



# CLEVELAND HEIGHTS

## COUNCIL UPDATE

September 9, 2021

### MEETINGS & REMINDERS

Monday, September 13	6:30 p.m.	Council Committee of the Whole City Hall – Council Chambers
	7:30 p.m.	City Council Meeting City Hall – Council Chambers
Tuesday, September 14	5:30 p.m.	Landmark Commission City Hall – Executive Conference Room
	7:00 p.m.	Board of Zoning Appeals City Hall – Council Chambers
	7:00 p.m.	Citizens Advisory Committee City Hall – Executive Conference Room
Thursday, September 16	6:00 – 8:00 p.m.	Meet Your Police City Hall – Lower Level
Friday, September 17	9:30 a.m.	Commission on Aging Community Center

### LEGISLATION

- **Boards and Commissions Virtual Meetings.** An Ordinance approving and authorizing members of certain public bodies of the City of Cleveland Heights to hold and attend meetings, conduct and attend hearings, to be counted for purposes of the quorum for such body, and to vote on matters before such body, by means of teleconference, video conference, or any other similar electronic technology, amending Section 107.01(b) of the Codified Ordinances of the City of Cleveland Heights;

- **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.”
- **Tax Advance Request.** A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2021 tax year collection pursuant to Section 321.34 of the Ohio Revised Code;
- **Budget Commission Tax Levy Certification.** A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer;
- **Appropriations.** An ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021
- **Police Department Vehicle Upfitting.** A Resolution authorizing an agreement with Hall Public Safety Upfitters for the purchase of upfitting equipment for Police Department vehicles;
- **Car Free Day and Park(ing) Day 2021.** A Resolution recognizing September 17, 2021 as Car Free Day and Park(ing) Day 2021 in Cleveland Heights and supporting Cleveland State University APA’s celebration of Park(ing) Day on September 20, 2021 and Greater Cleveland Regional Transit Authority’s celebration of Car Free Day on September 22, 2021;

### **CITY MANAGER’S REPORT**

- **Block parties**
  - Saturday, September 12:
    - Caldwell (9:00 am to Dusk) barricades dropped off at 1819 Caldwell;
    - Delaware (Afternoon) barricades dropped off at 2332 Delaware;
    - Dellwood (3:00 to 7:00 pm) barricades dropped off at 3283 Dellwood;
    - East Overlook (3:30 pm to dusk) – barricades dropped off at 2905 East Overlook;
    - South Overlook (Noon – 4:00 pm) barricades dropped off at 2163 South Overlook;
- **Youth programming**

Staff has been brainstorming ways to use ARPA funds to reinstate the highly successful Student Services programs that were eliminated by budget cuts in the past. This week staff

met with School staff to share ideas about realistic needs/outreach for our students in the district. Once a program is developed it will be brought to Council.

- **Virtual meetings**

As Council is aware, many Board and Commission members have asked if meetings can be held virtually due to health concerns with the pandemic. Staff certainly supports this and as you are aware this was in place during the covid/pandemic months all last year and worked smoothly. Please see the attached legislation.



To: Susanna Niermann O'Neil, City Manager

From: Mary Trupo, Director of Communications and Public Engagement

Date: September 8, 2021

Subject: Communications and Public Engagement Update

- Continued communication strategy meetings with NEORSD and SH regarding Horseshoe Lake
- Ongoing communications on CLM development
- Finalizing materials for Fall/Winter Focus
- Planning Fall/Holiday advertising buy



## **ECONOMIC DEVELOPMENT REPORT – September 8, 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, August 11, and September 1.

### **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:**

- The RFQ/RFP for the rehabilitation/redevelopment of Buildings #1, #2, & #3 was issued on 8/27/2021. The deadline for Developers to submit proposals to the City is October 29, 2021.

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

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



To: Susanna Niermann O'Neil, City Manager

From: Chief Dave Freeman, Cleveland Heights Fire Department

Date: September 9, 2021

Subject: Fire Department Update

1. We have begun the process to hire for our 2 vacancies. We plan to make conditional offers to the top 2 candidates on our civil service list soon. The expected start date is 10/11/21. This will bring us to full strength.
2. We have received one quote for the new ladder truck and are working with a second company as well. Both are on the state contract.
3. We were notified that we received a FEMA Assistance to Firefighters Grant in the amount of 81,000.00. We are responsible for 10%. We were approved for the following items:
  - a. Extrication tools, cutter, spreader, rams (Jaws of Life), all battery powered.
  - b. Power fans for ventilation of smoke and gases, battery powered.
  - c. Escape belts and bailout systems to allow firefighters to self-rescue in an emergency from upper floors of a building where escape is blocked.



**To:** Susanna Niermann O'Neil, City Manager  
**From:** Joseph P. McRae, Parks and Recreation Director  
**Subject:** Parks and Recreation Department Reopening Plan Update  
**Date:** September 9, 2021

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

#### General Updates

- **Office on Aging Supervisor:** Ms. Amy Jenkins retired on Friday, September 3 after over 20 years of wonderful service to Cleveland Heights seniors. Ms. Dynesha Stover-McDonald has officially been promoted to the position.
- **Happy 5k Fun Run:** This year's Happy 5k Run will take place on Sunday, Oct 3 at 9:30 am. Visit [www.chparks.com](http://www.chparks.com) to register. Significantly reduced attendance and needed safety protocols will be put in place to mitigate pandemic concerns to the extent possible.
- **Cumberland Pool and Indoor Pool Access:** Cumberland Pool closed 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.
- **Cain Park** will host the annual Tri-C JazzFest this weekend. For more information, 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
- **General Election** – Tuesday, November 2
- Due to the pandemic, all League of Women Voters Candidates Forums will take place virtually to ensure public health and safety.



## **MEMORANDUM**

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

**From:** Eric Zamft, Planning Director

**Date:** September 9, 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. A second public meeting was held on September 2, 2021 at 6 PM. The next step is to submit a final draft to the State Historic Preservation Office (SHPO) for approval prior to September 30<sup>th</sup>. Information about the project, 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 is available on the project webpage: <https://www.clevelandheights.com/1154/Cedar-Lee-Meadowbrook>. The Planning & Development Committee of Council held a committee meeting regarding the urban design of the project on September 1, 2021 at 6 PM. Parking and traffic studies are on-going, with staff working to review materials with the City's consultants. Materials from all of the community meetings to date have been posted on the project webpage. Staff will continue to update the webpage and provide more information in upcoming bi-weekly Planning Department reports.

#### **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 reconvened on September 9<sup>th</sup> to share the subcommittee



recommendations for PY 2022 funding. An update will be provided in the next bi-weekly Planning Department report.

### **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**

A public hearing on proposed changes to the Zoning Code with regards to garages and other ancillary changes 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. 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:

- E-scooters as part of the County's shared micro-mobility network were deployed in Cleveland Heights and other participating communities on Friday, September 3<sup>rd</sup>. Staff

will continue to work with the County, the SIDs, neighborhood groups, other City staff, and the scooter vendors on the continued implementation of the network.

- 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. A follow-up meeting is scheduled for October 7<sup>th</sup>.
- Mayfield Road Corridor Multimodal Plan Implementation / Streetscape Improvements
- Taylor Road Study Implementation

## **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, as well as the Board of Zoning Appeals (BZA). 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**

The ABR met on September 9, 2021. The agenda from the meeting can be found at: <https://www.clevelandheights.com/DocumentCenter/View/9720/>. The results of the meeting will be provided in the next bi-weekly Planning Department report. The next meeting will be held on September 21, 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**

The next BZA meeting will be held on September 14, 2021. A link to the agenda is provided as follows: <https://www.clevelandheights.com/DocumentCenter/View/9747>. A summary of the meeting will be provided in the next bi-weekly Planning Department report.

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

The next regularly scheduled Landmark Commission meeting will be held on September 14, 2021. A link to the agenda is provided as follows: <https://www.clevelandheights.com/DocumentCenter/View/9736>. A summary of the meeting will be provided in the next bi-weekly Planning Department report.

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

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>. A link to the September 9<sup>th</sup> agenda is provided as follows: <https://www.clevelandheights.com/DocumentCenter/View/9734>; the link to the September 14<sup>th</sup> agenda will be posted shortly. A summary of the meetings will be provided in the next bi-weekly Planning Department report.

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

The next T&ES meeting will be held on September 30, 2021 at 7 PM in the Executive Conference Room. 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 next meeting of the full Racial Justice Task Force will take place on September 30, 2021 at 7 PM in Council Chambers.



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To: Susanna Niermann-O'Neil, City Manager

From: Annette M. Mecklenburg, Chief of Police

Date: September 9, 2021

Subject: Police Department Update

**Police Equipment Legislation** – The Police Department has been approved for an additional 11 cruisers this year. In anticipation of their arrival, all 11 cruisers will need to be outfitted with emergency equipment. The cost to equip the cruisers is about \$10,863.00 each for a total of \$119,495.85. Hall Public Safety Upfitters has been selected to outfit the cruisers as their price for goods and services is lower than the price listed through the Ohio Department of Administrative Services Cooperative Purchasing Program. The equipment that will be installed in the new cruisers includes, but is not limited to, emergency lights, siren, secure cage for rear seat, mounting hardware for mobile data terminals, radar unit, gun rack and installation of police radio.

**Crime Update** - There have been a few disturbances/fights at Cleveland Heights High since the beginning of the school year. On August 27, 2021 just after 9:00 pm at the football game, Officers were called to the area of Heights High for reports of juveniles fighting. All Cleveland Heights Police Officers responded to the area. Mutual aid was also needed from nearby communities. Three juveniles were taken into custody for disorderly conduct/fighting and the crowds were dispersed.

On August 30, 2021 around 4:42 pm and 3:11 pm calls were received for juveniles fighting in the area of the Heights High. Officers responded and at least three juveniles were arrested for disorderly conduct (fighting). The crowds were subsequently dispersed.

The Police Department has been in touch with school officials regarding these disturbances and concerns for the upcoming football game on September 10<sup>th</sup>. The school will be limiting the number of people allowed into the game to 25% ticket sales and students must present identification to enter the stadium. Officers will be in the area for the game.

**Community Events** – The Police Department has tentatively scheduled Coffee with a Cop for Wednesday, September 6<sup>th</sup> from 10:00 am – Noon at the Police Academy, 2595 Noble Road. The first day in October is National Coffee with a Cop Day each year.

On Friday, September 3<sup>rd</sup> the PD hosted Donut Drink and Drive at Bryan's Marathon on Lee Road. We were able to obtain 24 signatures from residents who pledged not to drink and drive. We had a great time and really enjoyed the support and conversation that occurred with members of our community.



Date: September 8, 2021

To: Susanna Niermann-O'Neil, City Manager

From: Collette Clinkscale, Director of Public Works

Subject: Public Works Update

**Sanitary Sewer Evaluation Survey**

The City has submitted the IOMCP plan by the due date. On August 9, 2021, the USEPA submitted comments to provide additional information to the Capacity Assessment Report previously submitted by the City. Wade Trim, Inc. is working with the City to provide responses.

As part of the Consent Decree requirements, the City will be installing 10 flow monitors throughout the City for a period of 3 months.

I am pleased to announce the City was successful in getting 2 projects under NEORSD's MCIP program. The City was awarded a construction project in the amount of \$824,841.00 and a design-only project in the amount of \$479,700.00. It is imperative that the Council officially determine the amount of funding that will be set aside for sewer work. The Public Works Department would like to move forward with determining what projects are feasible and many grants require a City match. If we are to continue to pursue other grants, the finance director is required to submit financial certification of the availability of matching funds.

## **#20-06 – Delamere Drive Basement Flooding Relief**

Paving work has been completed. Landscaping, final clean-up, and punch list work will be addressed in the next two weeks.

Delamere During Paving



Delamere After Paving



Nottingham Lane During Paving



Nottingham After Paving





### **#21-01 – Shannon Road Resurfacing & Waterline Replacement**

Intermediate paving has been completed, and Terrace is working on manhole and catch basin adjustments, ADA curb ramps, and spot curb replacement. Surface course paving will follow immediately thereafter.

Shannon Intermediate paving



Shannon ADA ramp



### **21-02 – 2021 Street Resurfacing & ADA Curb Ramp Replacement Program**

Work continues on the ADA curb ramp replacements. Surface course paving started this week and tentatively scheduled to be completed before the end of the week. Curb ramp work and some additional miscellaneous paving work will continue over the next few weeks.

### **#21-03 – 2021 Surface Treating Program**

Chip sealing is tentatively scheduled to be completed this week.

#### **Street Maintenance Division**

Street maintenance crews are out in full force this week hauling yard waste from Noble Road and leaf grindings from Lakeview Cemetery, repairing Cleveland Water cut-outs, and pot-hole patching and asphaltting.

#### **Forestry Division**

Forestry crews are out performing tree pruning and removals.



## **Refuse & Recycling**

This week is bulk collection week. Bulk collection week is the first “full” week of the month (Monday-Friday (Saturday in the event of a holiday) Each resident can place up to four bulk items out for collection on their regularly scheduled collection day. Additional bulk items and non-bulk day pick-ups can be scheduled for a fee of \$10/item by using the following link below.

**Recycle Right in Cuyahoga County** - *Thursday, September 9, 6 p.m - Coventry PEACE park*

The City is participating with the Solid Waste District’s program where residents can learn best practices for recycling right in Cuyahoga County and what residents can do to make a meaningful difference in our community. Get answers to questions about curbside recycling and discuss what, where, how and when to recycle other items you need to part with. Learn more about Cleveland Heights' new automated trash and recycling program, rolling out this year from City staff.

[www.clevelandheights.com/bulkbrushrequest](http://www.clevelandheights.com/bulkbrushrequest)

## **Refuse Automation**

We have been working closely with staff from the Recycling Partnership to prepare a public education program. The half page advertisement below will be featured in the upcoming edition of the FOCUS magazine. A similar notification will be mailed to all residents a few weeks prior to the carts being delivered. Automation is projected to start in December.

# Carts are Coming

**Delivery begins the week of November 15<sup>th</sup>**

**Automated Collection is expected to commence citywide beginning the week of DECEMBER 13<sup>th</sup>.\***

**The new refuse & recycling carts will have two wheels, large handles, and weather resistant lids to help make recycling easier and keep our streets clean.**

TO LEARN MORE VISIT:  
[www.clevelandheights.com/Refuse-Recycling-Carts](http://www.clevelandheights.com/Refuse-Recycling-Carts)

\*Commencement date could change slightly based on equipment delivery dates.



Sample 96-Gallon trash, 64-Gallon recycling, and 32-Gallon trash carts are on display at City Hall in the atrium also at the Community Center.



# CLEVELAND HEIGHTS

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## Committee of the Whole

**September 13, 2021**

**6:30 p.m.**

### **Agenda**

1. Legislation overview
2. Additional items
3. Executive Session
  - a. *To consider the sale or lease of City-owned real property*

# Memo

**To:** Susanna Niermann O'Neal, City Manager  
**From:** Amy Himmelein, Finance Director  
**Date:** September 9, 2021  
**Re:** Emergency Purchases for Energy Contracts

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A power supplier agreement will be executed for electric and natural gas as emergency purchases in order to secure considerable cost savings for City facilities. Power supplier rates can be shopped to find the lowest rate. The City first shopped around for a lower rate in 2014 and secured a substantially lower rate than those offered through First Energy and Duke Energy (providers at that time). Previously the City did three-year contracts with the best provider. In 2020, the City entered a one-year agreement with Dynergy for electric and VounteerEnergy for natural gas. This was due to the uncertainty of the market as a result of the pandemic. The City did save a total of \$32,011.87 on electric and \$26,517.80 in 2020 by doing the one-year contract. Other proposals in 2020 for longer time periods were all higher rates.

The rates for 2021 were evaluated and it was determined the best rate for electric was Dynergy at a rate of \$0.0495 per kilowatt-hour. It is recommended to lock in this rate for a three-year term. It's also recommended to lock in a three-year rate for Natural Gas with VESI at a rate of \$3.99 per BT Mcf. The agreements are time-sensitive as it is customary in this market for pricing to be valid for only one day.

Chapter 171.02 of the Cleveland Heights codified ordinances permit the City Manager to authorize expenditures over \$50,000 in the event of an emergency. In these cases, the City Manager determines whether the purchase is essential to the governmental services and advises the Council at the earliest time possible. Council will then be asked to approve the emergency expenditure by motion. I am requesting you as City Manager to approve these contracts as emergency purchases and then Council be asked to approve these expenditures at Monday's Council meeting during the City Manager's report.



# CLEVELAND HEIGHTS

## **AGENDA (tentative) - CLEVELAND HEIGHTS CITY COUNCIL MEETING**

**Monday, September 13, 2021  
Regular Meeting  
7:30 p.m.**

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

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Personal communications from citizens**
- 5) Report of the City Manager**

Request a motion to approve an emergency agreement made pursuant to Chapter 171.02 of the Cleveland Heights Codified Ordinances to secure a 36-month rate for power supply through Dynegy Energy Services.

Request a motion to approve an emergency agreement made pursuant to Chapter 171.02 of the Cleveland Heights Codified Ordinances to secure a 36-month rate for natural gas supply through VolunteerEnergy.

### **Matter of Record**

- 6) Report of the Clerk of Council**
- 7) Committee Reports**

#### **a.) ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 123-2021 (AS), First Reading.** An Ordinance approving and authorizing members of certain public bodies of the City of Cleveland Heights to hold and attend meetings, conduct and attend hearings, to be counted for purposes of the quorum for such body, and to vote on matters before such body, by means of teleconference, video conference or other similar electronic technology; amending Section 107.01(b) of the Codified Ordinances of the City of Cleveland Heights; and declaring an emergency.

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

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

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

**ORDINANCE NO. 117-2021 (CRR), *Second 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.”

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

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

**c.)        FINANCE COMMITTEE**

**RESOLUTION NO. 124-2021 (F), *First Reading.*** A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2021 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring an emergency.

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

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

**RESOLUTION NO. 125-2021 (F), *First Reading.*** A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring an emergency.

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

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

**RESOLUTION NO. 126-2021 (F), First Reading.** An Ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021 and declaring an emergency.

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

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

**d.)      MUNICIPAL SERVICES COMMITTEE**

**RESOLUTION NO. 127-2021 (MS), First Reading.** A Resolution authorizing an agreement with Hall Public Safety Upfitters for the purchase of upfitting equipment for Police Department vehicles; and declaring an emergency.

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

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

**e.)      PLANNING AND DEVELOPMENT COMMITTEE**

**RESOLUTION NO. 128-2021 (PD), First Reading.** A Resolution recognizing September 17, 2021 as Car Free Day and Park(ing) Day 2021 in Cleveland Heights and supporting Cleveland State University APA's celebration of Park(ing) Day on September 20, 2021 and Greater Cleveland Regional Transit Authority's celebration of Car Free Day on September 22, 2021; and declaring an emergency.

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

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

**f.)      PUBLIC SAFETY AND HEALTH COMMITTEE**

**8)      Adjournment**

**NEXT MEETING OF COUNCIL: MONDAY, SEPTEMBER 20, 2021**

Proposed: 08/30/2021

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

By Council Member Russell

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), *Second 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~~ (12+1) 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 ~~nine~~ ~~eight~~ (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 Chair 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.)



To: Members of Council

From: William R. Hanna, Director of Law  
Alix Nouredine, Assistant Director of Law

Cc: Susanna Niermann O'Neil

Date: September 9, 2021

Re: Legislation Authorizing Virtual Meetings for City Boards and Commissions and other Public Bodies

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The Law Department has prepared an Ordinance that authorizes certain public bodies of the City of Cleveland Heights to hold and attend meetings by means of teleconference, video conference, or other similar electronic technology.

By way of background, on March 9, 2020, Governor DeWine declared an emergency in the State of Ohio due to the spread of the COVID-19 virus in Ohio. Thereafter, the Ohio General Assembly enacted H.B. 197, effective on March 27, 2020. H.B. 197 allowed members of a public body – under Ohio law, specifically Ohio Revised Code 121.22 – to hold and attend meetings and to conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology through December 1, 2020.

Prior to December 1, 2020, however, the Ohio General Assembly enacted H.B. 404, effective on November 22, 2020. H.B. 404 similarly extended the authority under Ohio law for virtual meetings of public bodies until July 1, 2021.

Under the City's Home Rule authority, Council may adopt local legislation permitting certain public bodies of the City of Cleveland Heights to meet virtually. Toward that end, the attached Ordinance provides for the ability of certain public bodies to meet virtually, while ensuring public access to the same and the ability of the public to observe and hear the discussions and deliberations of all the members of the public body, whether members are attending in-person or virtually.

Proposed: 09/13/2021

ORDINANCE NO. 123-2021 (AS)

By Council Member

An Ordinance approving and authorizing members of certain public bodies of the City of Cleveland Heights to hold and attend meetings, conduct and attend hearings, to be counted for purposes of the quorum for such body, and to vote on matters before such body, by means of teleconference, video conference or other similar electronic technology; amending Section 107.01(b) of the Codified Ordinances of the City of Cleveland Heights; and declaring an emergency.

WHEREAS, as a result of the COVID-19 pandemic, the Ohio General Assembly enacted H.B. 197, effective on March 27, 2020, which declared that, under Ohio law, public bodies could hold and attend meetings and conduct and attend hearings by means of teleconference, video conference, or any other similar electronic technology during the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, but not beyond December 1, 2020; and

WHEREAS, the Ohio General Assembly enacted H.B. 404, effective on November 22, 2020, which extended the authority under Ohio law for members of a public body to hold and attend meetings and to conduct and attend hearings by means of teleconference, video conference, or other similar electronic technology until July 1, 2021; and

WHEREAS, pursuant to Article XVIII, Sections 3 of the Ohio Constitution, the City has the authority to adopt, and has adopted, a Charter and Ordinances governing the organization and operations of the City, including the time, place, and manner of meetings of public bodies of the City; and

WHEREAS, although the state-provided authority granted in H.B. 197 and H.B. 404 allowing members of a public body to hold and attend meetings and conduct and attend hearings by means of teleconference, video conference, or similar electronic technology expired on July 1, 2021, the COVID-19 pandemic continues, with cases and hospitalizations in Ohio hitting the highest single-day numbers since mid-January due to the Delta Variant of the COVID-19 virus, despite vaccination efforts, with the 21-day new case average increasing rapidly; and

WHEREAS, based on the foregoing, in an effort to continue to curtail the spread of COVID-19, including the highly contagious Delta Variant, and to allow the City's public bodies to conduct the public's business in a manner that promotes and protects the health of the members of these public bodies as well as the health and safety of the public, this Council has determined to grant authority to the members of certain public bodies of the City of Cleveland Heights to hold and attend meetings and to conduct and attend hearings, to be counted for purposes of the quorum for such body, and to vote on matters before such body, either in-person or by means of teleconference, video conference, or other similar electronic technology.

BE IT ORDAINED by the Council of the City of Cleveland Heights, County of Cuyahoga,

ORDINANCE NO. 123-2021 (AS)

State of Ohio, that:

SECTION 1. This Council reaffirms that the COVID-19 pandemic, including the highly contagious Delta Variant, continues to constitute an emergency in the City of Cleveland Heights, and that additional efforts to safeguard the health, safety and welfare of the public are required. In so reaffirming, it is Council's intention to exercise and avail itself, on behalf of the City of Cleveland Heights, to the fullest extent of its power and authority under Article XVIII, Section 3 of the Ohio Constitution as well as the laws of the State of Ohio and the Charter and Ordinances of the City of Cleveland Heights.

SECTION 2. Pursuant to its Home Rule authority under Article XVIII, Section 3 of the Ohio Constitution and the Charter and Ordinances of the City of Cleveland Heights as well as the laws of the State of Ohio, this Council determines that the following amendments and rules governing meetings of public bodies of the City of Cleveland Heights shall be in effect:

(a) Section 107.01(b) of the Codified Ordinances of Cleveland Heights shall be, and is hereby, amended to read as follows:

(b) Unless otherwise provided in the Codified Ordinances, all meetings of Council, boards and commissions, and other public bodies of the City shall be held at the Cleveland Heights City Hall, or at other public buildings or properties within the City. Subject to the approval of the City's chief executive officer, all meetings of boards, commissions, and other public bodies of the City, unless otherwise provided in the Charter, may be held, and members may attend meetings and may conduct and attend hearings of any public body, in-person and/or by means of teleconference, video conference, or other similar electronic technology, or any combination of in-person and electronic technology. All such meetings shall be open to the public and are deemed to be held at such public places as specifically prescribed in the Codified Ordinances, including the Cleveland Heights City Hall and/or at other public buildings or properties within the City, even if such meetings are held, or members of such public bodies attend and/or vote, by means of the technologies described above. Meetings held in executive session may be held at locations other than the City or school properties so long as proper notice of such meeting is given in the manner provided by Section [107.02](#).

(b) Any resolution, ordinance, rule, decision or other formal action of any kind made or taken during any meeting or hearing conducted entirely or in-part with members attending, participating, and voting by electronic technology shall have the same effect as if it had occurred during an in-person meeting or hearing of the public body; and

ORDINANCE NO. 123-2021 (AS)

- (c) Members of a public body who attend meetings or hearings by means of teleconference, video conference, or other similar electronic technology, shall be considered present as if in-person at the meeting or hearing, shall be permitted to vote, and shall be counted for purposes of determining whether a quorum is present at the meeting or hearing; and
- (d) Public access must be provided to all public meetings or hearings, whether by electronic technology or in-person. The public shall be able to observe and hear the discussions and deliberations of all the members of the public body, whether members are attending in-person or virtually.

SECTION 3. The amendments and rules provided in this Ordinance shall apply notwithstanding any conflicting provision of the Codified Ordinances of the City of Cleveland Heights. Nothing in this Ordinance is intended to, nor shall it be construed or applied in a manner so as to, negate or conflict with any provision of the Charter of the City of Cleveland Heights.

SECTION 4. 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 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to permit certain public bodies of the City to conduct business by electronic means in a continued attempt to curtail and minimize the spread of COVID-19, including the highly contagious Delta Variant. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN  
President of Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

# Memo

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

**From:** Amy Himmelein, Finance Director

**Date:** 9/1/2021

**Re:** Tax Advance Request Fiscal Year 2022

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Every year City Council has to approve receiving property tax advances from the City. This formal request is required by Ohio Revised Code 321.34(A)(1). That code section indicates that if Council does not make this formal request by resolution the City could only receive property tax monies in March and August. Currently, we receive property tax monies in January, February, March, July and August as a result of approving receiving advances. Receiving the advances allows for better cash flow planning and the City can earn interest on the money if it's not immediately needed.

Proposed: 09/13/2021

RESOLUTION NO. 124-2021 (F)

By Council Member

A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2021 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring an emergency.

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

SECTION 1. The County Fiscal Officer be, and is hereby, authorized and directed to pay to the Director of Finance of the City of Cleveland Heights, Ohio, all monies now in the hands, and that may hereafter come into the hands, of the County Fiscal Officer which are payable to the City of Cleveland Heights from the proceeds of the 2021 tax year collection including, without limitation, revenues from personal property taxes, real property taxes, and special assessments.

SECTION 2. The Director of Finance is hereby authorized and directed to furnish a copy of this Resolution to the County Fiscal Officer.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the immediate need to enable the City to meet its fiscal obligations and to preserve the credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this 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 Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:



Proposed: 09/13/2021

RESOLUTION NO. 125-2021 (F)

By Council Member

A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring an emergency.

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the fiscal year commencing January 1, 2022; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio has certified its action thereon to this Council, together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation.

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

SECTION 1. The amounts and rates, as determined by the Budget Commission on its certification, be, and the same are hereby accepted.

SECTION 2. There is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

	Estimate of amount to be derived from levies		County Fiscal Officer's estimate rate of tax to be levied	
	Inside	Outside	Inside	Outside
	10 mill limitation		10 mill limitation	
General Fund	\$1,802,308	\$6,007,692	2.22	7.40
Bond Retirement	\$1,250,000	0	1.50	0.00
Recreational Improvement Fund		\$575,000		0.70
Police Pension Fund		\$245,000		0.30
Fire Pension Fund		\$245,000		0.30
	<b>\$3,052,308</b>	<b>\$7,072,692</b>	<b>3.72</b>	<b>8.70</b>

RESOLUTION NO. 125-2021 (F)

SECTION 3. It is hereby resolved that the Clerk of Council be, and he is hereby, directed to certify a copy of this Resolution to the Fiscal Officer of Cuyahoga County.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. 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 to permit acceptance of such rates immediately to comply with dates set by the County Budget Commission. 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 Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

# Memo

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

**From:** Amy Himmelein, Finance Director

**Date:** 9/1/2021

**Re:** Certification of Tax Rates and Levy to the County Fiscal Year 2022

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Every year City Council approves tax rates to be levied on properties within the City. This approval was given by Council on 6/21/21 via Resolution 68-2021. The tax budget and Council approval was subsequently submitted to the County Budget Commission. The Budget Commission reviewed our submission and approved the rates submitted.

City Council is now required to accept the tax rates and authorize the levy of those rates on properties within the City. This resolution also certifies the rates to the County Fiscal Officer.

The certification gives the County Fiscal Officer the authority to calculate the amount owed on each property within the City for the tax rates listed in the resolution. The County Fiscal Officer can then bill each property owner the amount calculated.

Proposed: 9/13/2021

ORDINANCE NO. 126-2021 (F)

By Council Member

An Ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021 and declaring an emergency.

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

SECTION 1. Certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances all relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021 be, and the same hereby are increased, decreased and/or transferred in the amounts set forth in Exhibit 1.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2021, shall be made within the appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the City Manager is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

SECTION 3. Notice of the passage of this ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one paper of general circulation in the city of Cleveland Heights.

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:

## Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget
101 - General	2107 - Landmark Commission	O.T.P.S.	Transfer for payment of school crossing guard contract.	16,100.00	(500.00)	15,600.00
	2501 - Community Relations	O.T.P.S.	Transfer for payment of school crossing guard contract.	12,550.00	(10,750.00)	1,800.00
	3103 - County Auditors Deduction	O.T.P.S.	Increase for fees related to the 2nd half of property taxes.	215,000.00	730.65	215,730.65
	5104 - SID (Spec Impr District)	O.T.P.S.	Increase for fees related to the 2nd half of property taxes.	396,591.00	390.40	396,981.40
	6205 - Sewer Maintenance	O.T.P.S.	Increase for fees related to the 2nd half of property taxes.	13.00	7.76	20.76
	7201 - Police Admin	Personal Services	Transfer for payment of school crossing guard contract.	9,310,675.19	(18,721.67)	9,291,953.52
		O.T.P.S.	Transfer for payment of school crossing guard contract.	668,930.00	29,971.67	698,901.67
			Increase for payment of school crossing guard contract.	668,930.00	42,111.13	711,041.13
	8201 - Public Prop/Park Maint	Personal Services	Transfer for overtime increases.	1,169,812.39	2,000.00	1,171,812.39
		O.T.P.S.	Transfer for overtime increases.	1,068,420.00	(2,000.00)	1,066,420.00
	8601 - Public Health Admin	O.T.P.S.	Increase for fees related to the 2nd half of property taxes.	245,950.00	11,359.00	257,309.00
208 - CDBG Resource	5303 - CDBG Housing Pres Office	O.T.P.S.	Increase appropriations to spend CDBG grant funds.	353,751.79	20,000.00	373,751.79
216 - Rec Fac Imp Fund	8301 - Park Maintenance Admin	O.T.P.S.	Transfer for the annual maintenance service agreement with Energy Management Specialists.	202,000.00	24,977.50	226,977.50
		Capital	Transfer for the annual maintenance service agreement with Energy Management Specialists.	515,300.00	(24,977.50)	490,322.50
226 - Lead Safe Cuyahoga	5303 - CDBG Housing Pres Office	O.T.P.S.	Increase appropriations to spend CDBG grant funds.	420,000.00	180,000.00	600,000.00

## Exhibit 1

Fund	Department	Object	Reason	Approved Budget	Requested Change	Revised Budget
231 - Tree	8801 - Forestry	Personal Services	Transfer for employee testing.	652,550.50	(95.00)	652,455.50
		O.T.P.S.	Transfer for employee testing.	405,202.00	95.00	405,297.00
240 - Federal Miscellaneous Grants	8411 - Community Center Admin	Personal Services	Increase appropriations to spend Cuyahoga County Board of Health Covid-19 grant funds.	0.00	11,013.83	11,013.83
		O.T.P.S.	Increase appropriations to spend Cuyahoga County Board of Health Covid-19 grant funds.	0.00	3,986.17	3,986.17
602 - Sewerage Disposal	6301 - Water Admin	O.T.P.S.	Increase for fees related to the 2nd half of property taxes.	25,000.00	2,246.34	27,246.34
<b>Total</b>				<b>606,663.98</b>	<b>271,845.28</b>	<b>878,509.26</b>

Proposed: 09/13/21

RESOLUTION NO. 127-2021 (MS), *First Reading*

By Council Member

A Resolution authorizing an agreement with Hall Public Safety Upfitters for the purchase of upfitting equipment for Police Department vehicles; and declaring an emergency.

WHEREAS, the Chief of Police has determined there is a need to purchase upfitting equipment for certain vehicles for the Police Department; and

WHEREAS, the selected vehicles are available through Hall Public Safety Upfitters for a cost below the price available through the Ohio Department of Administrative Services Cooperative Purchasing Program price; and

WHEREAS, Section 171.02(bb) of the Cleveland Heights Codified Ordinances authorizes the purchase or lease of goods and services without obtaining competitive bids where the price for such goods or services is less than the price that would be obtained through the Ohio Department of Administrative Services Cooperative Purchasing Program; and

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 execute any and all agreements necessary for the purchase of upfitting equipment for Police Department vehicles, in accordance with the requirements set forth in Section 171.02(bb) of the Cleveland Heights Codified Ordinances. The purchase price for said equipment shall not exceed the sum of One Hundred Nineteen Thousand Four Hundred and Ninety-Five Dollars and Eighty-Five Cents (\$119,495.85).

SECTION 2. All agreements and related documents hereunder shall be approved as to form by the Director of Law.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to equip Police Department vehicles with the referenced equipment as soon as possible. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 127-2021 (MS)

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JASON STEIN  
President of the Council

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AMY HIMMELEIN  
Clerk of Council

PASSED:





# Estimate

# EST-9843

## Hall Public Safety Upfitters

Corporate Office  
8291 Darrow Rd.  
Twinsburg, Ohio 44087  
855-387-3911  
Hallpublicsafety.com

Remit to/Mailing Address  
12400 Beechlawn Ave. N.E.  
Alliance, Ohio 44601

## Customer

### Cleveland Hts. Police Department

Attn: Sgt Corrigan  
40 Severance Cr.  
Cleveland Hts., Oh 44118

Estimate Date : August 30, 2021

Expiration Date : October 01, 2021

## Ship To

Attn: Sgt Corrigan  
40 Severance Cr.  
Cleveland Hts., Oh 44118

Project : 2021 Ford PIU X 11- SCE

Sales rep : Jason Hall

#	Item & Description	Qty	Rate	Amount
1	Department will supply...3 Gun racks, 11 mobile radios, 9 Computers, 9 Computer docks, 9 Computer power supplies, All computer peripherals and 11 Two way radio antennas	0.00	0.00	0.00
2	Whelen 54" Cenator DUO Color Lightbar Red, Blue with white front and amber rear SKU : CB2SP3J Full lightbars for marked cruisers	9.00 EA	1,350.00	12,150.00
3	Whelen WECan Control Point SKU : WCCP	9.00 EA	150.40	1,353.60
4	Whelen Lightbar Mount Kit for Cenator Lightbar for 20-21 Utility Interceptor SKU : CMK105	9.00 EA	66.40	597.60
5	Whelen siren/light control SKU : 295SLSA6	9.00 EA	399.90	3,599.10
6	Whelen compact 100 Watt Composite Speaker SKU : SA315U	11.00 EA	197.82	2,176.02
7	Whelen SA315 Mount Kit for 20-21 Utility Interceptor Driver Side SKU : SAK66D	11.00 EA	34.00	374.00
8	Whelen Vertex LED light- Clear SKU : VTX609C Front corners	22.00 EA	79.98	1,759.56
9	Whelen Vertex LED light- Red SKU : VTX609R Rear corners	11.00 EA	79.98	879.78
10	Whelen Vertex LED light- Blue SKU : VTX609B Rear corners	11.00 EA	79.98	879.78

#	Item & Description	Qty	Rate	Amount
11	Whelen ION super LED light head. Blue SKU : IONB Upper rear hatch window	11.00 EA	106.64	1,173.04
12	Whelen ION super LED light head. Red SKU : IONR Upper rear hatch window	11.00 EA	106.64	1,173.04
13	Whelen Micron Stud Mount in Red SKU : MCRNTR Front grill on patrol units	9.00 EA	97.52	877.68
14	Whelen Micron Stud Mount in Blue SKU : MCRNTB Front grill on patrol units	9.00 EA	97.52	877.68
15	Hint Tablet & Keyboard Mount w/ Two Telescoping Posts and Universal Display Bracket SKU : TM-5502UDB-SMP	9.00 EA	425.15	3,826.35
16	Havis Vehicle Specific 22" High Angled console for 20-21 Utility Interceptor SKU : C-VS-1012-INUT	11.00 EA	375.81	4,133.91
17	Havis 1 piece equipment bracket for Whelen 295SLSA6 SKU : C-EB40-WS2-1P	9.00 EA	24.41	219.69
18	Havis 1 piece equipment bracket for Motorola CDM750,1250,1550 (SC) SKU : C-EB25-CDS-1P	11.00 EA	24.41	268.51
19	Havis 1 piece equipment bracket for L3 Mobile Vision Flashback 3 DVR SKU : C-EB30-L33-1P	9.00 EA	24.41	219.69
20	Havis Internal Dual Cup Holder SKU : C-CUP2-I	11.00 EA	33.08	363.88
21	Havis large pad flip arm rest SKU : C-ARM-103	11.00 EA	77.96	857.56
22	Havis Charge Guard battery saver/timer SKU : CG-X	9.00 EA	74.25	668.25
23	Able 2 Accessory Triplet outlet SKU : 14.0553	11.00 EA	17.90	196.90
24	Magnetic Mic SKU : MMSU-1	11.00 EA	34.95	384.45
25	Setina Tall Man Partition for SUV with recess panel, coated polycarb SKU : 10-VS-RP-TM	9.00 EA	712.65	6,413.85
26	Setina Rear Partition for SUV-Polycarb SKU : 12-VS-P	9.00 EA	430.41	3,873.69
27	Setina Vertical Steel Window Bars for 20-22 Utility Interceptor SKU : WK0514ITU20	9.00 EA	218.73	1,968.57
28	Setina Dual Vertical Gun Rack with 2 X-Large Universal Locks and Handcuff Key SKU : GK10342UHKSSCA-XL	6.00 EA	429.00	2,574.00
29	Whelen 6" round dome light, red/white SKU : 60CREGCS officers compartment	11.00 EA	121.52	1,336.72

#	Item & Description	Qty	Rate	Amount
30	Jedca rear storage/organizer solution SKU : E0631D	11.00 EA	299.99	3,299.89
31	Secure Idle Ignition System for Interceptor Sedan and SUV with LED Round Switch SKU : SI240-T-IH-LED	11.00 EA	190.00	2,090.00
32	Whelen Perimeter Enhancement Light, Super-LED, Steady White, Black Housing SKU : PELCB Hatch of DB cars lighting up cargo area	2.00 EA	121.52	243.04
33	Whelen LED flatlighter visor light- red/blue SKU : FLLEDRB DB cars visor	2.00 EA	179.80	359.60
34	Whelen Pioneer Nano LED scene light- black with bail bracket SKU : NP6BB Rear scene lighting for DB cars, discuss location with dept.	4.00 EA	154.38	617.52
35	500 Watt Power Inverter  Cargo area of DB cars	2.00 EA	110.00	220.00
36	Whelen 100 watt remote hands free Siren SKU : ALPHASL DB cars	2.00 EA	164.45	328.90
37	Kustom Signals Radar Directional Talon Moving & Stationary Modes SKU : CRS1671 Kustom Signals Radar...CRS1671....Directional Talon moving and stationary modes (Handle only), Corded handle, Fastest vehicle mode, Same direction mode, Wireless remote, 7" Dash mount with handle.  Note...Radar is describes as above. Any additional options are not included. If additional options are required, please advise so they can be added to this quote.	14.00 EA	1,885.00	26,390.00
38	Two way radio antenna and cable SKU : Antenna Cable kit only	11.00 EA	45.00	495.00
39	Misc. wires, connectors, supplies and hardware SKU : Misc. wires PATROL VEHICLES	9.00 EA	175.00	1,575.00
40	Misc. wires, connectors, supplies and hardware SKU : Misc. wires DB VEHICLES	2.00 EA	150.00	300.00
41	Labor - Shop SKU : Labor - Shop PATROL VEHICLES  Install all listed items, plus department supplied items listed above. Wire in and test.	9.00	2,500.00	22,500.00
42	Labor - Shop SKU : Labor - Shop DB VEHICLES  Install all listed items, plus department supplied items listed above. Wire in and test.	2.00	1,900.00	3,800.00
43	**Above pricing meets or is below State Contract Pricing MMA7607**	1.00	0.00	0.00
Sub Total				117,395.85
Shipping charge				2,100.00

**Total**

**\$119,495.85**

## Notes

Thank you for your business !!

\*\*\*\*Remit to/Mailing Address\*\*\*\*

12400 Beechlawn Ave.  
Alliance, Ohio 44601

## Terms & Conditions

Estimate is good for 30 days

Proposed: 09/13/21

RESOLUTION NO. 128-2021 (PD), *First Reading*

By Council Member

A Resolution recognizing September 17, 2021 as Car Free Day and Park(ing) Day 2021 in Cleveland Heights and supporting Cleveland State University APA's celebration of Park(ing) Day on September 20, 2021 and Greater Cleveland Regional Transit Authority's celebration of Car Free Day on September 22, 2021; and declaring an emergency.

WHEREAS, World Car Free Day is an international event celebrated every September by over 2,000 cities in 40 countries around the World in which people are encouraged to travel car-free or car-lite, by using transit, bicycling, walking, carpooling, or telecommuting; and

WHEREAS, World Car Free Day 2021 is Wednesday, September 22, 2021; and

WHEREAS, PARK(ing) Day is an annual, daylong global event on the third Friday in September where people collaborate to temporarily transform parking spaces into "PARK(ing)" spaces: tiny parks and places for art, play, and activism; and

WHEREAS, Park(ing) Day is Friday, September 17, 2021; and

WHEREAS, the City of Cleveland Heights has a strong commitment to environmental sustainability and promotion of alternative modes of transportation, as evident by the recent expansion of the Transportation Advisory Committee to the Transportation and Environmental Sustainability Advisory Committee; and

WHEREAS, the City of Cleveland Heights has the opportunity to be one of the leading municipalities in Ohio in increasing awareness of the benefits of alternative modes of transportation and the current struggles of actually travelling car-free or car-lite, by recognizing World Car Free Day 2021; and

WHEREAS, the City similarly has the opportunity to be one of the leading municipalities in Ohio in reimagining the public realm and rethinking how it can be utilized in more sustainable ways; and

WHEREAS, Cleveland State University APA will be celebrating Park(ing) Day on September, 20, 2021; and

WHEREAS, Greater Cleveland Regional Transit Authority will be celebrating Car Free Day on September 22, 2021; and

WHEREAS, the City of Cleveland Heights is supportive of these efforts and encourages continued regional coordination; and

RESOLUTION NO. 128-2021 (PD)

WHEREAS, this Council wishes to recognize Car Free Day 2021 and Park(ing) Day locally as well.

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

SECTION 1. This Council does hereby recognize Friday, September 17, 2021 as Car Free Day and Park(ing) Day 2021 in Cleveland Heights.

SECTION 2. This Council does hereby support Cleveland State University APA's celebration of Park(ing) Day on September 20, 2021.

SECTION 3. This Council does hereby support Greater Cleveland Regional Transit Authority's celebration of Car Free Day on September 22, 2021.

SECTION 4. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. 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 join with other communities in this celebration and the need to recognize Car Free Day and Park(ing) Day 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:



## **MEMORANDUM**

**To:** Mayor Stein and Members of Council

**cc:** Susanna Niermann O'Neil, City Manager  
William Hanna, Law Director

**From:** Eric Zamft, Planning Director

**Date:** August 31, 2021

**Subject:** Resolution recognizing September 17, 2021 as Car Free Day and Park(ing) Day 2021 in Cleveland Heights

World Car Free Day is an international event celebrated every September by over 2,000 cities in 40 countries around the World in which people are encouraged to travel car-free or car-lite, by using transit, bicycling, walking, carpooling, or telecommuting. World Car Free Day 2021 is Wednesday, September 22, 2021; and

PARK(ing) Day is an annual, daylong global event on the third Friday in September where people collaborate to temporarily transform parking spaces into "PARK(ing)" spaces: tiny parks and places for art, play, and activism. Park(ing) Day is Friday, September 17, 2021.

The City of Cleveland Heights has the opportunity to be one of the leading municipalities in Ohio in providing awareness to the benefits of alternative modes of transportation and the current struggles of actually travelling car-free or car-lite, as well as reimagining the public realm and rethinking how it can be utilized in more sustainable ways by recognizing these days.

Should it wish to, Council could adopt a resolution recognizing September 17, 2021 as Car Free Day and Park(ing) Day 2021 in Cleveland Heights; supporting Cleveland State University APA's celebration of Park(ing) Day on September 20, 2021 and Greater Cleveland Regional Transit Authority's celebration of Car Free Day on September 22, 2021.

### **Staff Recommendation:**

Planning staff recommends that Council adopts the resolution upon first reading. The recommendation for adoption as an emergency in first reading is because both Car Free and Park(ing) Days are celebrated around the World in September.