



Monday, June 21, 2021 Minutes

City Council Meeting

7:30 - 8:30 p.m.

COUNCIL PRESENT:

Jason Stein, President

Craig Cobb

Mary Dunbar

Melody Hart

Davida Russell

Kahlil Seren

Mike Ungar

ALSO PRESENT:

Susanna Niermann-O'Neil, City Manager

Amy Himmelein, Clerk of Council

William Hanna, Director of Law

1

MR. STEIN:

This is the

2

Cleveland Heights City Council meeting. It

1 is June 21st. Our meeting is now called to
2 order.

3 Mrs. Himmlein, please call the roll.

4 MS. HIMMELEIN: Cobb. I'm sorry, I
5 didn't hear you.

6 MR. COBB: Present.

7 MS. HIMMELEIN: Dunbar.

8 MS. DUNBAR: Present.

9 MS. HIMMELEIN: Hart.

10 MS. HART: Hart here.

11 MS. HIMMELEIN: Russell.

12 MS. RUSSELL: Here.

13 MS. HIMMELEIN: Seren

14 MR. SEREN: Seren here.

15 MS. HIMMELEIN: Stein.

16 MR. STEIN: Present.

17 MS. HIMMELEIN: Ungar.

18 MR. UNGAR: Here.

19 MS. HIMMELEIN: Seven present, your
20 Honor. We have a quorum.

21 MR. STEIN: Thank you. There
22 are no members to excuse as we are all present.

23 We have the approval of the minutes of
24 the counsel meeting held on May 24th, 2021, and
25 the edits should have been sent to the City

1 manager.

2 Next is personal communication received
3 from citizens via electronic mail.

4 Ms. Himmelein, how many do we have?

5 MS. HIMMELEIN: Four tonight, your
6 Honor.

7 MR. STEIN: Four. Okay. That
8 sounds good.

9 MS. HIMMELEIN: First comment is
10 from Eve Prikryl.

11 It feels like the City has been on auto
12 pilot for over a year. No one answers the phone
13 or gets back to you. Why are the locker rooms
14 at the rink still closed? It is a huge
15 inconvenience for high school/adult players who
16 don't fit in with hockey pads on. All state and
17 federal COVID restrictions have been lifted. If
18 it is a staffing issue, maybe the City needs to
19 pay more to attract employees. Who wants to
20 work at the rink for \$8.50 an hour. Even
21 McDonald's pays more.

22 Next comment is from Gail Larson.

23 The Cleveland Heights-University Heights
24 Chapter of the League of Women Voters is
25 planning four forums for local political races

1 in 2021. Note that if any of these races are
2 uncontested or if only one candidate is willing
3 to participate, that forum will be canceled.

4 One, August 12th, a forum for the
5 Cleveland Heights mayoral primary will be held
6 at the Cleveland Heights Community Center.

7 September 23rd, a forum for the
8 Cleveland Heights mayor and Council general
9 election races will be held at the
10 Cleveland Heights Community Center.

11 September 30th, a forum for the
12 University Heights mayor general election race
13 will be held at the University Heights library.

14 October 7th, a forum for the
15 Cleveland Heights-University Heights school
16 board general election race will be held at the
17 Cleveland Heights Community Center. If we are
18 experiencing a surge in COVID and live meetings
19 will be restricted, the forums will be on Zoom.

20 The league will be publishing up-to-date
21 information on our website,
22 lwvgreatercleveland.org, and with the Heights
23 Observer.

24 Fran Mentch. Please put a discussion of
25 a public activity park at Meadowbrook-Lee on the

agenda. Also, lots of people have asked you to hold a public hearing on Meadowbrook-Cedar Lee. Why haven't you scheduled one? Should you really vote on anything to do with this project since we will have a new form of government starting in January? Are you still getting free meals? Actually, they are not free. Taxpayers pay for them.

J. Fleshin. I am a retired Heights teacher living on Cedarbrook this past 40 years. I also taught in the urban school in geology for 30 years at CSU.

I would like to request due consideration of concerns regarding the add on construction proposal on the Meadowbrook/Tullamore project in the Cedar-Lee parking lot.

Of primary importance -- the park created subsequent to the CL parking garage construction.

Carl Czaga designed this existing park to buffer that commercial property and redevelop lost green space.

Cleveland Heights thoughtfully landscaped and planted 40 specimen trees

1 creating the small park setting to the
2 building's east face now at imminent risk.

3 Plantings have matured nicely with many
4 reaching levels above garage height. Oaks,
5 birch, maples, spruce, hawthorns, et cetera in
6 the small park. Please have a look for
7 yourselves.

8 That project included the lighted tree
9 lined winding walkway, allowing strolling,
10 wheelchair, and bike access through to Tullamore
11 and Lee.

12 It is in all senses a properly planned
13 small park providing a mature aesthetic green
14 space buffer well visible from the western areas
15 of Cedarbrook Tullamore.

16 The Cedar-Lee add on to the original
17 project destroys this well-designed and
18 maintained property, replacing it with a less
19 than clever overstuffed design of high
20 apartments in much too close proximity to
21 existing residences.

22 Please study the destruction of this
23 green space, watershed, and safe children's
24 recreational area.

25 Do not dismiss valuable green space, a

desirable face to the commercial look of the adjoining area. The few bushes proposed within the new development will hardly be equivalent.

There are other considerations, too many perhaps for a 300-word note - losses on through street access by emergency fire, City services, snow removal, commercial vehicles, ground level handicapped parking, watershed/park destruction, sightline destruction, and concomitant loss of privacy.

Truly a bridge too far. The original proposal is as you recall sufficient.

And those are all the comments we have for tonight.

15 MR. STEIN: Okay. Thank you.

Moving on for the City manager, and police.

Mrs. Niermann-O'Neil, please.

18 MS. NIERMANN-O'NEIL: I have a few
19 things to mention. The first and most
20 important, our City is extremely pleased about
21 Juneteenth becoming a federal holiday. We
22 learned about it like everyone else on Thursday
23 of last week, and it was just too -- there were
24 too many things scheduled for us to have Friday
25 be our federal holiday.

So then, this coming Friday, the 25th of June, City Hall and the community center will be closed in honor of Juneteenth, and we will make a statement online. This is a very important holiday for our community that believes in everything that this stands for.

And so, of course, the pool will be open. The pool is always open no matter what, 4th of July, Labor Day. So the pool will be open. So this Friday City Hall and the center are closed.

I want to make note that on June 24th, Thursday at 7:00 o'clock, is the first meeting of the racial justice task force, and residents can access that online for this meeting.

The law director mentioned that beginning August 1st, the mandate is back that we must have our boards and commissions, our Council meetings in person.

So throughout the month of July the various boards and commissions will be meeting here at City Hall, and then, beginning August 2nd, city council will return to the executive conference room for committee of the whole and Council chambers for the Council meetings.

1 We are going to be putting cameras in the
2 executive conference room so that filming can
3 occur for those meetings, and the other piece is
4 that it means that citizen comment is also in
5 person.

6 So -- am I getting something from the
7 law director? No, I am not. I said Memorial
8 Day. Thank you, Jason. I meant Friday.

9 MR. HANNA: No.

10 MR. STEIN: I'm sorry, City
11 manager, that was something else I was texting
12 you.

13 MS. NIERMANN-O'NEIL: Oh.

14 MR. STEIN: Not Memorial Day.

15 MS. NIERMANN-O'NEIL: All right. That's
16 a good thing to hear. So we all have to -- we
17 are all going to try to adjust, staff and our
18 web people and everybody as we move back to
19 being in person.

20 And I am sure it will be a little bumpy
21 at first, but this is helping our heads
22 determine that this was what we should be
23 doing.

24 I also wanted to mention one other event
25 that everyone should have on their calendar, and

1 of course, it will be all over the website, but
2 Tuesday, August 3rd, is our safety night, our
3 annual safety night.

4 But we are combining our celebration of
5 the 100th anniversary on the same night, and we
6 are going to have a time capsule that people can
7 write notes and put them in and also some other
8 things that celebrate the hundredth.

9 So those are some of the things that are
10 coming up. Thank you.

11 MR. STEIN: Okay. Thank you.

12 Next is our report of the chief of
13 police. Chief Mecklenburg, come on board, or is
14 someone else coming on board?

15 Oh, there is Chief Mecklenburg. Okay.
16 All right. Good evening, Chief.

17 CHIEF MECKLENBURG: Good evening,
18 everyone. Thanks for having me here.

19 I think the main thing that everyone
20 wants to hear about -- and I will provide an
21 update -- is the shooting that we had at Denison
22 on June 8th around 6:00 p.m. As you know,
23 officers responded to a call, shots fired, and
24 had learned that, at least, one person had been
25 shot.

1 When officers arrived, they located 25
2 year-old Jeremiah Moore who was on the ground,
3 on the basketball courts, and he had sustained a
4 single gunshot wound to the chest. Officers
5 immediately provided medical attention to
6 Mr. Moore and began CPR until the arrival of the
7 fire department, and he was transported to the
8 hospital.

9 However, due to the seriousness of his
10 injury, he did not survive his wounds. While on
11 the scene, officers also located a second
12 gunshot victim, 22 year-old Isaiah White. He
13 had sustained a single gunshot wound to the
14 shoulder area, and he was transported to the
15 hospital for medical treatment.

16 Our preliminary investigation indicates
17 that three unknown men had arrived at the
18 basketball courts just prior to the shooting.
19 The three men confronted Mr. White, and a verbal
20 altercation ensued.

21 During the altercation, gunshots were
22 exchanged between Mr. White and the three
23 unknown men resulting in Mr. Moore being shot by
24 Mr. White. When Mr. White was released from the
25 hospital, he was returned to the police

department, and he was charged with several crimes and was given a bond of \$750,000 cash or surety.

Since that time in the last few days, he has been indicted by the county. Those charges only include several counts of felonious assault and one count of tampering with evidence, and he is currently down at the county jail as of today.

We have put out on social media and through our other media outlets that we are looking for these other three known men to try to determine more of what exactly occurred on that day.

So Crime Stoppers has upped their reward. It is \$5,000 for information leading to the identity and arrest of the three suspects. And I want to stress the importance with Crime Stoppers that tipsters can remain anonymous.

If Crime Stoppers receives a tip, they will notify us, but again, we are given no information about the caller. So it is strictly anonymous, and they will pay for that information that is going to lead to the arrest and prosecution.

It is vitally important that we find these three to determine what happened and also, you know, out of a concern for public safety.

So I urge anyone who has even a little bit of information, whether they think it is important or not, to please contact Crime Stoppers or call the police department here and share with us what information you have.

As restrictions on COVID are lightening up, we are going to begin our meet-your-police in person. Meetings are starting in July. Our attendance has been very, very low with the online and call-in, so we are hope that people will be willing to come out and speak to us and discuss the issues that they are facing in their neighborhoods.

So the first -- we are going to have two meetings, the first and third Thursdays, and we will see how that goes, and if attendance is good, we can increase those meetings.

The first meeting will be at the police academy Thursday, July 1st, at 6:00 p.m. We have plenty of room to social distance, and we can even use outside, weather permitting.

And then, on the third Thursday, it will

1 be here at City Hall. So we are looking forward
2 to reconnecting with our residents and having
3 these meaningful discussions that we have
4 enjoyed for so long.

5 Just a couple more things: People have
6 asked for updates or certain things and what the
7 police are doing. We are -- have dedicated
8 officers that are increasing patrols in our
9 parks, not just Denison but all our parks, so we
10 are making sure that our parks are safe for our
11 residents to enjoy.

12 This shooting is an isolated incident.
13 It is not something that is a frequent or common
14 occurrence in the parks in Cleveland Heights,
15 and I think everybody here knows that.

16 So we want our residents to feel safe,
17 so we are going to continue to patrol our parks,
18 and you are going to see our officers, hopefully
19 our K-9 officers will be out walking our
20 business districts and our parks and greater
21 patrols in those areas.

22 For those of you regarding the Ring app,
23 we are having some training here in July on the
24 Ring app that we had been working on, and we are
25 going to go live with that July 13th. So we are

excited about that.

2 Some residents have brought up the
3 possibly of having a gun buyback. That's not
4 something we have had in a while. We had that
5 many years ago, and it was somewhat successful.
6 I don't know if anyone here wants to weigh in on
7 that or has comments about that, so it is
8 something we are looking into, a gun buyback,
9 hopefully to get those guns maybe that are lying
10 around the house that people just don't want
11 anymore, to turn them in, and get a gift card to
12 either the supermarket or a store or a gas card,
13 you know, just to prevent them from falling into
14 the wrong hands. So something, again, we are
15 looking at.

20 We had a really good turnout, and again,
21 it was good to be out there with our residents,
22 and that's my report for this evening.

23 MR. STEIN: Thank you, Chief.
24 Did anyone have any questions for the Chief?
25 Mike?

MR. UNGAR: Chief, thanks for that report. Three real quick ones:

First, when we do -- when we get that Ring app training, can we put that online to make it widely available to our residents? Is it amenable to that?

Is it amenable to that?

CHIEF MECKLENBURG: The training that we are going to receive is for us on how to use it.

MR. UNGAR: Uh-huh.

CHIEF MECKLENBURG: So I will have to check with them on that. I will get you the messages that we will be sending out. You wanted an example I remember of the messages that we will send out and request video.

And a message will immediately go out to the residents alerting them that we've joined the Ring app, and I can share that with everyone as well with some more information.

MR. UNGAR: I mean, I just think the more education -- I'm sorry. You probably said it, and I just missed it. I didn't understand. I take back what I said.

I don't want the police training to be online, but it is a two-way street, right? I

1 mean, the whole idea is that it is our residents
2 participating. I want to make sure it is
3 meaningful on the providing of information side
4 of things. So if there is any educational stuff
5 that can go out, and we can put it online, I
6 think that would be great.

7 CHIEF MECKLENBURG: Sure. I will look
8 into that.

9 MR. UNGAR: And then, second
10 question is, just a follow-up along the lines of
11 the Ring app. Where are we on the license plate
12 readers?

13 CHIEF MECKLENBURG: We have ordered 20,
14 and we are currently working with the electric
15 company, Illuminating Company on pole numbers
16 and what policy we are going to put them on.

17 Originally, you know, they do offer the
18 solar option, but speaking with other cities,
19 sometimes the solar option, if it doesn't get
20 enough sun, it won't work as effectively as we'd
21 like.

22 So we are working with the Illuminating
23 Company to pinpoint those poles that we want
24 to put those cameras on, so again, we hope to
25 have them up and running in the very near

1 future.

2 MR. UNGAR: Okay. And that's a
3 perfect segue into my last question. In terms
4 of cameras, I know it would not be license plate
5 readers, but do we have camera presence in our
6 parks? I mean, I hear you that our residents
7 should not extrapolate from this one horrible
8 tragedy that our parks are unsafe.

9 And at the same time, you know, I am
10 just wondering, do we have any cameras that are
11 in the parks fed into City Hall that we could
12 talk about?

13 CHIEF MECKLENBURG: The only cameras we
14 have are some in Cain Park around the splash
15 pad, in that area. Other than that, none of our
16 other parks have cameras.

17 MR. UNGAR: Okay. Good.

18 MR. STEIN: Okay. Seeing no
19 other questions, thank you, Chief.

20 CHIEF MECKLENBURG: Thank you. Have a
21 good night, everyone.

22 MR. STEIN: You too. Actually,
23 the City manager had one other item.

24 MS. NIERMANN-O'NEIL: Yeah, and I want
25 to add on to what the Chief said. We are

looking at the cost and the placement of cameras in the parks. So that's on the agenda.

I actually forgot two of the most important things that I wanted to acknowledge.

Jim Landon, our IT director, is retiring after 30-plus years, and he has really led the City through all the ups and downs of technology and been an absolutely smart, loyal, dedicated employee, not just here at City Hall but to the Council and our residents. So I want to acknowledge that.

And also that we have hired Ryan Prosser, who will be our IT director, and he has been here this week with Jim Landon, so that he can get the lay of the land and everything that is in order going forward. So I really want to thank Jim Landon on behalf of all of us.

And I also want to acknowledge that Jennifer Coe, our City manager-assistant secretary, go-to person, who has done all of the packets and all of the webex meetings and everything, all the different things that would come into the City manager office, also is moving on, and I want to thank her.

I know you have all interacted with her,

1 with your time on Council, and I also want to
2 thank her for her service.

3 So thank you.

4 MR. STEIN: Okay. Thank you
5 for that, and special thank you to Jim for all
6 the years of service, for all you have done. He
7 has been a good guy. I always enjoyed talking
8 to Jim, and I would be a little bit happy when
9 he walked into a Council meeting, so I am going
10 to miss that.

11 And thank you, Jennifer, for being there
12 for Council, putting together our packets.
13 Actually, I'm a little nervous not having
14 Jennifer there to put together our packets and
15 to make sure we get our webex meeting invites.
16 So hopefully that goes smoothly, but I wish you
17 the best on your next endeavor. Thank you,
18 Jennifer.

19 Okay. Moving on to Clerk of Council,
20 Mrs. Himmelein, please.

21 MS. HIMMELEIN: Nothing to report
22 tonight, your Honor.

23 MR. STEIN: Okay. That was
24 quick.

25 Moving on to our committee reports.

1 First up is community relations and recreation
2 committee, Councilperson Russell. Please.

3 MS. RUSSELL: Good evening. Thank you,
4 President and Vice President of Council.

5 I have no legislation for my committee today. I
6 just wanted to make a couple of announcements,
7 that our senior center opened today from 9:00 to
8 3:00; will be open on Mondays, Wednesdays, and
9 Fridays.

10 Cain Park will open on July 9th,
11 starting with our art festival as well as the
12 residents remember this week starting June 26th.
13 And that's it. I will wait on the ordinance of
14 the 92-2021 from the finance committee. That's
15 all I have at this particular moment.

16 Oh, let me just reiterate on June 30th,
17 we are having COVID-19 vaccinations at
18 Monticello Middle School, so if you have not had
19 your COVID-19 shot or you are going for your
20 second shot, please go there.

21 Also, Shaw High School also has openings
22 for walkups for their first COVID-19 shots as
23 well. I believe that's it. Thank you so very
24 much.

25 MR. STEIN: Okay. Thank you.

1 Next is finance committee, Councilperson Hart.

2 Please.

3 MS. HART: Okay. Before I
4 start the legislation, I did want to mention
5 that the Coventry of Juneteenth was really a
6 very nice event. There were a lot of good
7 vendors there. I was introduced to the black
8 vendors that they had. I bought a candle and
9 some other things there, spent too much money.
10 It was fun. They had great bands, so I think it
11 was a really good event and well planned.

12 I wanted to also mention there was an
13 event today at Grownups Martini bar. That's at
14 2221 Noble Road. It was the -- Eric was there,
15 a number of other people were there, and it was
16 very nice.

17 They have redone the whole building, and
18 it is very well done. It looks like a nice
19 place, is a nice place, and they are open
20 Thursday, Fridays and Saturdays from 2:00 to
21 10:00. They close at 10:00 and it is for
22 grownups.

23 So you are supposed to be 35 or older,
24 which had me puzzled because I asked them, well,
25 how come you didn't card me then? But I know

1 the answer to that.

2 So the other thing, I want to thank Jim
3 and Jennifer for their service and welcome our
4 new IT guy. So I will move on now to
5 legislation.

6 Ordinance number 67-2021 for second
7 reading, an ordinance providing for the issuance
8 and sale of bonds, and the maximum principal
9 amount of a million 18 thousand for the purpose
10 of paying costs of restructuring, resurfacing,
11 and otherwise improving city streets to get
12 together with necessary appurtenances thereto,
13 rebuilding Monticello Boulevard and Taylor Road,
14 including engineering and planning costs with
15 respect thereto, acquiring motorized equipment
16 and adding appurtenances thereto, acquiring
17 motor vehicles and equipment used in the
18 function of the City's department of public
19 works, sewers and utilities division, acquiring
20 motor vehicles and equipment used by the City's
21 department of public works force industry
22 division and acquiring mobile radios for use by
23 the City's police department together with the
24 necessary related equipment.

25 MR. STEIN:

Is there a second?

1 MS. DUNBAR: Second.
2 MR. STEIN: Thank you. Is
3 there any discussion? Mrs. Himmelein, please
4 call the roll.
5 MS. HIMMELEIN: Dunbar.
6 MS. DUNBAR: Aye.
7 MS. HIMMELEIN: Hart.
8 MS. HART: Aye.
9 MS. HIMMELEIN: Russell.
10 MS. RUSSELL: Aye"
11 MS. HIMMELEIN: Seren.
12 MR. SEREN: Aye.
13 MS. HIMMELEIN: Cobb.
14 MR. COBB: Aye.
15 MS. HIMMELEIN: Stein.
16 MR. STEIN: Aye.
17 MS. HIMMELEIN: Ungar.
18 MR. UNGAR: Aye
19 MS. HIMMELEIN: Seven yeses, your
20 Honor.
21 MR. STEIN: Unanimous.
22 MS. HART: Okay. The next
23 legislation is resolution 68-2021 second
24 reading. A resolution approving the adoption of
25 the 2022 tax budget.

1 MR. STEIN: Is there a second?

2 MS. DUNBAR: Second.

3 MR. STEIN: Thank you. Any

4 discussion?

5 Ms. Himmlein, please call the roll.

6 Hart.

7 MS. HART: Aye.

8 MS. HIMMELEIN: Russell.

9 MS. RUSSELL: Aye.

10 MS. HIMMELEIN: Seren.

11 MR. SEREN: Aye.

12 MS. HIMMELEIN: Stein.

13 MR. STEIN: Aye.

14 MS. HIMMELEIN: Ungar.

15 MR. UNGAR: Aye.

16 MS. HIMMELEIN: Cobb.

17 MR. COBB: Aye.

18 MS. HIMMELEIN: Dunbar.

19 MS. DUNBAR: Aye.

20 MS. HIMMELEIN: Seven yeses, your

21 Honor.

22 MR. STEIN: Unanimous.

23 MS. HART: The next one is

24 ordinance 76-2021, an ordinance with certain

25 subparagraphs of ordinance No. 127-2020 and

1 subsequent ordinances relating to appropriations
2 and other expenditures of the city of
3 Cleveland Heights, Ohio, for fiscal year-ending
4 December 31st.

5 MR. STEIN: IS there a second?

6 MS. DUNBAR: Second.

7 MR. STEIN: Any discussion?

8 (No response.)

9 MR. STEIN: Ms. Himmelman.

10 MS. HIMMELEIN: Russell.

11 MS. RUSSELL: Aye.

12 MS. HIMMELEIN: Sere

13 MR. SEREN: Aye.

14 | HIMMELEIN: Unga

15 MR. UNGAR: Aye.

16 MS. HIMMELEIN: Cobb

17 MR. COBB: Aye.

18 MS. HIMMELEIN: Dunb

19 MS. DUNBAR: Aye.

20 MS. HIMMELEIN: Hart

21 MS. HART: Aye.

22 MS. HIMMELEIN: Okay. And the
23 final legislation I want to hand over to Davida
24 since she drafted it.

25 | Davida?

1 MS. RUSSELL: Thank you,
2 Councilwoman Hart.
3 Ordinance No. 92-2021, ordinance
4 authorizing all actions necessary for initial
5 use for funds received pertinent to the America
6 Resource Plan Act. I want to give the residents
7 a little background on this resolution because I
8 am quite sure the -- everyone had to look at it
9 and say what in the heck is that? What does
10 that mean?

11 So let me explain it to you. When I
12 first discovered that our City was going to
13 receive \$40 million dollars from the American
14 Resource Plan Act from President Biden, which
15 actually turned out to be \$38.8 million dollars,
16 as you all have heard me talk about profusely on
17 Council regarding the distressed areas in our
18 community, and this legislation and our
19 employees, I wanted that to make sure that
20 employees of our City were made whole, that any
21 employee that had any furloughs, any employees
22 that we had to furlough, layoff, any reason due
23 to COVID-19, that they were made whole regarding
24 our -- all of our services as far as our
25 sanitation workers, our police department, our

1 fire department, our staff as well as our
2 directors and heads of departments as well.
3 Anyone who was on the front line during this
4 pandemic was made whole if they had to take any
5 furloughs or layoff or restrictions.

6 I wanted to make sure they were taken
7 care of. Also on this ordinance, I wanted to
8 make sure that monies went to those distressed
9 areas in our community.

10 As you hear me talk about all the time,
11 I want to make Cleveland Heights a well-bounded
12 community where some of our parts of our area of
13 Cleveland Heights feel detached, not a part, not
14 welcome, and we don't want that.

15 As Council, we believe that all of us
16 are welcome, all of us is part of
17 Cleveland Heights, and we want all of our
18 communities to feel important and taken care of.

19 So I had designated in this resolution
20 that \$5 million dollars of that resource money
21 be set aside, \$2 million to go to the Noble area
22 and \$2 million to go to the Taylor area and
23 \$1 million to be distributed throughout the City
24 for wherever it is needed with your business
25 district to whatever areas as far as south of

1 Coventry or the Coventry corridor or the
2 Fairmont corridor, wherever those businesses or
3 areas are having trouble or in need and in
4 trouble.

25 I believe all of us on this Council

1 believe that every area of our City should
2 thrive and should feel a part of each other.

3 And so this is one reason I created this
4 resolution, to give some breath of fresh air or
5 to blow some breath of fresh area into those
6 distressed areas, and I know regardless it is
7 going to be a lot of talk about resources and
8 funds.

9 And no matter what resources and funds
10 are, guess what? We are still going to have to
11 pay taxes. We are still going to have to pay
12 for our City services. We are still going to
13 have to pay for the things we are going to pay
14 for.

15 This money was a gift from God you might
16 as well say. This was money that we were not
17 expecting. This is money that was not a part of
18 our budget. This is money that was not a part
19 of our resources or spending or our capital or
20 anything.

21 This is extra money. Hear me,
22 residents, this was extra money that cities
23 received to be able to put into those distressed
24 areas of communities that were doing really,
25 really bad, and these are areas within our

community who are doing really, really bad and who really, really need that help.

And as we go into our election and have a mayor and all of those things, I am hoping and praying that our newly elected officials really concentrate on making those areas and the people in those areas feel wanted, feel needed, and feeling a part of our community. This is something that is desperately needed.

I am telling you there is going to be a lot of discussion on it because when it comes to money everybody wants to put their fingerprint on it, but I am just saying here today I want you to know that I believe that I have support on this legislation.

I believe that we can be able to move forward with this legislation, and I want the people of the Taylor area, I want the people of the Noble area, I want the people of the south Coventry area to know that we are -- I am making sure that your community is being uplifted in some kind of way with resource money from the President of the United States.

I am also looking for the businesses in our community to get some of this resource

1 monies as well. So that's what that legislation
2 is about. I might have went real long about it,
3 but you know what?

4 I know there is going to be discussion
5 about it and all of that kind of things, but I
6 want the residents to know why, how come and
7 what's the need for this and that this is
8 totally extra money that was given to all
9 cities across this country.

10 Thank you so very much.

11 MR. STEIN: All right. Thank
12 you. Mike, I do you see your hand, but I am not
13 going to be calling on anybody because it is
14 only the first reading.

15 We are going to have a discussion fully
16 about this piece of legislation, but it has to
17 be in Melody's committee. The finance committee
18 will be setting up a meeting sometime in the
19 near future, and we can have that discussion at
20 that time, but as of now, I want to move on.

21 MS. RUSSELL: And Jason,
22 definitely before I finish.

23 MR. STEIN: Yes.

24 MS. RUSSELL: I do want to give
25 my retirement respect to Jim as well as to

1 Jennifer as they move on away from our City.

2 I have not got a chance to work with you
3 long, but I do know who you are, so may life's
4 journey be well for you.

5 As Melody said, Peace Park was
6 wonderful. I went to the movie part of it. So
7 Safe Right, you did a wonderful job with
8 gathering people together, and definitely, the
9 Pink Panther movie was one of my favorites and
10 kudos to you for that and all of the other
11 Juneteenth recognition throughout the City.

12 Because you know what? That is the
13 first national holiday for African Americans for
14 slavery, so I appreciate our City Manager
15 recognizing that and putting it on the books for
16 next Friday, even though it was short notice,
17 but I want to recognize everybody in our
18 community and our City who actually took part in
19 actually having something to celebrate that day.
20 So thank you.

21 MR. STEIN: Melody, do you have
22 anything else?

23 MS. HART: No. That's it for
24 me.

25 MR. STEIN: All right. Mike,

you still have your hand up. Even though I said that, you still want to say something?

MR. UNGAR: I do.

MR. STEIN: All right. Go ahead, Mike.

MR. UNGAR: It is just a request. Several on Council know I have some very strong views about this salutary purpose though there may be, and I will express those views at the finance committee.

I am not on the finance committee however; I just ask that it coincide with the committee of the whole meeting when it gets scheduled, and I will save my remarks for that.

MR. STEIN: Melody, if you want to have that joint with the committee as a whole coming up, just let me know, we will work that out if that's what you want.

MR. UNGAR: Thank you.

MR. STEIN: Okay. Was that it from the finance committee? Okay. Moving on, then, municipal services.

MS. RUSSELL: Thank you, Melody.

MR. STEIN: Councilperson
Russell. I'm sorry, municipal services is

Councilperson Dunbar.

MS. DUNBAR: That's right, yes.

Yeah I will just go into my resolution and then say a few remarks at the end.

So tonight we have resolution No.

77-2021. This is a resolution opposing provisions of the Ohio Senate omnibus budget amendment, which would effectively prohibit in the state of Ohio the new construction of public-owned broadband network and negatively impact the ongoing provision of broadband services provided by publicly-owned networks, thereby harming the ability of Ohio's residents and businesses to participate in the 21st century digital economy. I move that we approve this resolution.

MS. HART: Second.

MR. STEIN: Is there any discussion?

(No response.)

MR. STEIN: No discussion.

Okay. All right. Ms. Himmelman, please call the roll.

MS. HIMMELEIN: Seren.

MR. SEREN: Aye.

1 MS. HIMMELEIN: Stein
2 MR. STEIN: Aye.
3 MS. HIMMELEIN: Ungar
4 MR. UNGAR: Aye.
5 MS. HIMMELEIN: Cobb
6 MR. COBB: Aye.
7 MS. HIMMELEIN: Dunbar.
8 MS. DUNBAR: Aye.
9 MS. HIMMELEIN: Hart.
10 MS. HART: Aye.
11 MS. HIMMELEIN: Russell.
12 MS. RUSSELL: Aye.
13 MS. HIMMELEIN: Seven yeses, your
14 Honor.
15 MR. STEIN: Passes.
16 MS. DUNBAR: Okay. I would just
17 like to add my thanks to Jimmy Landon for his
18 help with computer issues of which I haven't had
19 a great number, but he has been extremely
20 helpful. So he will be missed, although maybe
21 his successor will fill in this gap as
22 successfully as he did, and also Jennifer Coe
23 has been a wonderful person to work with on
24 getting information from the City. So I also
25 wish her well in her new endeavors, and I think

1 that's it for now.

2 MR. STEIN: Okay. Thank you.

3 Moving on to planning and development
4 committee, Councilperson Ungar, please.

5 MR. UNGAR: Thank you very
6 much. As everybody heard earlier from Bill
7 Hanna, that we are continuing to work on the MOU
8 with Flaherty and Collins in connection with
9 Cedar-Meadowbrook-Lee, and I have been working
10 with our staff, Melody on behalf of the planning
11 and development committee of Council to move
12 things forward in terms of the process, not only
13 for public input but all the various boards and
14 commissions and approvals so that once we
15 hopefully do approve an MOU, we will be in solid
16 gear moving forward.

17 And that's it on that front, and then I
18 just wanted to pile on to all the good wishes to
19 Jim and Jennifer as they move on, both as we all
20 know, and we are the beneficiaries of it, and
21 they were terrific employees, and we were lucky
22 to have them.

23 So thank you very much.

24 MR. STEIN: Thank you. Next is
25 public safety and health committee,

Councilperson Cobb, please.

MR. COBB: Thank you. I, too, want to wish Jim and Jennifer well as they move on from the City. I know that Jim has been very helpful for when I have had technology problems as others have on Council as well. They will be sorely missed.

As everyone heard earlier from Susanna, we are finally going to have our first racial justice task force meeting this Thursday, so I encourage the public to tune in.

This is going to be -- what I am assuming is going to be an organizational meeting, and they will start getting to work, to the substance of their committee's task going forward.

Next week I am hoping to have a committee meeting on Kahlil's proposed ordinance on the civil immigration. Details will follow and get posted up on the City's website.

We are just waiting to pin down a specific time for that.

So if there are Council people that are interested, if you could get back with me about the time, there has been a request to have it as

1 early as possible, and the time I suggested was
2 4:30.

10 MR. SEREN: That is very kind,
11 councilman. Thank you.

12 MR. COBB: You are welcome.

1 read this into the record.

2 Thank you.

3 MR. COBB: Thank you. And

4 that's all I have for this evening.

5 MR. STEIN: Thank you. Next is
6 the administrative services committee. Vice
7 president.

8 MR. SEREN: Thank you, Council
9 President. I have just a couple things to say.
10 First, I would like to, of course, wish my
11 congratulations to Jennifer and Jim. I will
12 keep that short, but thank you for serving the
13 City.

14 I would also like to in the wake of the
15 celebrations of Juneteenth, I visited a few
16 Juneteenth celebrations, but I want to comment
17 sort of on the concept of Juneteenth and
18 something that it made me think about a little
19 bit.

20 The fact is that there were enslaved
21 people, people who were subject to bondage and
22 being forced to work and brutalized, who even
23 after the proclamation, the emancipation
24 proclamation, they were still enslaved,
25 certainly well after the foundational ideology

1 of our country was outlined that all people are
2 created equal and our rights are inherent in our
3 being.

4 Even yet, still, they were enslaved.

5 They were brutalized. They were forced to work,
6 and it wasn't until -- and someone might say it
7 is debatable that the enslavement didn't
8 continue in other forums -- but it wasn't until
9 the enforcement mechanism made its way to where
10 those people were being enslaved that we
11 recognize that they were free. And that always
12 is curious to me.

13 I just wanted to point out how important
14 the work is that we do, that government does.

15 We enforce these things. We protect our
16 residents. We protect their rights, and I think
17 the Juneteenth is just an amazing example of the
18 fact that those people were supposed to be free.

19 They were inherently free as humans, but
20 that wasn't their condition. That wasn't their
21 experience, and even once we changed the law
22 here in America, they still weren't free, and
23 they weren't free until soldiers marched in to
24 enforce it.

25 And I want to point out how important

1 not only the policy but the implementation is.

2 I just wanted to point that out about some
3 thoughts that I had about freedom over the
4 weekend.

5 Now, on to the legislation that we have
6 on administrative services. I would like to
7 pass this to my colleague, Councilman Ungar.
8 This is his ordinance. I approached the law
9 department a while back to discuss the
10 possibility of enacting pay-to-stay policy, and
11 I was told that Councilman Ungar beat me to it
12 and worked with the law department to craft this
13 ordinance.

14 And so I want to say thank you
15 Councilman Ungar and good work. Please, if you
16 would like to read this into the record for
17 first reading.

18 MR. UNGAR: Sure. First, I
19 want to thank you. I think you exaggerated my
20 role. I think we worked on this together, and
21 you did a fine job of pushing it along and
22 nudging us to make sure we were on task.

23 And I also want to thank our law
24 director Bill Hanna and his staff because this
25 wasn't an easy one to draft. It wasn't cookie

1 cutter stuff. He looked at a lot of stuff, some
2 of which I know about, some of which I don't
3 know about and, you know, did it the right way.

4 And you can see that in the crafting for
5 the residents who are watching. You know, we
6 just don't waive a magic wand and all of a
7 sudden we have a great piece of legislation.

8 This is the result of a law department that
9 really rolls up its sleeves and works on it.

10 So it really was -- multiple parties
11 involved, and Kahilil and I were both involved on
12 the Council end of things, and this is one where
13 I know we occasionally confused you on the
14 nomenclature and the titles that we give to the
15 legislation, but I liked this the minute I heard
16 about it, and I get no original credit.

17 I actually first heard about this when I
18 was the president of the board at Legal Aid, and
19 I was intrigued immediately, and we did some
20 further research, and we all think it would be
21 or thus far we think it will be a good fit for
22 the city of Cleveland Heights.

23 That will be up to the Council, but in a
24 nutshell -- and I promise that's all I will
25 do -- there are a couple of whereas clauses in

1 the legislation that speak volumes about, you
2 know, the disruption to homes and in
3 particularly homes underserved and
4 underprivileged committees, when a roof is taken
5 away from being over their head.

6 And bottom line -- and Bill said it
7 best -- we as a Council, assuming this is
8 approved, deem it necessary to avoid displacing
9 people when it is absolutely unnecessary to do
10 so.

11 That serves multiple salutary purposes. It
12 preserves our housing stock, and it keeps roofs
13 over the heads of people who can least afford to
14 lose that roof, and I don't have to educate my
15 colleagues on Council about how destabilizing
16 that can be to a home environment.

17 And you know, those that are wondering,
18 well, doesn't unemployment compensation, rent
19 assistance, and other programs like that provide
20 the kind of safety net that they need?

21 I would say it is more of a mesh, a
22 safety net, and this is another tool in that
23 proverbial toolbox that would provide our
24 residents with some additional safeguards
25 concerning their ability to stay in rental

1 properties that are located within the City.

2 It is not a one-way street for the
3 landlords that are listening, and I know our law
4 director checked in with the landlords to ensure
5 they are good with this because it is a two-way
6 street.

7 In order to be able to stay, the tenant
8 has to tender all past due rent with reasonable
9 late fee and court costs, court proceedings that
10 have been initiated to the landlord prior to a
11 judgment.

12 Now, the landlord could potentially
13 refuse the tender of those fees, but if that
14 happens under this legislation -- and this is
15 sort of that pivoter pirouette point that is
16 different than prior law, at least as I
17 understand it, and Bill Hanna will no doubt
18 correct me if I have got it wrong.

19 What happens once those fees are
20 tendered, that becomes an affirmative defense to
21 the eviction proceedings that have been filed
22 against the tenant for non payment of rent. And
23 once the tenant is able to prove that what I
24 just said happened, that will work to keep that
25 roof over his, her, or their heads.

So that's -- folks can read a lot more about it in the actual legislation, and our law director can elaborate if he chooses or Kahliil can elaborate if he chooses, but that's a summary of the legislation.

I know it is on first reading, and then, it is going to be Kahilil's committee for further discussion and hopefully will then come back to Council with a recommendation that we pass it.

I think it is a good piece of legislation, very proactive. I am proud of the City.

MR. STEIN: Thank you. It is
on first reading.

MR. UNGAR: Yeah. It is on
first reading only. Thank you, Kahlii.

MR. STEIN: Bill.

MR. HANNA: Thank you,
Mr. President. I just wanted to mention
things quickly:

One is, we did some research about opinions expressed by landlords in other communities and concerns raised by landlords in other communities and sort of feedback once those ordinances had been adopted and tried to

1 reflect those concerns in the provisions of this
2 ordinance without undoing it.

3 But it may be that the committee will
4 want to develop some additional information. I
5 just wanted to be clear that we didn't undertake
6 an exhaustive effort to invite people in on
7 behalf of Council and try to suss out those
8 questions.

9 And then, secondly, some people may be
10 wondering, well, what's the point of this? If
11 you pay your rent, of course, you don't get
12 evicted, and that's the key.

13 Ohio is one of a small number of states
14 in which as soon as rent is late an eviction
15 process can begin, and it is not automatically
16 terminated by the subsequent payment of all the
17 rent that is due.

18 And so the structure of the pay-to-stay
19 legislation here and elsewhere is that there is
20 some legal import to tendering that money with
21 any late fees, and there is a description in the
22 legislation of what's reasonable for a late fee.

23 And as you pointed out, Mr. Ungar, if
24 the eviction action has already been filed,
25 court costs are added on top of it, so that the

1 landlord in those instances should be made
2 whole. But it is written to address that sort
3 of quirky feature of Ohio law.

4 That's all I've got.

5 MR. SEREN: Thank you, law
6 director, and one last thing that I wanted to
7 mention: I do invite all of my colleagues to
8 provide any questions or thoughts that you have
9 on this legislation in anticipation of a
10 committee meeting to discuss it, you know, just
11 so we can be more prepared with any information
12 that you would like for us to provide you about
13 this policy change.

14 And one last thing: The legislation as
15 written is intended to sunset at the end of the
16 year 2022. My initial inclination was to simply
17 pass a permanent ordinance, but I think that
18 this is an appropriate compromise, so we can
19 figure out how this works, figure out where it
20 can be adjusted over the course of the next
21 year-and-a-half.

22 And I think that it addresses certainly
23 the immediate concerns that we all rightly have
24 about when eviction moratoriums end and certain
25 things revert to the normal course of action in

1 the courts.

2 So I, you know, in the interim I think
3 that we can enact this, provide protections, and
4 then a future Council can revisit extending this
5 beyond the 2022 sunset date. And with that,
6 that concludes my committee report.

7 Thank you.

8 MR. STEIN: Thank you. We are
9 moving on to the consent to agenda. No
10 individual consent to agenda items are not
11 discussed separately during the Council meeting
12 unless removed from the consent agenda on
13 request from a member of Council.

14 Once an item is removed from the consent
15 to agenda, it will be placed on the regular
16 agenda.

17 Mrs. Himmlein.

18 MS. HIMMELEIN: Resolution 80-2021,
19 a resolution authorizing the City Manager to
20 enter into an agreement with GPD Group for
21 professional design services relating to the
22 City's sanitary sewer overflow control project
23 and the EPA consent decree providing
24 compensation therfor.

25 Resolution No. 81-2021, a resolution

proclaiming July 2021 to be national parks and
recreational month in the City of Cleveland
Heights.

4 Resolution No. 82-2021, a resolution
5 authorizing the City Manager to enter into
6 agreement with the Bhutanese community of
7 Greater Cleveland, a non profit corporation for
8 the use of community development block grant
9 funds in connection with the refugee assistance
10 programming providing compensation therfor.

11 Resolution No. 83-2021, a resolution
12 authorizing the City Manager to enter into an
13 agreement with Family Connections of Northeast
14 Ohio, a non profit corporation for the use of
15 community development block grant funds in the
16 support of its family school connections program
17 providing compensation therfor.

18 Resolution No. 84-2021, a resolution
19 authorizing the City Manager to enter into an
20 agreement with FutureHeights, a non profit
21 corporation for the use of community development
22 block grant funds to provide funding for the
23 assistance with its community capacity building
24 program providing compensation therfor.

25 | Resolution No. 85-2021, a resolution

1 authorizing the City Manager to enter into an
2 agreement with Gesser, a non profit community
3 corporation for the use of community development
4 block grant funds for the payment of operating
5 expenses providing compensation therfor.

6 Resolution No. 86-2021, a resolution
7 authorizing the City Manager to enter into an
8 agreement with the Heights Emergency Food
9 Center, a non profit corporation for the use of
10 community development block grant funds
11 for the payment of operating and
12 capital improvement expenses providing
13 compensation therfor.

14 Resolution No. 87-2021, a resolution
15 authorizing the City Manager to enter into an
16 agreement with the Home Repair Resource Center,
17 HRRC, a non-profit corporation for the use of
18 community development block grant funds for
19 assistance with the HRRC's housing counseling on
20 home repair and home improvement programs
21 providing compensation therfor.

22 Resolution No. 88-2021, a resolution
23 authorizing the City manager to enter into an
24 agreement with Lake Erie, Inc., a non-profit
25 corporation for the use of community development

1 block grant funds to provide support for the
2 organization's Ink Spot after school program
3 providing compensation therfor.

4 Resolution 89-2021, a resolution
5 authorizing the City Manager to enter into an
6 agreement with the Open Doors Academy, a
7 non profit corporation for the use of community
8 development block grant funds to support the
9 organization's year-round academic and enrichment
10 programming for disadvantaged middle school
11 youth and the pathways to independence program
12 at Cleveland Heights High School providing
13 compensation therfor.

14 Resolution No. 90-2021, a resolution
15 authorizing the City Manager to enter into an
16 agreement with the Seventh Tower Local Advisory
17 Council, a non profit corporation for the use of
18 community development block grant funds in
19 support of its accessible community garden
20 project providing compensation therfor.

21 Resolution 91-2021, a resolution
22 authorizing the City manager to enter into an
23 agreement with the Start Right Community
24 Development Corporation, a non profit
25 corporation for the use of community development

1 block grant funds for the payment of operating
2 expenses for its food bank program providing
3 compensation therfor.

4 MR. STEIN: Is there a motion
5 to suspend the rules?

6 MS. HART: So moved.

7 MR. STEIN: Thank you.

8 MR. COBB: I will second.

9 MR. STEIN: Thank you.

10 Mrs. Himmlein.

11 MS. HIMMELEIN: Stein.

12 MR. STEIN: Aye.

13 MS. HIMMELEIN: Ungar.

14 MR. UNGAR: Aye.

15 MS. HIMMELEIN: Cobb.

16 MR. COBB: Aye.

17 MS. HIMMELEIN: Dunbar.

18 MS. DUNBAR: Aye.

19 MS. HIMMELEIN: Hart.

20 MS. HART: Aye.

21 MS. HIMMELEIN: Russell.

22 MS. RUSSELL: Aye.

23 MS. HIMMELEIN: Seren.

24 MR. SEREN: Aye.

25 MS. HIMMELEIN: Seven yeses, your

1 Honor.

2 MR. STEIN: I need a motion to

3 adopt.

4 MS. DUNBAR: So moved.

5 MR. STEIN: Thank you. A

6 second.

7 MS. HART: Second.

8 MR. STEIN: Ms. Himmelein.

9 MS. HIMMELEIN: I apologize. I did

10 not hear who seconded.

11 MS. HART: I did.

12 MS. HIMMELEIN: Oh. Ungar.

13 MR. UNGAR: Aye.

14 MS. HIMMELEIN: Cobb.

15 MR. COBB: Aye.

16 MS. HIMMELEIN: Dunbar.

17 MS. DUNBAR: Aye.

18 MS. HIMMELEIN: Hart.

19 MS. HART: Aye.

20 MS. HIMMELEIN: Russell.

21 MS. RUSSELL: Aye.

22 MS. HIMMELEIN: Seren.

23 MR. SEREN: Aye.

24 MS. HIMMELEIN: Stein.

25 MR. STEIN: Aye.

1 MS. HIMMELEIN: Seven yeses, your
2 Honor.

3 MR. STEIN: Moving on to
4 Council president's report. The only thing I
5 have to share is thank you to the City Manager
6 and our law director, Susanna Niermann-O'Neil
7 and Bill Hanna, working with them over the last
8 year.

9 They worked so hard. I mean literally
10 every week. There is so much on their plate,
11 and they work so hard for the City, and they
12 care so much about the City. I just want to
13 express my heartfelt thank you for all you do
14 everyday, both of you, so much.

15 And I need a motion now for a July
16 recess.

17 MS. DUNBAR: I move that we have
18 a July recess.

19 MS. RUSSELL: Second.

20 MR. STEIN: Okay. Thank you.

21 MR. STEIN: Bill, do we
22 have to actually vote on this, or is it a
23 verbal yes?

24 MR. HANNA: Yeah. You can vote
25 verbally and by voice vote.

1 MR. STEIN: Okay. I will vote
2 yes.

3 (Ayes carried.)

4 MR. STEIN: Any opposed?

5 (No response.)

6 MR. STEIN: Okay. So we will
7 be at recess this July, not our traditional
8 August, and we are now adjourned, this meeting
9 of June 21st, and please remember we do have one
10 more meeting though, a committee of the whole
11 meeting next week.

15 MS. RUSSELL: Amy, when you get a
16 chance give me a call, please. Thank you.

17 MS. HIMMELEIN: Oh, okay.

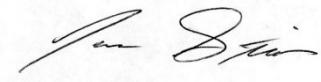
18 MS. RUSSELL: Thanks.

19 MS. NIERMANN-O'NEIL: Good night.

20 (Council meeting of June 21st
21 adjourned.)

— — —

Respectfully submitted,



Jason S. Stein, President of Council



Amy Himmlein, Clerk of Council

NEXT MEETING OF COUNCIL: MONDAY, AUGUST 2, 2021