	(\$4,573)
Fire Prevention Other	\$225	\$6,200	\$265	4%	\$39
Building Department Personal Services	\$0	\$0	\$0	0%	\$0
Building Department Other	\$951,911	\$545,700	\$344,411	63%	(\$607,500)
Housing Inspections Personal Services	\$205,718	\$517,536	\$177,763	34%	(\$27,955)
Housing Inspections Other	\$46,827	\$130,800	\$76,961	59%	\$30,134
Street Lighting (Transfer)	\$0	\$0	\$0	0%	\$0
Animal Control Personal Services	\$35,010	\$73,634	\$34,429	47%	(\$582)
Animal Control Other	\$25,000	\$33,934	\$26,934	79%	\$1,934
<b>Total Public Safety</b>	<b>\$10,466,933</b>	<b>\$20,369,506</b>	<b>\$9,713,356</b>	<b>48%</b>	<b>(\$753,577)</b>

**Public Works**

Service Administration Personal Services	\$81,888	\$272,380	\$103,278	38%	\$21,390
Service Administration Other	\$1,894	\$8,992	\$1,544	17%	(\$350)
Capital Projects Administration Personal Services	\$0	\$0	\$0	0%	\$0
Capital Projects Administration Other	\$21,000	\$23,000	\$23,000	100%	\$2,000
Refuse Collection Personal Services	\$788,205	\$1,876,340	\$720,055	38%	(\$68,150)
Refuse Collection Other	\$354,047	\$1,006,847	\$640,030	64%	\$285,983
Vehicle Maintenance Personal Services	\$423,647	\$909,845	\$353,862	39%	(\$69,785)
Vehicle Maintenance Other	\$854,318	\$1,571,615	\$1,015,653	65%	\$161,335
Street Maintenance Personal Services	\$588,537	\$1,318,930	\$472,002	36%	(\$116,535)
Street Maintenance Other	\$298,721	\$345,818	\$235,297	68%	(\$63,424)
Forestry (Transfer)	\$0	\$0	\$0	0%	\$0
<b>Total Public Works</b>	<b>\$3,412,256</b>	<b>\$7,333,768</b>	<b>\$3,564,721</b>	<b>49%</b>	<b>\$152,465</b>

**General Government**

City Council Personal Services	\$35,052	\$77,884	\$33,065	42%	(\$1,988)
City Council Other	\$4,576	\$9,563	\$5,737	60%	\$1,161
City Manager Personal Services	\$226,059	\$564,445	\$196,269	35%	(\$29,790)
City Manager Other	\$12,634	\$20,112	\$12,635	63%	\$2
Civil Service Commission Personal Services	\$194	\$2,381	\$1,744	73%	\$1,550
Civil Service Commission Other	\$805	\$46,300	\$24,552	53%	\$23,747
General Operations Personal Services	\$108,114	\$412,202	\$311,326	76%	\$203,212
General Operations Other	\$1,004,287	\$1,459,451	\$1,157,007	79%	\$152,720
Management Information Systems Personal Services	\$135,053	\$338,715	\$132,834	39%	(\$2,219)
Management Information Systems Other	\$83,013	\$248,261	\$88,477	36%	\$5,464
County Fiscal Officer Deductions	\$103,314	\$215,000	\$88,827	41%	(\$14,488)
Law Department Personal Services	\$269,517	\$601,065	\$255,417	42%	(\$14,100)
Law Department Other	\$289,846	\$525,518	\$453,067	86%	\$163,221
Special Improvement Districts	\$217,881	\$396,591	\$394,973	100%	\$177,092
Municipal Court Personal Services	\$481,004	\$1,018,710	\$432,502	42%	(\$48,502)
Municipal Court Other	\$64,779	\$192,043	\$112,427	59%	\$47,648
<b>Total General Government</b>	<b>\$3,036,127</b>	<b>\$6,128,241</b>	<b>\$3,700,858</b>	<b>60%</b>	<b>\$664,731</b>

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**CITY OF CLEVELAND HEIGHTS**  
**REVIEW OF GENERAL FUND**  
**AS OF JUNE 30, 2021**

Other	6/30/2020	2021		6/30/2021	Percentage 2021 Budget	Difference 2021 vs 2020
	Expenditures + Encumbrances	Budget	Amended	Expenditures + Encumbrances		
Transfers & Advances	\$0	\$9,450,000	\$4,400,000	47%	\$4,400,000	
Hospitalization	\$2,519,193	\$6,838,953	\$2,649,488	39%	\$130,295	
<b>Total Other</b>	<b>\$2,519,193</b>	<b>\$16,288,953</b>	<b>\$7,049,488</b>	<b>43%</b>	<b>\$4,530,295</b>	
<b>TOTAL GENERAL FUND EXPENDITURES</b>	<b>\$22,965,182</b>	<b>\$58,086,723</b>	<b>\$26,995,896</b>	<b>46%</b>	<b>\$4,030,714</b>	
Excess Revenue Over/(Under) Expenses	<u>\$741,684</u>		<u>(\$1,165,782)</u>			
Unencumbered Balance Beginning of Year	\$10,436,981		\$18,147,004			
Add: Prior Year Encumbrances	<u>\$1,266</u>		<u>\$660,671</u>			
Estimated Unencumbered Balance	<u>\$11,179,931</u>		<u>\$17,641,893</u>			

# Memo

**To:** Susanna Niermann O'Neil, City Manager

**From:** Amy Himmelein, Finance Director

**Date:** August 24, 2021

**Re:** ARPA Survey Results and Proposed Programs

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Earlier this year the City was awarded \$38 million in federal funds via the American Rescue Plan Act (ARPA). The money can only be used for certain expenditures within the City. In an effort to determine how the citizens of the City would like to see the money used, a survey was put on the website in July. The survey listed allowable categories of expenditures and citizens were asked to rank their top 3 categories. I have attached a summary of these categories and their uses as a refresher.

We received 979 votes on the survey. The answers were evaluated and given a weighted average to determine the citizen's priorities. The survey results are attached. As you can see the top three categories were:

1. Sewer repair/replacement
2. Addressing Educational Disparities in Disproportionately Impacted Neighborhoods
3. Small Business Assistance

Based on these answers and an evaluation of the needs of the City I am proposing projects that are allowable uses of ARPA monies. These proposed projects are also listed on the attached and matched to the appropriate category. The top three proposed projects are:

1. Subsidize replacement of aging sewer system.
2. Reinstate student services, a collaborative program between the City and the schools to mentor/support students.
3. Provide relief to small businesses by reimbursing expenditures related to COVID. This includes rental relief.

Currently, there is \$5 million of unallocated funds. This is purposeful because there are needs within the City that are not addressed by the current guidance from the U.S. Treasury. These needs include a ladder fire truck, police patrol vehicles, dump trucks for snow removal, and new sewer billing software. I have reached out to the U.S. Treasury to obtain guidance on these projects and am awaiting their response.

I am requesting your support and in turn Council's support of these projects as they will benefit all within the City.

## ARPA Funds Survey Results

Category	% of Vote	Proposed Program	Proposed Allocation
Sewer Repair/Replacement - repairing/replacing sewer lines identified as required to be replaced	15.02%	Subsidize replacement of aging sewer system.	28,000,000
Addressing Educational Disparities in Disproportionately Impacted Neighborhoods - after school programs, tutoring, support for student social, emotional and mental health needs	11.97%	Reinstate student services, a collaborative program between the City and the schools to mentor/support students.	1,000,000
Small Business Assistance - grants for decline in revenue or impact of business closures, rental/mortgage or utility assistance	11.70%	Provide relief to small businesses by reimbursing expenditures related to COVID. This includes rental relief.	1,000,000
Family Assistance - rental/mortgage assistance, utility assistance, food assistance	10.50%	Provide rental/mortgage relief to households.	1,000,000
Investing in Housing and Neighborhoods in Disproportionately Impacted Neighborhoods - affordable housing development, relocation assistance, homelessness assistance	9.98%	Expand current housing repair program.	500,000
Public Health and Safety Staff - payroll for police, firefighters/paramedics, and senior service staff related to responding to COVID-19	9.52%	Premium pay to fire fighters for service during COVID.	355,075
Addressing Health Disparities in Disproportionately Impacted Neighborhoods - remediation of lead paint or other lead hazards, community violence intervention programs	7.81%	Expand current lead remediation program.	500,000
Behavioral Healthcare - City services to meet mental health, substance use and other behavioral health needs	7.73%		
Promoting Healthy Childhood Environments in Disproportionately Impacted Neighborhoods - child care, services for child welfare-involved families and foster youth	5.77%		
Worker Assistance - job training for unemployed workers, programs to reduce unemployment within the City	4.02%		
Replace Lost Revenues - replace community center revenue lost due to COVID-19 shutdown	2.79%		
COVID-19 Mitigation and Containment - vaccination programs, testing, ventilation improvements to City buildings	2.01%	Improve ventilation in City buildings including areas where citizens congregate.	1,000,000
Impacted Industry Assistance - aid to tourism, travel and hospitality businesses to safely reopen	1.19%		
			Total Proposed Allocation 33,355,075
			Total Award 38,817,062
			Total Unallocated 5,461,987

(Total of 979 votes)



# Memorandum

To: Susanna Niermann O'Neil- City Manager  
From: Allan Butler- Housing Programs Director  
Date: August 25, 2021  
Re: Housing Update

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## **Housing Programs Overview**

The City is proud of the fine craftsmanship with which Cleveland Heights homes were built, and the maintenance of these homes is very important. Housing Programs, consisting of Inspection Services and Housing Preservation, is charged with helping to ensure that high standards in the city's varied housing stock continue to be met.

The Housing Program's mission is to perform fair, standardized, comprehensive inspections of Cleveland Heights properties in order to preserve the housing stock, promote high property values, eliminate health and safety hazards, and make the city a more desirable community.

### **Property Maintenance Inspections:**

- Systematic Exterior Inspections- All owner occupied properties are inspected on the exterior only on a 5 year rotation unless a Point of Sale inspection has occurred within the last 3 years.
- Systematic Rental Inspections- All rental properties are scheduled to be inspected on the interior and exterior on a 3 year rotation unless a Point of Sale inspection has occurred in that time frame.
- Point of Sale Inspections- Any Commercial or residential property is required to have an interior and exterior inspection prior to a title transfer or within 30 days of a court ordered auction.
- Complaint Inspections are conducted upon receipt to verify their validity and if determine a compliance time frame for the violations noted. Certain complaint inspections may require nuisance abatement actions if not completed.
- Business maintenance inspections are conducted upon application for any new business or change in business. Commercial buildings are also inspected on the exterior on a 3 year rotation unless a Point of Sale inspection has occurred in that time frame.
- 

### **Licenses and Registrations**

Certificate of Occupancy registrations are required yearly for residential rental properties in the city. Owners are required to comply with any provision of the Housing Code. Certificate of Occupancy registration will not be issued if the property has a certified delinquent property tax balance or other unpaid liens or nuisance costs.

- Vacant Property Registrations are required on all residential and commercial dwellings that are vacant shall register that property with the city and assign an authorized local agent.

- Out of County Owners are required to register their property with the city and assign a local agent who has a physical office and street address in Cuyahoga County.
- Foreclosure Bond Registration and submittal is required for plaintiff's in a foreclosure in which the dwelling structure is vacant in order to ensure that the property is maintained throughout its vacancy.

**Land banking and property tracking:**

Tax delinquent and abandoned properties are tracked and reviewed for acquisition into the City's Land Bank for future economic development plans.

- All tax delinquent properties are monitored for rental status and occupancy status to and information is conveyed to the Cuyahoga County Treasurer for requested actions.
- All mortgage and tax foreclosed properties are monitored and inspected to ensure all requirements of the City Ordinances are being met.

**Housing Preservation Office duties:**

- Lead Safe Cuyahoga Program- Provides assistance to qualified families with children under the age of 5 for lead remediation of the property of up to \$9000 per unit.
- Nuisance Abatement- Abate nuisances to structures by correcting violations or demolition of the structure and certify the costs to tax certificate,
- Exterior Senior Paint Grant- Provides qualified seniors or disabled persons up to \$3500 towards the completion of paint violations on their homes.
- Violation Repair for Seniors-Provides qualified seniors or disabled persons assistance for corrections of exterior violation repairs.
- Deferred Loan- Up to \$35,000 for owner occupants 62+ meeting income req. for renovations to their home, deferred until property transfer.
- Short Term/Emergency Loan- Up to \$7500 for emergency health, safety and home repairs which can be deferred for 2 years.
- Down Payment Assistance – Up to \$10,000 provided through HRRC for new qualifying homebuyers.
- SIO Grant- Provides up to \$3500 for painting of home and up to \$1500 for violation repair to income qualified homeowners in Strategic Impact Areas identified by our master plan.

# **City of Cleveland Heights**

## **Organizational Assessment of the Housing Department**

### **Draft Implementation Plan**

**June, 2020**



A PART OF  
 **RAFTELIS**

**City of Cleveland Heights: Organizational Assessment of the Housing Department**  
**Draft Implementation Plan**

The Novak Consulting Group, a part of Raftelis, has developed this draft Implementation Plan to assist the City of Cleveland Heights with implementation of the recommendations outlined in the Organizational Assessment of the Housing Department. The work involved in implementing these recommendations must be integrated into the City of Cleveland Heights's other work, with appropriate assignments of responsibility and with the identification of specific planned completion dates.

The draft Implementation Plan begins that process with guidance around the length of time that might be required to complete an individual recommendation (e.g., "Time to Accomplish") and with a recommended priority assignment (e.g., "Priority 1-3") based on criteria described below.

- Priority 1: Important to accomplish without delay or has significant operational or financial implications.
- Priority 2: Second tier of importance to accomplish and/or may involve some complexity or time to complete.
- Priority 3: Least urgent to complete and/or may take longer to set up or execute.

To convert this draft to a final Implementation Plan, the City of Cleveland Heights's management and staff will need to identify specific target dates. In doing so, staff should also: (1) modify the described activities for implementing an individual recommendation based on your knowledge of what will be required for completion; and (2) adjust the assignment of responsibility based on workload or other considerations. Information included in this Implementation Plan represents The Novak Consulting Group's recommendations; final decisions about implementation rest with the City of Cleveland Heights, its governing body, and its senior management staff. It is important to note that this document is intended to be a living and evolving management tool. It is entirely reasonable and expected for the Implementation Plan to change as conditions evolve. Its fundamental purpose is to serve as a management tool that will help ensure that the initiatives outlined in the plan are implemented in a thoughtful and systematic way.

Project planning is essential to the successful execution of the work ahead. We hope that you find the draft Implementation Plan useful in that regard. The Novak Consulting Group remains available to consult with you in this process in whatever way we may be helpful.

Category	Rec #	Recommendation	Implementation Steps	Priority	Time to Accomplish	Person(s) Responsible	Column1
Policy Considerations	1	Develop a formal housing strategy with clear program goals and objectives.	<ul style="list-style-type: none"> <li>Identify key stakeholders to participate in the strategy process</li> <li>Work with stakeholders to develop a thorough environmental scan of the City's housing stock and local housing market</li> <li>Develop specific goals and objectives regarding housing</li> <li>Define clear action steps designed to align Housing Department services, programs, and procedures with the overall housing strategy</li> <li>Create clear performance indicators to measure progress toward achieving strategic goals</li> <li>Regularly measure progress</li> <li>Regularly engage housing strategy stakeholders to discuss housing issues, progress, collaborative opportunities, process improvements</li> </ul>	2	6-12 months	Housing Director	The implementation of this recommendation will require the coordination of multiple departments and community partners due to the multitude of programs and duties involved. The current departmental strategy and direction and derive from numerous places including the Master Plan, Council Priorities, new legislation, Economic Development and CDBG target areas, and housing market trends.
Policy Considerations	2	Conduct a comprehensive review of the City's Housing Code.	<ul style="list-style-type: none"> <li>Determine whether to adopt a model code</li> <li>If adopting a model code, select the code version (e.g. IPMC 2015, IPMC 2018)</li> <li>Compare provisions of the model code to identify redundancies and variances with existing codes and policies</li> <li>Where redundancies and variances exist, determine whether to adopt model code provisions, amend the model code to reflect current policy, or adjust policy</li> <li>Inventory other current code provisions not addressed in the model code</li> <li>Determine whether existing code provisions should be adjusted to reflect current policies</li> <li>Revise existing code provisions to reflect existing policy, promote cohesiveness and consistency with other code provisions</li> </ul>	1	6-12 months	Housing Director; City Manager; City Attorney	The review of our Building and Housing Codes will likely include an outside agency in addition to our Law Dept. to determine if we adopt a model code to insert into our Codified Ordinances or maintain and revise our existing code.
Policy Considerations	3	Adopt a proactive code enforcement strategy.	<ul style="list-style-type: none"> <li>Develop a checklist of key code provisions or potential violations to be inspected on a proactive basis</li> <li>Design proactive inspection routes within each Housing Inspector's district to promote regular visual contact with all properties in the district</li> <li>Require Inspectors to regularly drive routes and conduct inspections for key violations</li> <li>Issue courtesy notices for proactive violations prior to formally opening cases</li> <li>Pursue noncompliant violations with formal cases</li> <li></li> </ul>	3	12-24 months	Housing Director	The Housing Dept. has regularly conducted proactive systematic inspections on owner occupied properties every 5 years and rental properties interior and exterior every 3 years. Inspectors are assigned to zones when applicable to assess certain neighborhoods and perform

Category	Rec #	Recommendation	Implementation Steps	Priority	Time to Accomplish	Person(s) Responsible	Column1
Policy Considerations	4	Enhance the Department's guidebook and develop a comprehensive code enforcement policy manual.	<ul style="list-style-type: none"> <li>Form a committee of staff stakeholders to assist with reviewing and updating the manual</li> <li>Include references to the housing strategy in Recommendation 1</li> <li>Update code provisions of the Reference and Training Manual pending the implementation of Recommendation 2</li> <li>Update Inspections Procedures documentation to reflect any new code updates, proactive inspection requirements as described in Recommendation 3, and the outcome of technology and Citizenserve implementation</li> <li>Update Court Reins &amp; Ticketing section to capture any adjustments to procedures and policies which arise from the code review process or other policy direction from the City's elected officials</li> <li>Add or remove other provisions and elements to the Manual as necessary and appropriate per the stakeholder committee</li> <li>Distribute the revised Manual to all Housing staff electronically</li> <li>Conduct a follow-up review process every three to five years</li> </ul>	2	3-6 months	Housing Director	The Department's current guidebook coincides with existing code and will be revised with any changes made per recommendation 2 and changes to processes through Citizenserve.
Policy Considerations	5	Expand tenant education regarding the use of rent escrow accounts if landlords fail to remedy violations.	<ul style="list-style-type: none"> <li>Develop educational materials regarding rent escrow provisions and eligibility</li> <li>Identify appropriate contacts at the Municipal Court who can guide tenants through the rent escrow process</li> <li>Work with tenants to identify circumstances where rent escrow is likely to secure compliance with existing housing codes</li> <li>Provide tenants with contact information for the Municipal Court</li> <li>Advise tenants of their rights with respect to rent escrow</li> </ul>	2	1-3 months	Housing Inspectors	The Housing Dept. has continually provided Rent-In-Escrow guides and Legal Aid Society information to tenants in need. We have added a link the Rent In Escrow form on our website and in the FAQ section. The C.H. Court website also has a Landlord/Tenant page with FAQ's and contact information for Court and Legal Aid Society.

Category	Rec #	Recommendation	Implementation Steps	Priority	Time to Accomplish	Person(s) Responsible	Column1
Policy Considerations	6	Utilize civil procedures to enforce violations where appropriate.	<ul style="list-style-type: none"> <li>Engage the City's legal team to expand civil enforcement procedures for codes administered by the Housing Department</li> <li>Where appropriate, standardize civil enforcement requirements and appeals procedures across codes</li> <li>Ensure the Citizenserve system and Department Manual are updated to reflect civil enforcement procedures as appropriate</li> </ul>	1	Ongoing	Housing Inspectors	The Law Dept. is aware of all legislation passed that includes civil penalties and reviews all housing cases before the court. Appeal procedures for violations and civil penalties for nuisance actions are stated in our ordinances and on every violation notice issued. The Housing Department routinely issues civil penalties for litter and nuisance violation which are tracked in the new software.
Technology Enhancements and Process Improvements	7	Create a Citizenserve implementation committee to assist with process improvement and troubleshooting.	<ul style="list-style-type: none"> <li>Identify Citizenserve stakeholders in the Department and City organization who can assist with process improvement, implementation, troubleshooting, and evaluation</li> <li>Stakeholders should include at a minimum: <ul style="list-style-type: none"> <li>The Housing Director</li> <li>The Housing Inspector/Court Representative</li> <li>A Housing Investigator</li> <li>The Housing Program Coordinator</li> <li>An Office Assistant</li> <li>A representative from SAFEbuilt</li> <li>A representative from the City Manager's Office/Finance Department</li> </ul> </li> <li>Create a regular meeting schedule for Citizenserve committee members</li> <li>Develop a project schedule describing implementation phases, activities and deliverables, and assignments among committee members</li> <li>Prioritize the schedule based on the complexity and intensity of processes, the likelihood that processes will change as the result of other recommendations in this report</li> <li>Utilize committee meetings to map all of the Housing Department's current processes and develop process improvements which should be incorporated into Citizenserve</li> </ul>	1	1-3 months	Housing Director	Weekly meetings are conducted with Citizenserve and CH staff to continue to implement the program. Current meetings include all Housing Inspection staff, Safebuilt representatives, and Planning Dept. representatives.

Category	Rec #	Recommendation	Implementation Steps	Priority	Time to Accomplish	Person(s) Responsible	Column1
Technology Enhancements and Process Improvements	8	Provide Inspectors with computers and telephones.	<ul style="list-style-type: none"> <li>Engage the City's Information Technology staff to develop specifications and requirements for computers and telecommunications equipment</li> <li>Estimate equipment costs</li> <li>Identify budgetary resources to properly equip Housing Department Inspectors to access and update Citizenserve in the field</li> <li>Procure and deploy equipment</li> <li>Provide staff with any necessary training</li> </ul>	2	1-3 months	Housing Director	City inspectors have Ipads and can access our web based software in the field and create violation notices. Laptops or desktop computers are available to all staff and inspectors. Cell phones for inspectors are being reviewed.
Department Structure	9	Reclassify the Chief Housing Inspector as an Assistant Director.	<ul style="list-style-type: none"> <li>Engage City Human Resources staff to develop a job description for an Assistant Director position</li> <li>Develop requirements regarding minimum qualifications and certifications for the Assistant Director, particularly if a model code is adopted (e.g. require certification with the model code)</li> <li>Conduct a position study and determine an appropriate level of compensation for this position</li> <li>Identify any additional budgetary resources necessary to hire for this position</li> <li>Advertise and recruit for the position</li> <li>Interview qualified candidates</li> <li>Select the best, most qualified candidate</li> </ul>	2	3-6 months	City Manager; Housing Director	An Assistant Director description and position has been developed replacing the Chief Housing Inspector position. The new position has been advertised and staff has conducted interviews with multiple candidates. The advertisement of the position and review process will continue until the position is filled.
Department Structure	10	Continue utilizing SAFEbuilt to conduct POS inspections and fill a vacant Housing Inspector position.	<ul style="list-style-type: none"> <li>Continue assigning all point of sale (POS) inspections to SAFEbuilt staff</li> <li>Calculate the fully-burdened cost of POS inspections conducted by SAFEbuilt</li> <li>Ensure POS fees cover the cost of contracted services</li> <li>Advertise and recruit for the vacant Housing Inspector position</li> <li>Interview qualified candidates</li> <li>Select the best, most qualified candidate</li> <li>Evaluate key performance measures and process times as new systems are implemented to determine whether additional staffing resources (including the remaining vacant position) are necessary</li> </ul>	2	Ongoing	Housing Director	Safebuilt is continuing to perform POS inspections which covered by the POS fees. The Housing Inspector position is currently advertised and staff is reviewing applicants and conducting interviews. William Ellington will begin employment as a Housing Inspector on 8/30.
Department Structure	11	Fill the vacant Rehabilitation Specialist position.	<ul style="list-style-type: none"> <li>Advertise and recruit for the position</li> <li>Interview qualified candidates</li> <li>Select the best, most qualified candidate</li> </ul>	2	1-3 months	Housing Director	The Rehabilitation Specialist position is currently advertised and staff is reviewing applications and interviews.

Category	Rec #	Recommendation	Implementation Steps	Priority	Time to Accomplish	Person(s) Responsible	Column1
Department Structure	12	Reallocate duties assigned to Office Assistant positions as Citizenserve implementation proceeds.	<ul style="list-style-type: none"> <li>Automate administrative processes using Citizenserve to the greatest extent possible</li> <li>Measure the impact of automation on Office Assistant workload and labor hours needed to accomplish core tasks</li> <li>Reallocate administrative duties to two Office Assistant positions</li> <li>Conduct an analysis to evaluate the need for a third Office Assistant position</li> </ul>	3	3-9 months	Housing Director	Under review and assesment of workload.
Department Structure	13	Create a Community Liaison position.	<ul style="list-style-type: none"> <li>Engage City Human Resources staff to develop a job description for a Community Liaison position</li> <li>Conduct a position study and determine an appropriate level of compensation for this position</li> <li>Identify any additional budgetary resources necessary to hire for this position</li> <li>Advertise and recruit for the position</li> <li>Interview qualified candidates</li> <li>Select the best, most qualified candidate</li> </ul>	3	3-6 months	City Manager; Housing Director	Will be reviewed in future.
Management Practices	14	Establish performance measures and track workload and performance using Citizenserve.	<ul style="list-style-type: none"> <li>Develop and select formal workload, efficiency, and outcome measures which will enable the City to measure the Department's progress towards strategic goals</li> <li>Ensure Citizenserve captures data indicators necessary to inform and track performance</li> <li>Regularly analyze performance information to determine whether programs and services meet expectations</li> <li>Review and update performance measures every 3-5 years to ensure measures continue to support strategic goals</li> </ul>	1	1-6 months	Housing Director	Assignments and tasks will be tracked through Citizenserve. Current staffing shortages make it difficult to assign duties to multiple persons.
Management Practices	15	Engage in regular performance reviews/check-ins with staff.	<ul style="list-style-type: none"> <li>Establish a practice and formal expectation of regular performance meetings between staff and supervisors</li> <li>Schedule performance meetings at least annually with each employee</li> <li>Engage in regular "check-ins" to provide real-time, ongoing feedback to employees about performance, expectations, and practices</li> </ul>	1	1-3 months	Housing Director	Routine meetings for quality and performance measurements are conducted and feedback is encouraged. Yearly evaluations will be performed.

Category	Rec #	Recommendation	Implementation Steps	Priority	Time to Accomplish	Person(s) Responsible	Column1
Management Practices	16	Conduct regular department meetings.	<ul style="list-style-type: none"> <li>Develop an agenda and key items to be discussed at each Department meeting, including but not limited to discussions about strategy, practices and procedures, use of discretion, challenging cases, technology changes, problematic properties, and requests</li> <li>Determine an appropriate frequency for regular department meetings, such as biweekly, monthly, or quarterly</li> <li>Require all staff to attend department meetings</li> <li>Provide opportunity during each meeting for staff to give feedback</li> </ul>	1	Monthly	Housing Director	Regular monthly staff meetings are conducted for staff to discuss agenda items, provide council meeting updates, and allow for feedback and discussion of related topics.
Management Practices	17	Require appropriate training and certifications for all Housing Inspectors.	<ul style="list-style-type: none"> <li>Determine minimum certification requirements for Inspectors, such as certification with the model code if adopted</li> <li>Evaluate the need for additional training and certifications related to building and trades inspections</li> <li>Calculate the number of annual training hours required to achieve and maintain certifications</li> <li>Identify appropriate budgetary resources to ensure staff can achieve and maintain certifications</li> <li>Require staff to become certified and to maintain certified status</li> </ul>	1	6-12 months	Housing Director; Housing Inspectors	Inspector training and certifications will be determined by adopted code. Model codes and local codes are similar and training is beneficial for all however the application may vary depending on the adopted code.
Management Practices	18	Eliminate the bonus program for systematic inspections.	<ul style="list-style-type: none"> <li>Eliminate this program and reallocate budgeted expenditures to other priorities</li> </ul>	1	Immediate	Housing Director	Completed



# CLEVELAND HEIGHTS

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## Memorandum

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**To:** Susanna Niermann O'Neil, City Manager  
**From:** Ryan Prosser, IT Director  
**Subject:** IT Department Update  
**Date:** August 24, 2021

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The IT Department has been busy this past week performing discovery and analysis of general practices and protocols within the department. A few adjustments have been made in regards to email filtering and tagging to increase cyber security awareness, particularly in regards to phishing attempts.

As of late, the remainder of City Hall computers are being upgraded to Windows 10, and new processes have been put into place to keep the software updated. Surveillance camera infrastructure has been inventoried and prioritized for preventative maintenance based on age and condition of hardware, and meetings between IT and the Police Department are ongoing.

The analysis of telephone, email, and utility billing upgrade options are still progressing. Updates to such projects include the continued identification of new trends and features via on demand meetings and demonstrations with various vendors.





# CLEVELAND HEIGHTS

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**To:** Susanna Niermann O'Neil, City Manager  
**From:** Joseph P. McRae, Parks and Recreation Director  
**Subject:** Parks and Recreation Department Reopening Plan Update  
**Date:** August 25, 2021

Please find a brief summary of Parks and Recreation activities attached for your reference.

## General Updates

- **Community Center:** The Community Center will be closed Labor Day weekend (Friday, September 3 – Monday, September 6) for facility maintenance. The building will reopen on Tuesday, September 7.
- **Office on Aging Supervisor:** Ms. Amy Jenkins will retire on Friday, September 3 after over 20 years of wonderful service to Cleveland Heights seniors. The position will be filled by Ms. Dynesha Stover-McDonald. Ms. Stover-McDonald has worked in the recreation department for over 12 years and holds a Master's Degree in Adult Education and Human Services. Ms. Stover-McDonald started the position on August 16.
- **Happy 5k Fun Run:** Staff is actively working with merchants and a new race company called Run The Land to facility this year's Happy 5k Run on Sunday, October 3, 2021. Significantly reduced attendance and needed safety protocols will be put in place to mitigate pandemic concerns to the extent possible. The race will also be a recognition of the City's Centennial Anniversary.
- **Cumberland Pool and Indoor Pool Access:** Cumberland Pool will close for the season on Monday, September 6. Due to the recent rise in Covid-19 infections caused by the Delta variant, there will not be an indoor pool program at the high school this Fall. A decision about the winter and spring indoor pool seasons will be made at a later date based upon pandemic conditions at the time. It is vitally important to keep both students and residents safe during this pandemic.
- **Cain Park** is open with a modified summer season. For more information on upcoming events, visit [www.cainpark.com](http://www.cainpark.com)
- **Picnic Shelter** rentals are available at Boyd, Denison, Forest Hill and Cumberland parks through the month of October.

## Upcoming election related events at the Community Center:

- City Primary Election Voting Precinct – Tuesday, September 14



# CLEVELAND HEIGHTS

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- **LWV Cleveland Hts. Mayor and Council Candidates Forum** – Thursday, September 23 (maybe switched to virtual due to the pandemic)
- **LWV CH-UH School Board of Education Candidates Forum** – Thursday, October 7
- **General Election** – Tuesday, November 2



## MEMORANDUM

**To:** Susanna Niermann O'Neil, City Manager

**From:** Eric Zamft, Planning Director

**Date:** August 25, 2021

**Subject:** Bi-Weekly Planning Department Update

## HIGHLIGHTS OF PLANNING INITIATIVES

### **HISTORIC PRESERVATION DESIGN GUIDELINES**

Staff is working closely with consultant Naylor Wellman, the Landmark Commission, and Architectural Board of Review (ABR) on the preparation of Historic Preservation Design Guidelines. There have been a number of meetings, including a public presentation and meeting on July 13, 2021 and, most recently, a third stakeholder meeting with the Landmark Commission and ABR on August 4, 2021. A second public meeting will occur virtually on September 2, 2021 at 6 PM. The following is a link to the meeting: <https://clvhts.webex.com/clvhts/j.php?MTID=m3699f06d0d1e64eedd604cb7495d3ff8> (the password is clevelandheights). The public is encouraged to participate and comment. More information, including the presentations and the most recent draft of the guidelines, can be found here: <https://www.clevelandheights.com/1435/Historic-Preservation-Design-Guidelines>

### **CEDAR-LEE-MEADOWBROOK REDEVELOPMENT**

Community and stakeholder engagement are key to the evaluation of any redevelopment of Cedar-Lee-Meadowbrook. To that end, Planning staff has developed a clear framework of meetings to occur, reflective of both early engagement and the formal City review and approval process. This framework has been posted to the project webpage: <https://www.clevelandheights.com/1154/Cedar-Lee-Meadowbrook>, has been posted in the Library locations, has been included in the weekly Cleveland Heights news email, and an updated version is attached to this report. A community conversation on parking and traffic was held on August 5<sup>th</sup> at 6 PM at the Lee Road Library. An open house on gathering spaces and community connectivity was held on August 11<sup>th</sup> at 6 PM in the City Hall atrium. Materials have been posted on the project webpage. The Planning & Development Committee of Council will be holding a committee meeting regarding the urban design of the project on September 1, 2021 at 6 PM in Council Chambers. The meeting will be open to the public and will include

an open house format for public interaction in the City Hall atrium. Further details will be provided in the next bi-weekly Director's Report. Parking and traffic studies are on-going, with staff working to review materials with the City's consultants.

### **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME ADMINISTRATION**

The Citizens Advisory Committee (CAC) held public hearings on the Year 48 CDBG application on August 10<sup>th</sup> and 17<sup>th</sup>. The CAC will reconvene on September 9<sup>th</sup> to share the subcommittee recommendations for PY 2022 funding.

### **PLACEMAKING & PARK PLANNING**

Planning is helping to guide a number of placemaking activities, working collaboratively with the Manager's Office and other departments. The Planning Department, Parks and Recreation Department, and GIS are working together to identify open space and recreation opportunities, develop recommended inquiry process and policies, and understand budgetary and staffing impacts to provide recommendations to the City Manager. These recommendations will be shared by the internal Vacant Lots working group, who is developing a process to present to the City Manager and eventually Council regarding the disposition of vacant City-owned lots.

Staff will be introducing a resolution at an upcoming meeting to have Cleveland Heights recognize Car Free Day/Park(ing) Day. This is embodied in the temporary parklet that was installed on Cedar Road. Staff is working with the permittees of the parklet to improve ADA accessibility and fire access.

Staff is working with FutureHeights on next steps with regards to the Cedar-Lee Mini Park. Other placemaking activities include:

- Community gardens
- Additional opportunities for passive and active spaces

### **ZONING**

On June 7, 2021 during Committee of the Whole, the Planning Director presented proposed legislation to amend the Zoning Code with regards to garages and other ancillary changes. Council referred the matter to the Planning Commission that evening for review and recommendation. The Planning Commission discussed the matter at special meetings on June 29<sup>th</sup> and August 19<sup>th</sup>, where they adopted a favorable recommendation with a number of suggested revisions. Staff presented an update at the Committee of the Whole meeting on August 23, 2021. A public hearing has been scheduled for September 30, 2021 at 6 PM. The public is encouraged to participate and comment. More information, including the most recent draft of the proposed zoning amendments, can be found here: <https://www.clevelandheights.com/183/Planning-Department>

Staff is closely coordinating with First Suburbs on their Single-Family Housing Zoning project, which is led by the County Planning Commission. A meeting between staff and the County occurred on August 20<sup>th</sup> where the County presented some initial findings. The County will be providing updated information in the coming weeks.

Staff continues to work with the Planning Commission, the Law Department, and Council to identify, discuss, and, ultimately, propose additional changes to the Zoning Code, including rain gardens/rain barrels, additional parking revisions, and accessory dwelling units (ADUs).

## **TRANSPORTATION**

The City has been hard at work on transportation issues:

- At the August 2, 2021 Council meeting, Council approved changes to the City's Traffic Code to allow for shared micro-mobility within the City – including e-scooters and e-bicycles. Council also approved the Manager to sign a MOU with the County that would allow the regional shared micro-mobility network to be deployed in the City. The County is working with municipalities on the implementation. Scooters should begin to appear around Labor Day. Staff has been working with the County, the SIDs, and folks from Noble to identify events that the scooter vendors could attend.
- At the August 16, 2021 Council meeting, Council adopted Vision Zero as a City policy. Staff is also working with the Manager's Office and other City departments on sidewalks and other matters referred to Council by the (then) TAC. Planning staff is working closely with the Department of Public Works on reviewing the Complete and Green Street Checklist drafted by the TAC.
- Staff is working on the implementation of the Compton Road Greenway study. As a result of conversations with the City of Cleveland and their Franklin Boulevard traffic calming project, the next step is for the City to retain an engineer to provide a preliminary design of the Greenway elements, which would allow for further engagement with the community. Staff is coordinating with the Boulevard Neighbors neighborhood group on an event on September 19<sup>th</sup> that will highlight, among other things, the future possibilities of the Greenway.

Other transportation activities include:

- South of Cedar Parking and Traffic Study Implementation – Staff met with residents of Hardcourt Drive to discuss their concerns and possible next steps
- Mayfield Road Corridor Multimodal Plan Implementation / Streetscape Improvements
- Taylor Road Study Implementation

## **REDEVELOPMENT OPPORTUNITIES**

The Boulevard Neighbors neighborhood group has been discussing the future of the privately-owned Park Synagogue on Mayfield Road. Planning staff has attended meetings with the group,

along with FutureHeights and others. Staff has been coordinating with FutureHeights and their Severance Town Center working group, as well as Community Engagement Committee.

### **SUSTAINABILITY**

At the August 16, 2021 Council meeting, Council expanded the Transportation Advisory Committee (TAC) to including environmental sustainability; with a new name – the Transportation & Environmental Sustainability (T&ES) Advisory Committee. Staff sits on the Doan Brook Watershed Partnership (DBWP) Board and is Vice President of the Executive Committee. Due to former councilwoman Mary Dunbar's resignation, Council will need to designate a Council liaison to the DBWP.

### **ADMINISTRATIVE APPROVALS**

Beyond support to City development boards and commissions, per the Zoning Code and other City ordinances, the Planning Department provides administrative approvals for a number of permitted activities. These include: fence permits, Temporary Expansion Area (TEA) permits, mini-split air conditioning systems, and chicken coops, among others.

### **COMMERCIAL AND MIXED-USE DISTRICT DESIGN STANDARDS / WINDOW TRANSPARENCY**

The community, especially the business community, is reminded that in 2017 and 2018 the City adopted design standards for commercial and mixed-use districts, such as Lee Road, to ensure that such commercial spaces were inviting and interacted positively with the public sidewalk and public realm. Economic Development will be working closely with properties on Lee Road (from Cedar Road north to Superior Road) as a first phase in educating and ensuring compliance of these standards.

### **COORDINATION WITH ECONOMIC DEVELOPMENT DEPARTMENT INITIATIVES**

- *Neighborhood Redevelopment Program (NRP), Phase 1* – Planning staff continues to provide support to Economic Development with the selected developers and implementation, as necessary. Start Right CDC has appeared before the Architectural Board of Review (ABR) for a preliminary review of a proposed model home to be constructed on 961 Nelaview Road. They are anticipated to come to a future ABR meeting for approval. Now that a Memorandum of Understanding (MOU) has been signed with Liberty/Amato, Planning staff will work with Economic Development to coordinate any community engagement and design review of the Desota phase.
- *Cedar-Lee-Meadowbrook Redevelopment* – See above.
- *Unitarian Church Redevelopment* – Planning staff has been participating in discussions regarding the potential redevelopment of the Unitarian Church site and adjacent

properties, including the potential implications with regards to public parking and the zoning of the redevelopment site.

- *Other Economic Development Initiatives* – Planning staff provides input and support on other initiatives, including additional NRP phases, the Taylor-Tudor Plaza properties, the Storefront program, solid waste needs for businesses, other redevelopment opportunities, etc.

## BOARDS AND COMMISSIONS

The Department of Planning assists the activities of the Architectural Board of Review (ABR), Board of Control, Board of Zoning Appeals (BZA), Landmark Commission, and Planning Commission, and provides staff assistance to the Citizens Advisory Committee (CAC), Racial Justice Task Force, Transportation & Environmental Sustainability Advisory Committee (T&ES), and City Council (when needed). Below are tables of both active and recently approved applications managed by the Department.

*Note that there are a number of vacancies on the City's boards and commissions. Residents are encouraged to volunteer for these very important civic bodies. See <https://www.clevelandheights.com/1169/Boards-and-Commissions-Application> for more information.*

### **ARCHITECTURAL BOARD OF REVIEW (ABR) – 1<sup>st</sup> and 3<sup>rd</sup> Tuesday**

At the August 17, 2021 ABR meeting, the following applications were discussed and approved:

Address	Case #	Project Description
1370 Inglewood Drive	ABR 2021-183	Request to install new windows and stairs
2079 Euclid Heights Boulevard	ABR 2021-189	Request to install a patio and fireplace
2463 North Taylor Road	ABR 2021-190	Request to create a new entry/exit
2981 East Derbyshire Road	ABR 2021-191	Request to install a patio and pavilion
2862 Scarborough Road	ABR 2021-192	Request to install an inground pool and perimeter fence
3572 Severn Road	ABR 2021-193	Request to alter an existing sunroom
2257 Woodmere Drive	ABR 2021-194	Request to install a two-car, detached garage

The following applications were withdrawn by the applicant:

Address	Case #	Project Description
3144 Coleridge Road	ABR 2021-186	Request to install new windows
2401 Euclid Heights Boulevard	ABR 2021-195	Request to install a mechanical unit

The next ABR meeting will be held on September 9, 2021. A link to the agenda will be provided in the next bi-weekly Planning Department report.

#### **BOARD OF CONTROL (As needed for the S-1 District)**

There was no recent activity involving the Board of Control.

#### **BOARD OF ZONING APPEALS (BZA) – 3<sup>rd</sup> Wednesday**

At the August 18, 2021 BZA meeting, the following applications were discussed and approved:

Address	Calendar No.	Project Description
1560 Rydalmount Road	Cal. No. 3527	Request for a variance to permit an air conditioning condensing unit to be less than the required 5' from the south side property line
1591 Wood Road	Cal. No. 3528	Requests for a variance to permit an accessory 6'-tall gate across the access lane at private Oakwood Drive

The next BZA meeting will be held on September 14, 2021. A link to the agenda will be provided in the next bi-weekly Planning Department report.

#### **LANDMARK COMMISSION – 1<sup>st</sup> Tuesday of Odd Numbered Months**

The Landmark Commission is working on landmarking the Cider Path, which is City-owned. At the August 16, 2021 Council meeting, Council approved owner-consent to allow the landmarking process to continue. The next step will be for the Landmark Commission to officially review the application and to send a report and recommendation to the Planning Commission. The Landmark Commission has been discussing a number of other initiatives with City staff.

A special meeting of the Landmark Commission was held on August 16, 2021. The following applications were discussed and approved:

Address	Case #	Project Description
4143 Bluestone Road	NA	Request to install three (3) new windows (on the side and back)
2232 Elandon Road	NA	Request for new roof

The next regularly scheduled Landmark Commission meeting will be held on September 14, 2021. A link to the agenda will be provided prior to the meeting date.

**PLANNING COMMISSION – 2<sup>nd</sup> Wednesday**

A special Planning Commission meeting was held on August 19, 2021 at 7 PM. The following applications were discussed and approved:

Address	Project No.	Project Description
2780 Kirkwood Road & 2800 Noble Road (Library)	Project No. 21-07	Request for lot resubdivisions to join lots
2953 & 2888 Mayfield Road	Project No. 21-08	Request for a conditional use permit to operate an existing Honda dealership for new & used auto sales & auto service; used auto sales in conjunction with the existing Honda dealership

In addition, Project No. 21-06, the Proposed Zoning Text Amendments regarding private parking garages and ancillary changes (Ord. 70-2021), was discussed as a referral from Council. Staff provided suggested changes based upon comments from the Commission, public, and other City departments. The Commission provided a recommendation to Council to approve the zoning text amendments with the suggested changes.

No applications were received for the September Planning Commission meeting. The next Planning Commission meeting will be held on October 13, 2021.

**CITIZENS ADVISORY COMMITTEE (CAC) – 3<sup>rd</sup> Tuesday**

The CAC held the Year 48 CDBG public hearings on August 10<sup>th</sup> and 17<sup>th</sup>. The September CAC meetings are scheduled for September 9<sup>th</sup> and 14<sup>th</sup>.

**TRANSPORTATION & ENVIRONMENTAL SUSTAINABILITY ADVISORY COMMITTEE (T&ES) – 4<sup>th</sup> Wednesday**

At the August 16, 2021 Council meeting, Council adopted a resolution expanding the Transportation Advisory Committee (TAC) to become the Transportation and Environmental Sustainability Advisory Committee (T&ES). Staff is working closely with the T&ES members on the implementation of the City's Green and Complete Streets Policy, including a checklist for City departments to utilize.

The T&ES met on August 25, 2021, where they honored Mary Dunbar's service to the community and to transportation. At the meeting, the T&ES also discussed the Complete and Green Streets Checklist, the South of Cedar Road Parking Study, and the Compton Road Greenway.

The next T&ES meeting will be held on September 30, 2021. The agenda will be posted and a link will be included in in a future bi-weekly Director's Report.

**RACIAL JUSTICE TASK FORCE**

The Housing and Economic Opportunity Subcommittee met on August 18<sup>th</sup> to formulate a work plan that will facilitate their recommendations to the full task force. Fair lending advocates will attend their next meeting on September 15<sup>th</sup> in order help inform the subcommittee on banking practices that are discriminatory and/or have a disparate impact on communities of color. The Public Safety Subcommittee will meet on August 24<sup>th</sup> and the Health, Wellness, and Education Subcommittee and the full Racial Justice Task Force met on August 25<sup>th</sup>. An update will be provided in the next bi-weekly Director's Report. The next meeting of the full Racial Justice Task Force will take place on September 30<sup>th</sup> at 7 PM in Council Chambers.

**CEDAR-LEE-MEADOWBROOK REDEVELOPMENT  
FRAMEWORK OF ANTICIPATED MEETINGS\***

**Initial Community Meetings**

1. **Kick-Off Parking & Traffic Community Workshop #1** on existing conditions (*completed* – 8/5, 6 PM at the Library)
2. **Public Spaces and Connectivity Open House** (*completed* – 8/11, 6 PM, Atrium at City Hall)
3. **Planning & Development Committee of Council Meeting** including Committee workshop on redevelopment of Cedar-Lee-Meadowbrook (9/1, 6 PM in Council Chambers; Open House in Atrium at City Hall)
4. **Architectural Board of Review (ABR) Preliminary Design Review Special Meeting** (Date and Time TBD, Council Chambers)
5. **Parking & Traffic Community Workshop #2** on recommendations (Date, Time, Location TBD)

**Formal Review Process with Opportunities for Public Comment**

6. **Planning Commission Public Meeting #1** (Date and Time TBD based upon receipt of application, Council Chambers)
7. **Planning Commission Public Meeting #2** (Date and Time TBD, Council Chambers)
8. **Board of Zoning Appeals (BZA) Public Meeting** (Date and Time TBD, Council Chambers)
9. **ABR Public Meeting** (Date and Time TBD, Council Chambers)

*\*Note: Meeting dates and locations subject to change, depending on CDC guidance regarding COVID-19, as well as other variables*

## **CEDAR-LEE-MEADOWBROOK REDEVELOPMENT**

The proposed Cedar-Lee-Meadowbrook Redevelopment project is a mixed-use development in the heart of the Cedar-Lee District, designed to activate vacant and under-utilized City-owned parcels along Cedar, Lee, and Meadowbrook and bring new customers and residents to the neighborhood.

### **PROJECT HISTORY:**

The City of Cleveland Heights has been working toward the redevelopment of the City-owned parcels in the Cedar-Lee District for 18 years, beginning with the construction of the parking garage to accommodate new residential and commercial parking in 2007. The City's 2011 City-wide strategic development plan identified this as a critical focus area for new, complementary mixed-use development. Similarly, the 2017 Master Plan recommended that there be development focus on target areas, including the Cedar-Lee District.

### **PROJECT VISION & GOALS:**

The City of Cleveland Heights has set forth the following Vision and Goals to guide this project:

**Vision:** Strengthen the Cedar-Lee District and businesses city-wide, provide a greater range of residential opportunities, and enhance the desirability of the City of Cleveland Heights through inspired new mixed-use development.

**Goal #1: Promote Cleveland Heights' rich legacy and progressive future**

**Goal #2: Support Cedar-Lee businesses, residents and visitors**

**Goal #3: Provide new housing options for Cleveland Heights**

**Goal #4: Create integrated, inclusive and connected public spaces**

**Goal #5: Capitalize on recent district investments**

### **PROJECT DETAILS:**

#### **The Cedar-Lee-Meadowbrook Redevelopment:**

- Launched with a series of community conversations to learn more from residents, merchants, and neighbors
- Capitalizes on parking resources by starting with a comprehensive district-wide parking and traffic analysis aimed to balance the district's current and future needs
- Introduces 200+ residential units offering new single floor living options
- Incorporates public spaces and connections that support the entire district and link the surrounding neighborhood
- Welcomes new customers who will live and shop within the District
- Complements the character of the District and adjacent neighborhoods with 4 story construction that is contextual
- Celebrates a rich material palette that reflects Cleveland Heights' architectural diversity
- Coordinates future construction to minimize impact on residents / businesses / customers

## PROJECT PROCESS:

### Initial Community Meetings

1. Kick-Off Parking & Traffic Community Workshop #1 on existing conditions  
*8/5, 6 PM, Cleveland Heights Public Library at Lee Road*
2. Public Spaces and Connectivity Open House  
*8/11, 6 PM, Atrium at City Hall (moved from original date of 6/12)*
3. Planning & Development Committee of Council Meeting on Urban Design/Public Open House  
*9/1, 6 PM, Committee meeting in Council Chambers/Public Viewing and Open House in the Atrium at City Hall*
4. Architectural Board of Review (ABR) Preliminary Design Review Special Meeting  
*Date and Time TBD, Council Chambers*
5. Parking & Traffic Community Workshop #2 on recommendations  
*Date, Time, Location TBD*

### Formal Review Process with Opportunities for Public Comment

6. Planning Commission Public Meeting #1  
*Date and Time TBD based upon receipt of application, Council Chambers*
7. Planning Commission Public Meeting #2  
*Date and Time TBD, Council Chambers*
8. Board of Zoning Appeals (BZA) Public Meeting  
*Date and Time TBD, Council Chambers*
9. ABR Public Meeting  
*Date and Time TBD, Council Chambers*



For more information visit [www.clevelandheights.com/clm](http://www.clevelandheights.com/clm)

# CEDAR-LEE-MEADOWBROOK DEVELOPMENT

## COMMUNITY MEETING

**PLANNING & DEVELOPMENT COMMITTEE OF  
COUNCIL | MEETING ON URBAN DESIGN |  
PUBLIC OPEN HOUSE**



**DATE:**

Wednesday, September 1



6:00 PM



Cleveland Heights City Hall Atrium & Council Chambers  
- 40 Severance Circle, Cleveland Heights, OH 44118 -



CITY OF  
CLEVELAND  
HEIGHTS



FLAHERTY & COLLINS  
CITY ARCHITECTURE





# CLEVELAND HEIGHTS

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To: Susanna Niermann-O'Neil, City Manager

From: Annette M. Mecklenburg, Chief of Police

Date: August 24, 2021

Subject: Police Department Update

As you may recall, there was a robbery reported in Denison Park on the evening at August 8, 2021. Detectives have been investigating and identified the two suspects involved. The suspects are the same two juveniles, ages 14 and 16, who have been arrested in charged in the murder on Woodview. Both juveniles have now facing additional charges of Aggravated Robbery.

On August 18, 2021, the Ohio Department of Rehabilitation & Correction Bureau of Adult Detention issued a Certificate of Compliance to the Cleveland Heights City Jail. The City Jail was found to be in 100% compliance with all 107 standards (52 essential standards and 55 important standards). The group of standards inspected focused on Reception and Release, Classification, Security, Housing, Sanitation and Environmental Conditions, Communication, Visitation, Medical and Mental Health Services, Food Service, Recreation and Programming, Inmate Discipline, Violations and Penalties, Administrative Segregation, Grievance, Staffing and Staff Training. Captain Matthew Cinadr and Sergeant Sean Corrigan, along with the officers who staff the jail, are to be commended for their dedication and diligence in ensuring that our jail in compliant with all required standards. The certificate of compliance is valid for one year.

As a reminder, our Donut Drink & Drive event is scheduled for September 3, 2021 from 10:00 am – Noon at Bryan's Marathon, 2294 Lee. This is a drive-up event during which drivers will sign a pledge card promising not to drink and drive. All participants will receive a free donut for stopping by.



# CLEVELAND HEIGHTS

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## Committee of the Whole

**August 30, 2021**

**7:00 p.m.**

**Agenda**

1. Legislation Overview
2. Horseshoe Lake discussion
3. Executive Session
  - a. *To consider the terms of purchase of real property for public purposes*
  - b. *To consider the sale or lease of City-owned real property*



## CLEVELAND HEIGHTS

### **AGENDA (tentative) – CLEVELAND HEIGHTS CITY COUNCIL MEETING** **COUNCIL CHAMBERS**

**Monday, August 30, 2021**  
**Special Meeting**  
**7:30 p.m.**

**Cleveland Heights City Hall**  
**40 Severance Circle**  
**Cleveland Heights, Ohio**

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Report of the City Manager**
- 5) Report of the Clerk of Council**
- 6) Committee Reports**

#### **a.) PUBLIC SAFETY AND HEALTH COMMITTEE**

**RESOLUTION NO. 116-2021 (PSH), *First Reading*.** A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor; and declaring an emergency

Introduced by Council Member \_\_\_\_\_

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

#### **b.) ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 53-2021 (AS), *Second Reading*.** An Ordinance providing for the submission to the electors of the City of Cleveland Heights of proposed amendments to the Charter of the City of Cleveland Heights for placement on the November 2, 2021 ballot; and declaring an emergency.

Introduced by Council Member \_\_\_\_\_

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

**c.) COMMUNITY RELATIONS AND RECREATION COMMITTEE**

**ORDINANCE NO. 117-2021 (CRR), *First Reading*.** An Ordinance repealing Chapter 141, “Recreation Advisory Board,” of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights, and adopting a replacement Chapter 141, “Parks and Recreation Advisory Board”; and declaring an emergency

Introduced by Council Member \_\_\_\_\_

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

**d.) FINANCE COMMITTEE**

**ORDINANCE NO. 114-2021 (F), *Second Reading*.** An Ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,725,000 for the purpose of refunding for debt charges savings certain of the City’s outstanding Severance Ring Road Improvement Refunding Bonds, Series 2014, dated July 2, 2014

Introduced by Council Member \_\_\_\_\_

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

**e.) MUNICIPAL SERVICES COMMITTEE**

**f.) PLANNING AND DEVELOPMENT COMMITTEE**

**RESOLUTION NO. 118-2021 (PD), *First Reading*.** A Resolution authorizing the City Manager to enter into an amendment to the Memorandum of Understanding with F&C Development, Inc. concerning the “Cedar-Lee Meadowbrook” development; and declaring an emergency

Introduced by Council Member \_\_\_\_\_

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

**RESOLUTION NO. 119-2021 (PD), *First Reading*.** A Resolution authorizing the City Manager to enter into an amendment to the Memorandum of Understanding with the Start Right Community Development Corporation, for the redevelopment of vacant residential lots owned or controlled by the City with new single-family homes; and declaring an emergency

Introduced by Council Member \_\_\_\_\_

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

## 7) Consent Agenda

*Note: Individual Consent Agenda items are not discussed separately during the Council meeting, unless removed from the Consent Agenda on the request of a member of Council. Once an item is removed from the Consent Agenda it will be placed on the Regular Agenda.*

**RESOLUTION NO. 120-2021 (MS), *First Reading*.** A Resolution proclaiming September 2021, National Preparedness Month; and declaring an emergency

**RESOLUTION NO. 121-2021 (CRR), *First Reading*.** A Resolution joining communities throughout the nation in proclaiming September 2021, Prostate Cancer Awareness Month; and declaring an emergency

**RESOLUTION NO. 122-2021 (CRR), *First Reading*.** A Resolution proclaiming September 10 – 19, 2021, Welcoming Week; and declaring an emergency

Motion to suspend rules by Council Member \_\_\_\_\_

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

Motion to adopt by Council Member \_\_\_\_\_

Vote	For	Against	No. Reading
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**8) Council President's Report**

**9) Adjournment**

**NEXT MEETING OF COUNCIL: MONDAY, SEPTEMBER 13, 2021**

Proposed: 5/3/21

ORDINANCE NO. 53-2021 (AS) *Second Reading*

By Council Member Seren

An Ordinance providing for the submission to the electors of the City of Cleveland Heights of proposed amendments to the Charter of the City of Cleveland Heights for placement on the November 2, 2021 ballot; and declaring an emergency.

WHEREAS, Article III-4 of the Charter of the City of Cleveland Heights provides, in part, that “[a]ny vacancy in the Council . . . shall be filled by appointment by a majority of the remaining members of the Council”; and

WHEREAS, Article III-4 of the Charter of the City of Cleveland Heights does not provide a specific timeframe by which Council must make an appointment filling the vacant seat in the Council; and

WHEREAS, this Council has determined that it would be in the best interests of the City and its residents to provide a timeframe by which Council may fill a vacant Council seat, to further provide that should Council fail to timely fill such seat, the City’s Mayor shall do so within a prescribed timeframe, and finally to provide that except when a vacancy arises in the year in which the seat is scheduled to be filled at a regular election, a person shall be elected to serve out the unexpired term at the next general election more than one hundred and twenty days after the vacancy arises; and

WHEREAS, pursuant to Article XIII of the Charter of the City of Cleveland Heights and the Constitution of the State of Ohio, this Council has determined to authorize and direct the submission to the electors of the City of Cleveland Heights of proposed charter amendments at the general election to be held on Tuesday, November 2, 2021, which election is not less than 60 nor more than 120 days from the effective date of this Ordinance, and that submitting the same to the electors is in the best interest of the City and its residents; and

WHEREAS, Article XIII of the Charter of the City of Cleveland Heights provides that amendments to the Charter may be submitted to the electors of the City of Cleveland Heights by a vote of five (5) members of this Council.

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

SECTION 1. This Council directs that there shall be submitted to a vote of the electors of the City of Cleveland Heights, at the general election to be held at the usual places of voting in said City on Tuesday, November 2, 2021, the question of whether the selected provision of the Charter of the City of Cleveland Heights should be amended to read as set forth in the document attached hereto as Exhibit A and incorporated herein by reference.

ORDINANCE NO. 53-2021 (AS) *Second Reading*

SECTION 2. The Cuyahoga County Board of Elections is hereby directed to submit the following question to the electors of the City of Cleveland Heights at the general election on Tuesday, November 2, 2021 in substantially this form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

**“Shall Article III, Section 4 of the Charter of the City of Cleveland Heights be amended to provide a timeframe by which Council may fill a vacant Council seat and to provide that if Council fails to timely fill such seat, the City’s Mayor shall do so within a specified time, and finally to provide that except when a vacancy arises in the year in which the seat is scheduled to be filled at a regular election, a person shall be elected to serve out the unexpired term at the next general election more than one hundred and twenty days after the vacancy arises?**

       Yes        No”

SECTION 3. The Clerk of Council is hereby instructed to file forthwith a certified copy of this Ordinance and the proposed form of the ballot question with the Cuyahoga County Board of Elections not less than sixty (60) nor more than one hundred twenty (120) days prior to November 2, 2021, for the Board’s processing in the manner provided by the general laws of the State of Ohio.

SECTION 4. The Clerk of Council is hereby directed to provide notice of the proposed amendments pursuant to Article VIII-5 of the Charter of the City of Cleveland Heights, by either: (1) printing or mailing to each registered elector an official publicity pamphlet, or (2) publicizing official publicity in a newspaper published and generally circulated in the City, or if no such newspaper is published in the City, then in a newspaper of general circulation within the City, at least once a week for not less than two consecutive weeks with the first publication being at least thirty (30) days prior to November 2, 2021. Such publicity pamphlet or publication shall contain a full text of the proposed Charter amendment, with the respective ballot title, together with any explanation or argument for or against such measure which may have been filed with the Clerk of Council.

SECTION 5. Pursuant to Article XIII of the Charter of the City of Cleveland Heights, if the majority of electors voting thereon vote in favor of adopting the proposed amendments to the Charter of the City of Cleveland Heights, it shall become a part of the Charter at the time fixed in the amendments, and if no time is fixed therein, then such amendments shall become a part of the Charter upon its approval by the electors.

SECTION 6. 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 timely submit to the electors of the City of Cleveland Heights the proposed amendments to Charter of the City of Cleveland Heights

ORDINANCE NO. 53-2021 (AS) *Second Reading*

amendments in time to meet Board of Elections deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more 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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

## **EXHIBIT A**

### **SECTION III-4. VACANCIES.**

~~A~~Any vacancy in the Council, ~~except as otherwise provided in this Charter~~, shall be filled ~~in the first instance~~ by ~~the~~ appointment, by a majority of the remaining members of the Council, ~~of an individual qualified under this Charter to serve as a member of Council. In the event Council fails to fill any vacancy within thirty (30) days of the occurrence of such vacancy, then the Mayor shall fill such vacancy within ten (10) days. The individual appointed to fill the vacancy shall serve until a successor is elected and qualified at an election as provided herein; provided, however, that if the vacancy in Council occurs in the year that the regular election for that office is already scheduled, then the person appointed. Such appointee shall hold office through December 31 of that year.~~

~~For any vacancy in Council not occurring in the year that the regular election for that office is scheduled, an election for the following the next regular municipal election taking place more than sixty days after such vacaney occurs; provided, however, that the term of a member shall not be lengthened by his resignation and subsequent appointment. The term of the person chosen at such election to succeeid such appointee for any unexpired term shall be held at the next general election occurring more than one hundred and twenty (120) days after the date of the vacancy. The term of a person elected to fill the vacancy at such election shall begin at the first regularly scheduled meeting day of Council January next following the certification of electoral results of such his election and he shall extend forserve the remainder of the such unexpired term.~~

~~Subject to the provisions of this Section III-4, persons desiring to become candidates for the office in which the vacancy arose shall file nominating petitions, with the election authorities prescribed by general law, not later than 4:00 p.m. on the ninetieth (90<sup>th</sup>) day before such election. Such petitions shall not be signed by any electors more than one hundred eighty (180) days prior to such election. Other than with regard to the time limits in this section applicable to the filing and signature of petitions, such nominating petitions shall be subject to the requirements of Article VII, Section 3 of the Charter, including the number of required signatures.~~

Proposed: 08/16/2021

ORDINANCE NO. 114-2021 (F), *Second Reading*

By Council Member Hart

An Ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,725,000 for the purpose of refunding for debt charges savings certain of the City's outstanding Severance Ring Road Improvement Refunding Bonds, Series 2014, dated July 2, 2014, which were issued for the purpose of refunding for debt charges savings certain of the City's then-outstanding Severance Ring Road Improvement General Obligation Bonds, Series 2004, dated September 1, 2004, which were issued for the purpose of paying the property owners' portion, in anticipation of the collection of special assessments heretofore levied, and the City's portion of the cost of improving Ring Road, including its access roads to Mayfield and Taylor Roads, located as Severance Town Center and all appurtenances thereto, by reconstructing the roadway and installing sidewalks, curbs, water lines, storm sewers, traffic signals, retaining walls, lighting and streetscape, together with all appurtenances thereto, and declaring an emergency.

WHEREAS, pursuant Ordinance No. 125-2004, passed on August 16, 2004, the City issued its \$3,200,000 Severance Ring Road Improvement General Obligation Bonds, Series 2004 (the Series 2004 Bonds), dated September 1, 2004, for the purpose stated in Section 2; and

WHEREAS, pursuant Ordinance No. 82-2014, passed on June 16, 2014 (the Series 2014 Bond Legislation), the City issued its \$2,510,000 Severance Ring Road Improvement Refunding Bonds, Series 2014, dated July 2, 2014 (the Series 2014 Bonds), for the purpose of refunding for debt charges savings the then-outstanding Series 2004 Bonds maturing on December 1 in the years 2015 through 2029; and

WHEREAS, the Series 2014 Bonds are currently outstanding in the aggregate principal amount of \$1,760,000 and will mature on December 1 in the years 2021 through 2029 (the Outstanding Series 2014 Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to refund for debt charges savings all or a portion of the Outstanding Series 2014 Bonds maturing on December 1 in the years 2022 through 2029 (the Refunded Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to issue the Bonds described in Section 2 to provide funds sufficient for that purpose, including the payment of expenses properly allocable to that refunding and to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 was, at the time the Series 2004 Bonds were issued, at least five years, and the estimated maximum maturity of the Bonds described in Section 2 is not later than December 1, 2029, the final maturity of the Refunded Bonds;

ORDINANCE NO. 114-2021, *Second Reading*

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

SECTION 1. Definitions. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means the denomination of \$100,000 or any whole multiple of \$1,000 in excess thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the Fiscal Officer.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Executive” means the City Manager of the City.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2021.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

ORDINANCE NO. 114-2021, *Second Reading*

“Principal Payment Dates” means unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in the years from and including 2021 to and including 2029, provided that in no case shall the final Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

**SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds.** This Council determines that it is necessary and in the best interest of the City to issue bonds of the City as a single fully registered bond in one lot in the maximum principal amount of \$1,725,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City’s outstanding Severance Ring Road Improvement Refunding Bonds, Series 2014, dated July 2, 2014, which were issued for the purpose of refunding for debt charges savings certain of the City’s then-outstanding Severance Ring Road Improvement General Obligation Bonds, Series 2004, dated September 1, 2004, which were issued for the purpose of paying the property owners’ portion, in anticipation of the collection of special assessments heretofore levied, and the City’s portion of the cost of improving Ring Road, including its access roads to Mayfield and Taylor Roads, located as Severance Town Center and all appurtenances thereto, by reconstructing the roadway and installing sidewalks, curbs, water lines, storm sewers, traffic signals, retaining walls, lighting and streetscape, together with all appurtenances thereto.

Subject to the limitations set forth in this Ordinance, the aggregate principal amount of the Bonds to be issued, the principal maturities of and the principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Ordinance are subject to further specification or determination in the Certificate of Award upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified by the Fiscal Officer in the Certificate of Award, shall be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the refunding of the Refunded Bonds and the issuance of the Bonds.

**SECTION 3. Denominations; Dating; Principal and Interest Payment and Prepayment Provisions.** The Bonds shall be issued as a single fully registered bond in one lot in the maximum principal amount of \$1,725,000. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) **Interest Rates and Interest Payment Dates.** The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) **Principal Payment Schedule.** The Bonds shall mature on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer’s determination of

the best interest of and financial advantages to the City.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing on each Principal Payment Date, shall be such as to demonstrate debt charges savings to the City due to the refunding of the Refunded Bonds, taking into account all expenses related to that refunding and issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15<sup>th</sup> day preceding that Interest Payment Date. Notwithstanding the foregoing, so long as the Original Purchaser is the registered owner of the Bonds, (i) the principal installments on the Bonds may be paid on each Principal Payment Date and any prepayment date by (A) wire transfer of immediately available funds to the registered owner, without presentation or surrender thereof, to an account in the United States as such owner will direct in writing to the Bond Registrar or (B) check or draft mailed to the registered owner, provided that in connection with the payment or prepayment of the final installment of principal of the Bonds, the registered owner thereof shall present and surrender its Bonds at the office of the Bond Registrar, and (ii) interest on the Bonds may be paid on each Interest Payment Date by (A) wire transfer of immediately available funds to the registered owner, without presentation or surrender thereof, to an account in the United States as such owner will direct in writing to the Bond Registrar or (B) check or draft mailed to the registered owner.

(e) Prepayment. If agreed to by the Original Purchaser, the Bonds shall be prepayable, in whole or in part, with or without penalty or premium, at the option of the City at any time or a specific time prior to maturity, each as designated by the Fiscal Officer in the Certificate of Award and as provided in this Ordinance. Prepayment prior to maturity shall be made by deposit with the Bond Registrar of the principal amount of the Bonds then to be prepaid, together with interest accrued thereon to the date of prepayment. The City's right of prepayment shall be exercised by mailing a notice of prepayment, stating the date of prepayment and the name and address of the Bond Registrar, by certified or registered mail to the registered owners of the Bonds to be prepaid, and at their addresses, each as shown on the Bond Register at the close of business on the day preceding the mailing of the notice. The notice shall be mailed not less than 30 days prior to the date of that deposit, unless that notice is waived by the registered owner(s) of the Bonds. If moneys for prepayment are on deposit with the Bond Registrar on the specified prepayment date following the giving of that notice (unless the requirement of that notice is waived as stated above), interest on the principal amount prepaid shall cease to accrue on the prepayment date, and upon the request of the Fiscal Officer the registered owner(s) of the Bonds shall arrange for the delivery of the Bonds to the Bond Registrar for prepayment and surrender and cancellation.

SECTION 4. Execution and Authentication of Bonds. The Bonds shall be signed by the Executive and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in

the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code, the City's Charter, this Ordinance and the Certificate of Award; provided, however, that, if requested by the Original Purchaser, the Bonds may be issued as a single registered Bond with multiple maturities of principal in Authorized Denominations as set forth in a payment schedule to be set forth in such Bond or attached thereto.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

**SECTION 5. Registration; Transfer and Exchange.**

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. The person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond

ORDINANCE NO. 114-2021, *Second Reading*

proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for prepayment between the 15<sup>th</sup> day preceding the mailing of notice of Bonds to be prepaid and the date of that mailing, or (ii) any Bond selected for prepayment, in whole or in part.

SECTION 6. Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The President of Council, Executive, Fiscal Officer, Director of Law, Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements, bond purchase agreement, term sheet, placement agreement and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Financing Costs. The expenditure of the amounts necessary to pay the financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is necessary and in the best interest of the City to refund the Refunded Bonds. The Fiscal Officer is authorized and directed to give to Huntington Public Capital Corporation, as the registered owner of the Refunded Bonds, or any successor thereto, timely written notice of the call for redemption, and the Refunded Bonds shall be redeemed in accordance with the Series 2014 Bond Legislation.

ORDINANCE NO. 114-2021, *Second Reading*

The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Application of Proceeds. The proceeds from the sale of the Bonds shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds received by the City representing premium (after payment of financing costs) or accrued interest shall be paid into the Bond Retirement Fund.

SECTION 9. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. All special assessments collected for the improvement described in Section 2 shall be used for the payment of the debt charges on the Bonds until paid in full. In each year to the extent money from the levy of the special assessments for the improvement is available for the payment of the debt charges on the Bonds and is appropriated for that purpose, the tax shall be reduced by the amount of money so available and appropriated.

SECTION 10. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation or treatment of the Bonds as "qualified tax-exempt obligations" if such designation or treatment is applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

**SECTION 11. Certification and Delivery of Ordinance and Certificate of Award.** The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Cuyahoga County Fiscal Officer.

**SECTION 12. Satisfaction of Conditions for Bond Issuance.** This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

**SECTION 13. Retention of Bond Counsel.** The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the

ORDINANCE NO. 114-2021, *Second Reading*

issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

SECTION 14. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

SECTION 15. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

SECTION 16. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to enable the City to sell the Bonds at the earliest possible date, which is necessary to enable the City to refund for debt charges savings the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve interest rate savings available under current favorable market conditions; wherefore, this Ordinance shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council elected thereto; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

# Memo

**To:** Susanna Niermann O'Neil, City Manager

**From:** Amy Himmelein, Finance Director

**Date:** August 3, 2021

**Re:** Refunding of Ring Road Debt

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I was very pleased with the conversion of the City's bond anticipation note to long-term debt. This was primarily due to receiving a better than expected rate on the debt. Baird acts as our financial advisor and took a look at other debt issuances that were not refunded last November to see if the City could take advantage of low interest rates. It was determined the Ring Road special assessment/general obligation bonds could be refunded and conservatively obtain a savings of \$66,000 after all closing costs without extending the life of the debt. These bonds will mature in 2029. While \$66,000 does not seem like a lot every little bit of savings helps.

Proposed: 08/30/2021

RESOLUTION NO. 116-2021 (PSH), *First Reading*

By Council Member

A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor; and declaring an emergency.

WHEREAS, the City of Cleveland Heights and Cleveland Heights-University Heights School District have identified a need for crossing guards to ensure the safety of residents of the City and students of the School District; and

WHEREAS, the Chief of Police has recommended that the services offered by All City Management Services, Inc. best meet the City's needs; and

WHEREAS, such services are personal services for which no bidding is necessary.

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

SECTION 1. The City Manager be, and she is hereby, authorized to enter into any and all agreements, and to sign any related documents, necessary for crossing guard services through All City Management Services, Inc. The agreement for said services shall not exceed One Hundred Eighty Thousand Two Hundred and Seven Dollars (\$180,207.00), with one-half of the costs, in the amount of Ninety Thousand One Hundred Three Dollars and Fifty Cents (\$90,103.50), to be reimbursed to the City by the Cleveland Heights-University Heights School District. The Agreement with All City Management Services shall be substantially similar to those contained in the Agreement attached hereto as Exhibit A. The Agreement and any related documents hereunder shall be approved as to form by and subject to the final approval of the Director of Law

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

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to provide crossing guard services at the earliest time possible to protect the safety and welfare of residents and school children. 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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:



## AGREEMENT FOR CROSSING GUARD SERVICES

This AGREEMENT FOR CROSSING GUARD SERVICES (the "Agreement") is dated August \_\_, 2021 and is between the CITY OF CLEVELAND HEIGHTS (hereinafter called the "City"), and ALL CITY MANAGEMENT SERVICES, INC., a California corporation (hereinafter called the "Contractor").

### WITNESSETH

The parties hereto have mutually covenanted and agreed as follows:

1. This Agreement is for a period which commences on no later than August 24, 2021 and ends on June 30, 2022 and for such term thereafter as the parties may agree upon by written amendment to this contract. Service shall begin on a best availability basis until such a time as Contractor has hired, trained and deployed Crossing Guards to all sites requested by the City. City agrees to provide site locations for Contractor to then assign and deploy Crossing Guards. Contractor shall assume liability for only those sites agreed to by both Contractor and the City by written amendment stating effective date of assignment.
2. The Contractor will provide personnel equipped and trained in appropriate procedures for crossing pedestrians in marked crosswalks. Such personnel shall be herein referred to as a "Crossing Guard". Contractor will perform criminal background checks confirm employment eligibility through and E-Verify on all prospective personnel. The Contractor is an independent contractor and the Crossing Guards to be furnished by it shall at all times be its employees and not those of the City.
3. The City's representative in dealing with the Contractor shall be designated by the City of Cleveland Heights.
4. The City, in consultation with Cleveland Heights-University Heights School District, shall determine the locations where Crossing Guards shall be furnished by the Contractor. The Contractor shall provide at each designated location personnel properly trained as herein specified for the performance of duties as a Crossing Guard. The Contractor shall provide supervisory personnel to see that Crossing Guard activities are taking place at the required places and times, and in accordance with the terms of this Agreement.
5. The Contractor shall maintain adequate reserve personnel to be able to furnish alternate Crossing Guards in the event that any person fails to report for work at the assigned time and location and agrees to provide immediate replacement.
6. In the performance of its duties the Contractor and all employees of the Contractor shall conduct themselves in accordance with the conditions of this Agreement and all applicable laws of the state in which the Services are to be performed.
7. Persons provided by the Contractor as Crossing Guards shall be trained in all applicable laws of the

state in which the Services are to be performed pertaining to general pedestrian safety in school crossing areas.

8. Crossing Guard Services (the “Services”) shall be provided by the Contractor at the designated locations on all days in which school is in session in the area under City’s jurisdiction. The Contractor also agrees to maintain communication with the designated schools to maintain proper scheduling.

This Agreement shall be subject to suspension upon seven (7) day notice to Contractor at any time by City. In the event of suspension of this Agreement, the Contractor shall not perform any Services under this Agreement and the City shall not incur or owe any fees or costs under this Agreement during the period of suspension. In the event that the City desires to reactivate the Agreement, the City shall notify Contractor in writing and Contractor shall resume performing Services under this Agreement within 24 hours of receipt of notice provided by City. If the Agreement is suspended at any time during the term of the Agreement, the term of the Agreement shall not be extended for the period that the Agreement was suspended.

9. The Contractor shall provide all Crossing Guards with apparel by which they are readily visible and easily recognized as Crossing Guards. Such apparel shall be uniform for all persons performing the duties of Crossing Guards and shall be worn at all times while performing said duties. This apparel must be appropriate for weather conditions. The Contractor shall also provide all Crossing Guards with hand held Stop signs and any other safety equipment which may be necessary.
10. The Contractor shall at all times provide workers' compensation insurance covering its employees and shall provide and maintain liability insurance for Crossing Guard activities. The Contractor will provide to the City a Certificate of Insurance naming the City and its officials, officers and employees as additional insureds. Such insurance shall include commercial general liability with a combined single limit of not less than \$2,000,000.00 per occurrence and in aggregate for property damage and bodily injury. Such insurance shall be primary with respect to any insurance maintained by the City and shall not call on the City's insurance contributions. Such insurance shall be endorsed for contractual liability and personal injury and shall include the City, its officers, agents and interest of the City. Such insurance shall not be canceled, reduced in coverage or limits or non-renewed except after thirty (30) days written notice has been given to the City.
11. Contractor agrees to defend, indemnify and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions, claims for damages to persons or property, penalties, obligations or liabilities (each a “Claim” and collectively, the “Claims”) that may be asserted or claimed by any person, firm, entity, corporation, political subdivision or other organization arising out of the sole negligent acts or omissions, or willful misconduct, of Contractor, its agents, employees, subcontractors, representatives or invitees.
  - a) Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses including attorney's fees incurred in connection herewith.
  - b) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the sole negligence of Contractor hereunder, Contractor agrees to pay

City, its officers, agents, or employees, any and all costs and expenses incurred by the City, its officers agents or employees in such action or proceeding, including, but not limited to, reasonable attorney's fees.

- c) In the event that a court determines that liability for any Claim was caused or contributed to by the negligent act or omission or the willful misconduct of City, liability will be apportioned between Contractor and City based upon the parties' respective degrees of culpability, as determined by the court, and Contractor's duty to indemnify City will be limited accordingly.
- d) Notwithstanding anything to the contrary contained herein, Contractor's indemnification obligation to City for Claims under this Agreement will be limited to the maximum combined aggregate of Contractor's general liability and umbrella insurance policies in the amount of \$5,000,000 (Five Million Dollars).

12. Either party shall have the right to terminate this Agreement by giving sixty (60) days written notice to the other party.

13. The Contractor shall not have the right to assign this Agreement to any other person or entity except with the prior written consent of the City.

14. The City agrees to pay the Contractor for the Services rendered pursuant to this Agreement the sum of Twenty-seven Dollars and Sixty-nine Cents (**\$27.69**) per hour, per Crossing Guard during the term. Based on a minimum of thirteen (13) sites and upon a projected (6,508) hours of service the cost shall not exceed One Hundred Eighty Thousand, Two Hundred and Seven Dollars (\$180,207.00) per year, unless Contractor fails to perform service.

15. Payment is due within thirty (30) days of receipt of Contractor's properly prepared invoice.

16. Contractor may request a price increase during the term as a result of any legally-mandated increases in wages or benefits imposed in the state or municipality in which the Services are to be performed and to which Contractor's employees would be subject. Contractor shall provide City with 60 days-notice of its request to increase pricing. City agrees to review and respond to said notice within 30 days of receipt.

17. The City shall have an option to renew this Agreement. In the event this Agreement is extended beyond the end of the term set forth above, the compensation and terms for the Services shall be established by mutual consent of both parties.

18. This Agreement constitutes the complete and exclusive statement of the agreement among the parties with respect to the subject matter hereof and supersedes all prior written or oral statements among the parties, including any prior statements, warranties, or representations. This Agreement is binding upon and will inure to the benefit of the parties hereto and their respective heirs, administrators, executors, successors, and assigns. Each party hereto agrees that this Agreement will be governed by the law of the state in which the Services are to be performed, without regard to its conflicts of law provisions. Any amendments, modifications, or alterations to this Agreement must be in writing and signed by all parties. There will be no presumption against any party on the ground that such party was responsible for preparing this Agreement or any part of it. Each provision of this Agreement is severable from the other provisions. If any provision of this Agreement is declared invalid or

contrary to existing law, the inoperability of that provision will have no effect on the remaining provisions of the Agreement which will continue in full force and effect.

**[SIGNATURES FOLLOW ON NEXT PAGE]**

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement the day and year written below.

**CITY**

**City of Cleveland Heights**

By \_\_\_\_\_  
Signature

Print Name and Title

Date \_\_\_\_\_

**CONTRACTOR**

**All City Management Services, Inc.**

By \_\_\_\_\_  
D. Farwell, Corporate Secretary

Date \_\_\_\_\_

Proposed: 08/30/2021

ORDINANCE NO. 117-2021 (CRR), *First Reading*

By Council Member

An Ordinance repealing Chapter 141, “Recreation Advisory Board,” of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, and adopting a replacement Chapter 141, “Parks and Recreation Advisory Board.”

WHEREAS, the Recreation Advisory Board was established in 2005 to render advice to this Council on matters affecting the City’s parks and recreational activities; and

WHEREAS, the Recreation Advisory Board has recommended certain changes to the Chapter 141 of the Codified Ordinances of the City of Cleveland Heights to provide for greater citizen participation, ensure active membership, and to better align its title to reflect the matters that comes before the body in current practice; and

WHEREAS, based on the foregoing, this Council desires to modify Chapter 141 of the Codified Ordinances of the City of Cleveland Heights.

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

SECTION 1. An amended Chapter 141, “Parks and Recreation Advisory Board,” of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, is hereby adopted to read in total as set forth in Exhibit A hereto.

SECTION 2. Current Chapter 141 of the Codified Ordinance of the City of Cleveland Heights, as it existed prior to the effective date of the ordinance, is hereby repealed.

SECTION 3. Notice of 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. 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 for the above-described amendments to be effective at the earliest time possible to allow the Board to avail itself of such amendments. 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.

ORDINANCE NO. 117-2021 (CRR), *First Reading*

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JASON S. STEIN  
President of Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

EXHIBIT A

**CHAPTER 141**  
**Parks and Recreation Advisory Board**

**141.01 Establishment; composition and term.**

**141.02 Duty and organization.**

**141.01 ESTABLISHMENT; COMPOSITION AND TERM.**

There is hereby established in the City a Parks and Recreation Advisory Board consisting of twelve eleven (1244) members, all of whom shall be residents of the City. Permanent members of such Board shall be the Chairman of the Council Committee having jurisdiction of the subject matter thereof or a member of that Committee, a member of the Board of Education of the Cleveland Heights-University Heights School District or its designee, and a member of the Cleveland Heights-University Heights Library Board or its designee. The remaining nineeight (98) members of such Board shall be citizen members appointed by Council for four year terms, expiring on the last day of December; provided, however, that all Board members in office as of the effective date of this section may finish the terms for which they were originally appointed. The citizen members of the Board shall serve no more than two (2) consecutive four (4) year terms or a total of eight (8) consecutive years, with the exception of those Board members in office as of the effective date of this section who have served less than one (1) full term, who shall be eligible for reappointment to serve one (1) additional four (4) year term. (Ord. 33-2005. Passed 3-21-05.) Any member who misses four (4) or more meetings in a calendar year without providing advance notice of his or her absence to the Char shall be considered unable to serve and deemed to have resigned his or her membership on the Board. In the event a member is unable to complete his or her term or deemed to have resigned, City Council shall appoint a replacement to complete that term after seeking qualified candidates.

**141.02 DUTY AND ORGANIZATION.**

The Parks and Recreation Advisory Board shall have as its purpose to act in an advisory and consultative capacity to Council in the area of recreation. The Board shall elect its own chairman and shall establish by-laws for the conduct of its business.

(Ord. 37-1971. Passed 5-17-71.)

Proposed: 8/30/2021

RESOLUTION NO. 118-2021 (PD), *First Reading*

By Council Member

A Resolution authorizing the City Manager to enter into an amendment to the Memorandum of Understanding with F&C Development, Inc. concerning the “Cedar-Lee Meadowbrook” development; and declaring an emergency.

WHEREAS, the City has identified the opportunity to develop the site known as “Cedar-Lee Meadowbrook,” located on land situated north of Meadowbrook Boulevard, east of Lee Road, and south of Cedar Road, utilizing vacant land as well as parking facilities; and

WHEREAS, pursuant to Resolution No. 99-2021, this Council authorized the City Manager to enter into a Memorandum of Understanding with F&C Development, Inc. and move forward with negotiation of a Development Agreement consistent therewith; and

WHEREAS, the terms of the Memorandum of Understanding executed on July 12, 2021 provide for a period of 60 days for the completion of certain due diligence and for the parties to enter into a development agreement; and

WHEREAS, the City and F&C Development, Inc. wish to amend the Memorandum of Understanding to allow up to 60 additional days for the parties to enter into a development agreement.

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

SECTION 1. This Council hereby authorizes the City Manager to enter into an Amendment to the Memorandum of Understanding with F&C Development, Inc., and sign any other related documents, concerning the development of the site known as “Cedar-Lee Meadowbrook.” The Amendment to the Memorandum of Understanding and any related documents shall be approved as to form by and subject to the final approval of 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. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for additional time to determine the terms of a development agreement and proceed with due diligence. Wherefore, provided it

RESOLUTION NO. 118-2021 (PD), *First Reading*

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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:



# CLEVELAND HEIGHTS

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## **ECONOMIC DEVELOPMENT Council Memo – Cedar-Lee-Meadowbrook – August 25, 2021:**

Staff is requesting an amendment of the MOU Agreement approved by Council on June 28 to allow for up to an additional 60 days to negotiate a Development Agreement with Flaherty & Collins.

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40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118

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216•291•4444    FAX 291•2064    [www.clevelandheights.com](http://www.clevelandheights.com)

Proposed: 8/30/2021

RESOLUTION NO. 119-2021 (PD), *First Reading*

By Council Member

A Resolution authorizing the City Manager to enter into an amendment to the Memorandum of Understanding with the Start Right Community Development Corporation, for the redevelopment of vacant residential lots owned or controlled by the City with new single-family homes; and declaring an emergency.

WHEREAS, the City issued an RFQ/RFP in October, 2020 for proposals for the collaborative development of new single-family, owner-occupied infill housing on lots that are currently vacant and owned or controlled by the City, known as the Phase I Neighborhood Redevelopment Program; and

WHEREAS, on March 15, 2021, this Council authorized the City Manager to negotiate with Start Right on the terms of a non-binding Memorandum of Understanding pursuant to the RFQ/RFP and Start Right's December 2020 submission in response; and

WHEREAS, pursuant to Resolution No. 98-2021, this Council authorized the City Manager to enter into a Memorandum of Understanding with Start Right Community Development Corporation, for the redevelopment of vacant residential lots owned or controlled by the City with new single family homes; and

WHEREAS, the terms of the Memorandum of Understanding executed on July 9, 2021 provide for a period of 60 days for the completion of certain due diligence and for the parties to enter into a development agreement; and

WHEREAS, the City and Start Right wish to amend the Memorandum of Understanding to allow up to 60 additional days for the parties to enter into a development agreement;

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

SECTION 1. This Council hereby authorizes the City Manager to enter into an Amendment to the Memorandum of Understanding with Start Right Community Development Corporation, and sign any other related documents, for the redevelopment of vacant residential lots owned or controlled by the City with new single family homes. The Amendment to the Memorandum of Understanding and any related documents shall be approved as to form by and subject to the final approval of the Director of Law.

RESOLUTION NO. 119-2021 (PD), *First Reading*

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 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 for additional time to determine the terms of a development agreement and proceed with due diligence. 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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:



# CLEVELAND HEIGHTS

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**ECONOMIC DEVELOPMENT Council Memo – Infill Housing in Caledonia Neighborhood –**  
**August 25, 2021:**

Staff is requesting an amendment of the MOU Agreement approved by Council on June 28 to allow for up to an additional 60 days to negotiate a Development Agreement with Start Right CDC.

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40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118

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216•291•4444    FAX 291•2064    [www.clevelandheights.com](http://www.clevelandheights.com)

Proposed: 08/30/2021

RESOLUTION NO. 120-2021 (MS), *First Reading*

By Council Member

A Resolution proclaiming September 2021, National Preparedness Month; and declaring an emergency.

WHEREAS, the Department of Homeland Security established the month of September as National Preparedness Month to remind us that we all must prepare ourselves and our families now and throughout the year; and

WHEREAS, in February 2003, the Department of Homeland Security launched “Ready,” a national public service campaign, to educate and empower the American people to prepare for, respond to and mitigate emergencies, including man-made and natural disasters; and

WHEREAS, in light of the devastating hurricanes and wildfires of late “Ready” encourages Americans to prepare for disasters and consider the associated costs; and

WHEREAS, the City of Cleveland Heights is honored to take part in the annual observance of National Preparedness Month in the hopes that it will lead to a better understanding of the importance of preparedness for disasters.

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

SECTION 1. This Council hereby proclaims the month of September 2021 National Preparedness Awareness Month, in the City of Cleveland Heights, to encourage public involvement in being prepared and educated about disasters and the aftermath of such events.

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 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 recognize National Preparedness Month on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) or more 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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

Proposed: 8/30/2021

RESOLUTION NO. 121-2021 (CRR), *First Reading*

By Council Member

A Resolution joining communities throughout the nation in proclaiming September 2021, Prostate Cancer Awareness Month; and declaring an emergency.

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer-related deaths among men; and

WHEREAS, this year 2021, approximately 248,530 men will be diagnosed with prostate cancer in the United States and roughly 34,130 men will die this year from the disease, which is one man every 15 minutes; and

WHEREAS, 1 in 8 men are diagnosed with prostate cancer; and

WHEREAS, African American men are at the highest risk for the disease with a rate of 1 in 6 men and are 2.2 times more likely to die from prostate cancer; and

WHEREAS, prostate cancer can be a serious disease, but most men diagnosed with prostate cancer do not die from it; and

WHEREAS, more than 3.1 million men in the United States who have been diagnosed with prostate cancer at some point are still alive today; and

WHEREAS, early detection offers the best hope for living cancer free for a long time; if caught early, prostate cancer has a five-year survival rate of nearly 100%; and

WHEREAS, all men are at risk for prostate cancer; and

WHEREAS, this Council encourages all the residents of Cleveland Heights to help increase awareness of the importance of prostate screenings.

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

SECTION 1. This Council hereby proclaims September 2021 Prostate Cancer Awareness Month and urges the community to join in activities to increase the awareness and prevention of prostate cancer.

RESOLUTION NO. 121-2021 (CRR), *First Reading*

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 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 pass this Resolution on a timely basis. 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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

Proposed: 08/30/2021

RESOLUTION NO. 122-2021 (CRR), *First Reading*

By Council Member

A Resolution proclaiming September 10 – 19, 2021, Welcoming Week; and declaring an emergency.

WHEREAS, the week of September 10 – 19, 2021 will be a special week with a series of events hosted by Global Cleveland that will bring communities together to celebrate their unity and strong connection with each other, and applaud the benefits of welcoming newcomers to our community; and

WHEREAS, Global Cleveland will begin the week with their “Welcoming the World” campaign, an exciting and fun way to showcase Cleveland and the surrounding area as Global Friendly cities; and

WHEREAS, it is important to recognize the efforts of newcomers in Ohio because it is part of our present and an important part of our past; and

WHEREAS, Ohio has thrived because of international newcomers, and the population decline of Northeast Ohio from 1970-2013 has been mitigated by the continuous influx of foreign-born persons who have helped Ohio to grow and develop; and

WHEREAS, most international newcomers are well educated, with a bachelor’s degree or higher; and

WHEREAS, according to the New American Economy, immigrant households in Cleveland have \$3.3 billion in spending power and refugee households have \$819 million in spending power, which contribute to our federal, state, and local tax bases each year; and

WHEREAS, the economic benefit of international students is very clear: In 2020, international students contributed over \$1.2 billion to the Ohio’s economy, making Ohio the 8<sup>th</sup> most benefited state by foreign students; and helped support over 12,646 Ohio jobs, and the state was able to retain about one-third of international students after graduation; and

WHEREAS, the economic benefit of international students is very clear and these students also help support jobs which require their unique skills and higher education degrees; and

RESOLUTION NO. 122-2021 (CRR), *First Reading*

WHEREAS, the greater Cleveland area has a plethora of institutions, organizations, and companies that work together to integrate newcomers; and

WHEREAS, with ample support from the City of Cleveland and other institutions, Cleveland now has 33 cultural gardens and eight more in development – designed and cultivated by distinct cultural or nationality groups; and

WHEREAS, Cleveland Cultural Gardens represent the diversity and multiculturalism in Cleveland and the greater Cleveland area and holds mission of “peace through mutual understanding,” which has helped people living in Cleveland and the greater Cleveland area become interculturally competent, unprejudiced and more welcoming towards international newcomers and in turn benefits the city and the state through the impact these newcomers have socially, economically and culturally; and

WHEREAS, as we continue with these efforts, we can continue to transform the greater Cleveland area into an international hub of innovation, we can embrace and cultivate a culture of inclusion and shared prosperity, and we can create a platform for internationalization and economic growth; and

WHEREAS, Global Cleveland’s “Welcoming the World” Campaign plays a huge part in continuing the momentum built around shared prosperity in our society, community, city and state; and

WHEREAS, through these efforts Global Cleveland proceeds with its mission to attract, welcome, and connect international newcomers to economic and social opportunities in the greater Cleveland area and Cuyahoga County; and

WHEREAS, Global Cleveland is ‘Strengthening Our Communities – By Welcoming Our World.’

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

SECTION 1. This Council hereby proclaims September 10, 2021 through September 19, 2021 as Welcoming Week in the City of Cleveland Heights and encourages all residents to attend *Welcoming Week* programs and events.

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.

RESOLUTION NO. 122-2021 (CRR), *First Reading*

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to recognize *Welcoming Week* on a timely basis. Wherefore, provided it receives the affirmative note of five (5) or more 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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JASON S. STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED: