



## CLEVELAND HEIGHTS

**Monday, August 2, 2021 Minutes**

### **CITY COUNCIL**

8:13 – 9:49 p.m.

President Stein presiding

Roll Call: Present: Cobb, Dunbar, Hart, Russell, Seren, Stein, Ungar

Staff present: Butler, Clinkscale, Hanna, Himmlein, McRae, Mecklenburg, Niermann O’Neil, Smith, Zamft

### **Report of the City Manager**

City Manager Niermann O’Neil requested permission to bid Project 21-06 – Superior Road Rehabilitation & Waterline Replacement

City Manager Niermann O’Neil requested permission to bid Project 21-07 – East Overlook Resurfacing & Waterline Replacement

City Manager Niermann O’Neil reminded Council that Tuesday, August 3, 2021, is the annual Safety Night at the Community Center and recognition of the City’s centennial.

### **Matter of Record**

#### **Personal communications from citizens**

Nancy Peppler      Thank you. I am assuming I can remove this when I am speaking. Thank you, Council President Stein and Vice President Seren and members of Council. I am Nancy Peppler. I’m the district supervisor of community and school partnerships. And I was brought on board at the district several years ago in part to make a recommendation around and then lead the work on bringing new community partnerships and using existing

community partnerships to expand student support and enrichment opportunities for our students. After research and consultation with external partners and internal partners and colleagues, I made the recommendation to move forward with a model known as Community Learning Centers. And a little fun side note is that rest of the country they are referred to as Community Schools, but in Ohio that phrase, Community Schools, is codified as meaning Charter Schools, so we call them Community Learning Centers in Ohio. But if you are interested in doing a little reading on it and what's going on in other parts of the Country, they are called Community Schools. But CLC's are a place-based strategy for school improvement that promotes stronger ties between family, students, staff and the community and community organizations. And the models is shown to have impact on attendance, reduced behavior referrals, improved test scores and grades over time. So, it is an evidence-based strategy for school improvement, and so it is one that we have decided to embrace. And most importantly, it has shown to increase family engagement and connection with the community. And CLC implementation for the district is part of our strategic plan and specifically Goal 3 of our strategic plan. And we chose Noble Elementary for our pilot for the CLC strategy in large part because Noble has strong ties to the community and community partner organizations, like the Heights Libraries and Lake Erie Ink and many, many more. So, we chose Noble from a place of strength, which is another component of the CLC

strategy. It is a strength-based, not a deficit-based strategy. So, we are very excited to have hired our first organizer for Noble Elementary Community Learning Center, and she is right behind me, and her name is Kristiaun Copez-Minor. I am going to let her introduce herself and say a little bit more. Thank you.

Kristiaun Copez-Minor

Good evening. My name is Kristiaun Copez-Minor. I am the new Community Learning Center organizer for Noble Elementary. Coming from a background in the non-profit sector and youth development, and I am excited to jump into this role. The purpose of a Community Learning Center is to reinforce family school partnership and community school partnerships that will benefit the students of the schools, their families, and the community at large. Noble Elementary was chosen for this pilot because there is a rich assortment of non-profits and community members in the area. The goal is to expand the CLC model to other schools in the district in the upcoming years. The first year's main focus will be battling chronic absenteeism and raising the attendance of the school to 95% to combat students falling behind their peers in their grade level. Long-term, I am looking forward to Noble becoming a hub for the community with a resource center that will benefit families regardless of if they have children in Noble Elementary or not. Stronger communities increase unity and even help individuals improve their physical and mental health.

Stronger communities and sense of belonging are more important than ever as we navigate this ever-changing world. Thank you.

President Stein      Thank you. Welcome. Any Council members have any questions? No?

Council Member Russell I'm just very happy that you have chosen Noble Elementary School. I think it is going to be a great asset to that community.

Nancy Peppler Well thank you, and it is sincerely meant that it comes from a place of strength and also a place of great partnership with our Union. The CLC strategy is a focus for American Federation of Teachers, OFT and for Cleveland Heights Teacher's Union. So, the strategy has been embraced by the district, and Noble is the perfect place for it.

Council Member Russell Make sure you include the Ohio Association of Public School Employees in that as well.

Nancy Peppler      Thank you.

Council Member You are welcome.  
Russell

Vice President Seren Yea, I had a quick question. Just wanted to know if you envision any particular role for either the City Government or even the County government, as I can ask about that too, playing a role in assisting or collaborating with you.

Nancy Peppler That's a great question, and thanks for that. One of our first orders of business this year will be conducting a community needs assessment. So instead of us coming in and saying, we think that the CLC should include a dental clinic or legal aid services for landlord tenant disputes or whatever it is that some other CLC's in other parts of the state may have, we need to conduct that needs assessment. So, we obviously would be looking to our partners in the City and in the County to help us to do that – both to engage members of the community but also to gather data that would help us answer the questions as to what the critical needs are for the Noble neighborhood. Would love to work with you on that.

Vice President Seren You know how to reach me.

Nancy Peppler Thank you so much.

President Stein Ok, so the order number 1-5 – it is my understanding that you have numbers When it is your turn, you can come up to the podium, state your name, your address and your purpose of Council.

Destiny Burns My name is Destiny Burns. I live at 3251 Meadowbrook Boulevard here in the Heights, and I thank you for the opportunity to speak tonight. I want to make the following statement about support for the Flaherty & Collins plan for the Cedar Lee Meadowbrook Plan Development Project, and I thank you for supporting it as well. I own CLE Urban Winery in the Cedar Lee District, and I also own a home on Meadowbrook Boulevard near the intersection of Silsby. My life and my life savings

are both literally invested in the Cedar Lee District, so I have a great deal of personal and professional skin in this game. I am also current vice president of the Cedar Lee SID and am planning to assume the role of president of that organization later this year. I am making this statement on behalf of myself as a Cleveland Heights resident and business owner, but I have to discuss these matters with other Sid members and they share and support these opinions. I want to be very clear that I do not support the entire lot at Cedar Meadowbrook becoming a park and that I strongly am in favor of the multi-use commercial development plan as currently proposed by the Flaherty & Collins team. In addition to several parks in the district, the Cedar Lee mini-park is just a block north, and the Flaherty & Collins proposals include improved green space for about half of the lot at Meadowbrook and Cedar. In my opinion, there is no need for yet another park in this business district. We have an incredible opportunity to work with this proven and committed development team to modernize and upgrade our commercial district now, and if we delay or cancel this project because of fear of change or other notional rhetoric or political noise, what developer will ever want to work with the City in the future. We desperately need the economic development and investment in the district and in the City. Without it, both will decline. Residents will move. Businesses will close. We need this development project now. No delays. No excuses. We have plenty of green spaces in Cedar Lee. What we need now is more customers, more tax revenue, and more economic

activity. Trees don't pay taxes, and trees don't buy wine. The businesses in Cedar Lee have worked tirelessly to pivot and remain viable in these difficult times. Won't you please help us by moving forward with this very important development project now to build and strengthen our economic future. Doing that will truly help us recover and grow. Missing out on this opportunity will do the opposite. As a resident and business owner in the district for more than six years, I am well aware that parking and traffic is always an issue. I'm committed to working with the City and the Flaherty and Collins team to ensure that a comprehensive study of parking and traffic for the district is performed as part of the project and that all issues and concerns are addressed. We have the opportunity to reimagine new parking solutions, such as current lots being used more efficiently, implementing tailored parking zones, and installing more modern parking pay stations to replace antiquated coin operated meters. Just maintaining the status quo is not the answer. I would choose to bring 200+ affluent millennial and empty nester residents to our walkable business district over protecting metered parking spaces any day of the week and twice on Sunday. That's the way to bring sustainable economic activity to the district, to increase tax revenue for the City, and the help businesses survive and grow. To me this is an absolute no brainer. Both as a resident and as a business owner in Cedar Lee. We need this development project to compete and to grow as a community. I'm

committed to doing all I can to help bring this development to fruition and to make it a success. Thanks for the opportunity to speak tonight.

President Stein      Thank you, Mrs. Burns. I failed to say before Mrs. Burns got up – which she did a great job of staying under 3 minutes. So, we are encouraging, please stay under 3 minutes. There are a lot of people that want to speak tonight. Number 2. Whose number 2? Number 2 must have left. Ok, number 3.

Gail Larson      Good evening. It's good to see you all in person. My name is Gail Larson. I live at 3797 Montevista Road. Tonight, I am representing the Cleveland Heights-University Heights Chapter of the League of Women Voters of Greater Cleveland. Future Heights, the Heights Libraries, and our Chapter are sponsoring a candidate's night forum for the Cleveland Heights Mayoral Primary. The forum will be held Thursday, August 12<sup>th</sup>, at 7:00 p.m. at the Cleveland Heights Community Center. The four candidates for Mayor, Barbara Danforth, Melody Joy Hart, Josephine Moore, and Kahlil Seren will be present. The candidates will present brief statements and answer questions from the audience. I hope you can all join us. Thank you.

President Stein      Thank you, Gail. Number 4.

Karen Lash      I'm Karen Lash, and I live on Monticello Boulevard in the Noble neighborhood, and I am here to speak about the development that is going on or being proposed for. I have several comments and a few questions.

I was amused when I heard you, Mike, talk about taking an issue and going slow and hearing what the residents of the City felt about an issue. That's certainly not what Council did with Top of the Hill, and it's certainly not what you are doing with the development at Lee and Meadowbrook. I lived right on Meadowbrook for several years in an apartment in that short little block. I am very familiar with the area. I'm not saying this shouldn't go on. I'm saying you need to slow down. I'm saying you need to not rush like you did with the Top of the Hill. There are several things that you are not taking into consideration. First of all, the building is going to be over five stories high. You are going to be blocking the view of people's houses just like you swallowed up that condo building at the Top of the Hill. You are not giving enough credence, not credence but there is not going to be adequate parking in the plan as it stands right now. Oh, why are you letting Flaherty have the land for only \$10 a year? Whose bright idea was that, and why is the City even doing that? Why aren't you getting more money for it? You are giving away a lot of tax money plus the 100% tax abatement that you are giving away. It's just not in the City's advantage, a lot of the pieces of the agreement as it stands right now. So I'm not opposed to it going on, but I think that the new government should have a piece in this, that this should not be rushed, and I guess, yeah. Why was it put through as an emergency and holding executive sessions on this when you didn't even allow the community to communicate about it? So, I just urge you to

slow down and not do a repeat of Top of the Hill on the Cedar-Lee project. That's it.

President Stein      Thank you, Karen. We're up to number – are we up to number 5? Number 5?

Mya White      Hi, I'm Mya White. I recently moved back to Cleveland Heights after being away for 12 years. I am very glad to be here. I live at 3324 Meadowbrook, so this corner is of interest to me. And I'm just trying to understand, since I'm kind of newly here and I don't have the entire history, but I think I'm with a group of some 900 or so citizens who feel enthusiastic for the development and unhappy for losing the only green space in it where it could be a park and also just wondering about the process that makes this a kind of pants-on fire-venture that we have to go get settled now in an emergency kind of method. I guess my question really is for the Council. How would you intend to include this 900-some people, all those folks who have signs about the park on their property hoping? My sign means can we consider this wonderful opportunity to have a park, is there a way? I'm not a mindless tree hugger that wants to slow down progress. I just see a lovely opportunity for a beautiful park that could be really serviceable to that whole community, including the businesses there. So that's just my question to you.

President Stein      Thank you, Mya. City Manager is Eric still in the building? Could we bring him in? Oh, you're going to cover this? Do you want to maybe just

announce...? I do want to give a cite response because I think Mya is actually asking about the public engagement process. I just wanted something because she might not be in the room at the time. Do you mind telling her about a couple of the public (inaudible) given the process on public meetings coming up? Just mention that.

Council Member Ungar

There is a meeting coming up on August 11, it has been corrected, it was August 12, got moved up a day and that is going to be a public spaces and connectivity open house and that will take place at the... where Susanna? at the Library? Oh.

City Manager Niermann O'Neil

August 11 will be in the Atrium here at City Hall beginning at 6:00 and it will be a discussion about public spaces and connecting and it will be devoted to the project.

Council Member Ungar

On August 5, this Thursday, that one is at the Library is it?

City Manager Niermann O'Neil

Yes, that one is at the Library.

Council Member Ungar

At the Library and that will be on parking and traffic and that will be community workshop as well. In addition he is not here to defend himself so we might as well give this up right now and that is we welcome everybody's input just as we did with Top of the Hill and the best way to get those to us right now at least unless we put something up on the

website it to send it to Eric Zaft who is our Director of Planning if anybody wants his email address I have it here. He is also on the website.

President Stein Ok, so those are a couple of the upcoming opportunities to be heard. Ok, now we are going to numbers 6-10. Before number 6 comes up, we are encouraging to keep it to 3 minutes of less for those who want to speak tonight. So please number 6 come on up to the podium. State your name, address and purpose of coming to Council tonight. Number 6. Number 7.

Franklin Miles Council and Mayor Stein, my name is Franklin Miles. Address 3970 Mayfield Road. So, I am the owner of the strip plaza right at Mayfield almost at the corner of Warrensville Center Road. I sent you guys an email a few weeks ago. I did a project at the strip plaza, store renovation program. I think it looks awesome, but we have an issue here where we are blocked by 11 trees kind of lining the building and its actually right in the sight of the awnings that we put up on the building. So my ask in the email, I think I had one of you guys respond but we can beautify that area much better than just having trees there and I would like to get the consensus of you guys to reposition the trees to a different area of Cleveland Heights, just not kill them and really put some beautiful plants, almost similar to what you guys have leading into City Hall, is what I would like to see lining the building of my office. I'm the State Farm agent that's in the office and the other business owners are downstairs but you guys have packed house so it probably wouldn't be wise to have all

of us coming up talking about the same thing but I want to hear some feedback. Have any of you been by the building? I asked in my letter to you that you take a ride by and look at it and I think, would like to hear what you had to say.

President Stein

I'm going to have Councilperson Russell respond first.

Council Member  
Russell

Yes, I have been by there. Actually, I live in the neighborhood and I think you have done a wonderful job. I have been trying to get that same look on Noble Road and Taylor. I did have a conversation with Laura, the lady who deals with the trees. I hate to call her that. Marks?

President Stein

Yes, Laura Marks

Council Member  
Russell

Yes, and we talked about those trees, about what her thought was because she deals with all the trees in Cleveland Heights and she was very interested in moving those trees so that the beautification of your awnings and things can shine on Mayfield.

Franklin Miles

One of the other points that I wanted make, I'm sorry is that going through the Storefront Program, and it was a very nice experience, we did have the trees removed prior so the City, Dan and team came out and removed the trees and planted trees that were only supposed to grow 3 or 4 feet and now that we have them here again right at the level of the signs, so we know that businesses don't pay rent on Mayfield Road and see all of this traffic going through and want to see their signage just have it

blocked by trees. They are paying that rent and they have that location so that they can be seen.

President Stein      Anyone else want to give a comment.

Council Member Russell      I totally agree with you and I would like to talk with you further about that and helping me with getting those business on Noble and Taylor into that same program to get the beautification in those other areas as well.

Franklin Miles      The office address is 3970 and I'm there.

Council Member Russell      I've been there.

Franklin Miles      Ok. Oh, this young lady has a business there as well.

City Manager      And I do want to say that staff will definitely sit down with you. We got your letter as Councilwoman Russell mentioned, Laura Marks was involved. We know we have to take care of it because it makes no sense that these trees are obstructing the signs and your stores. It's common sense that we have to do something so I appreciate your being here and I apologize that we didn't get out sooner. We are trying to get out of this COVID world that we are in and this week we will make contact with you for sure.

Business Owner      I don't have much to say other than I am the owner of Charter Educational Services also located in the strip plaza. I think he hit every point but the signs can't be seen so we can't advertise we are on Mayfield Road. No

one can see us. I have clients all the time that says “oh my gosh I have never seen you here” or they come to my office and they can’t, if they’re even looking for the office they can’t find it so let alone we can’t advertise to the traffic going by. That’s all I have to say. Thank you.

Franklin Miles      I appreciate your time.

President Stein      Thank both of you for your commitment to the Mayfield/Noble area, that’s a very important district for us. Just to reiterate the staff do work with them this week to really come up with a plan to remove those trees.

City Manager      We absolutely will come a consensus.

Niermann O’Neil

Council Member      Thank you so much for the beautification on Mayfield.  
Russell

President Stein      Yes, thank you.

Franklin Miles      And I’m not finished by the way.

President Stein      Excellent, thank you. Thank you. Ok number 8. I’m not skipping 7, we just had 7. Number 9, number 9.

Deanna Bremer      Good evening. I’m Deanna Bremer Fisher, I am the Executive Director  
Fisher      of Future Heights, the City’s Community Development Corporation and  
I am a Cleveland Heights resident as well and I am here tonight to speak  
in support of the proposed Mixed-Use Development at Cedar Lee and  
Meadowbrook. That site is very important to the City as well. We urge

Council to move forward with this project. The proposed project fills a large gap in the Cedar Lee business district by strengthening the retail building wall which will increase pedestrian foot traffic and consumer spending at our locally owned businesses. New housing would add more residents to increase our tax base and the proposed green space at Lee and Meadowbrook and the Cedar Lee mini park will enhance the district and meet residents' needs for green space. Developing this site has been an objective of the City for over a decade. A qualified developer has stepped forward to work with the City to make it happen. Let's keep the process moving. Thank you.

President Stein      Thank you, Deanna. Number 10.

Kathy Schaffer      My name is Kathy Schaffer and I live actually in South Euclid, I'm from a foreign country but I spend a lot of time in Cleveland Heights and I did hear about the park and I just thought it was a great idea. I just feel that it is important and I would hate to see more development blight in Cleveland Heights or anywhere as so much of my neighborhood and that's why I sort of leave South Euclid and come and shop in Cleveland Heights. I hate to see the neighborhood gentrified, it's a historic district and I think that it has its own unique way of looking and attracting people. Basically, I just would hate to see it ruined. I mean I live in a place where we took out a beautiful green space and put in a Walmart and now we are having a nice little Mr. Chicken on the corner of Mayfield and Green so

I come over her a lot and I would really like to see it stay a lot like it is now. I think a green space is valuable in and of itself and it should definitely be a part of the community. Thank you.

President Stein      Thank you, Kathy. Now we are moving on to numbers 11-15 so in case you weren't here before we are encouraging to keep your comments to 3 minutes or less because there are so many people that want to speak tonight and again, please your name, address and purpose of Council, please. Number 11.

James Williams      Hi, my name is James Williams and I reside in Cleveland Heights also. Good afternoon, good evening Heights. I just wanted to know a couple of questions as far as the status of the Cleveland Heights police review board. Is that open for the public or is it concealed? If anyone knows the question of that.

President Stein      The Racial Justice Task Force is currently working on that. That is public, all of their meetings are public.

James Williams      Ok. Next, I would like to say that I appreciate Heights for their job training programs in the community. I appreciate Heights for their housing, their GED programs and that there is still much more that we can be doing for our community and for the youth as well. I know that we are striving to do a great deal of work and become much better. Especially where we are headed today. I wish I could explain it better but here I am today. I would also would like to bring more awareness to

drinking under the influence and that we all are doing our part to keep our law enforcement aware that it happens and that most of the accidents that happen across our nation is due to drunk driving. I also want to still bring awareness to the LGBT community for transgender murders that are still happening across our nation to hate crimes that are still happening. I don't know if you know or are aware that the LGBT pride flag now has a new flag which also includes a black strip in the middle which is a pretty cool funky looking flag today right now. Also, I want to bring this fun fact. There is floating water in space about 10 billion light years away. Astronomers have found that. So that is just a thing that we are going much further than what our racial indifferences bring in that we still need to be together and pull together because we have tons and tons of space go to and we have to track that together. That will be it for me.

President Stein

Thank you, James. Number 12.

Sal Russo

Hi, my name is Sal Russo. I am the president of the Cedar Fairmount SID (Special Improvement District). I am here today to give you a quick history of the SID and tell you where we are presently. The SID right now is in a deficit. We had a summer festival that we would do every year. We did it for years and years and years. The festival made us money and we were whole every year. COVID hit and we weren't allowed to do the festival this year and so we are in a little bit of a bind right now. It's a one-time bind. We're asking for about \$25,000.00 to

make our budget whole. We do have a plan for the next year. We are going to try to increase the size of the SID. We have talked to Flaherty & Collins and they have been very, very generous in what they want to give us. They have been great, they have been great partners, but we need this one-time ask to kind of get this deficit in line. We are also going to change the way we do promotions. We are not going to do a one-time festival. We might go back to it but right now we are going to do more promotions in the district. We are doing some musical venues, we are doing food trucks, we are trying to do some different things to promote the district for the business owners. So, I'm here today to ask for that deficit shortfall and if you guys have any questions I would be glad to answer them.

President Stein      Anyone have any questions? There is a piece of legislation that Councilperson Russell has put forth for use of our Art Funds which would be dedicated for different areas of the City which might be an avenue that we can look at if this legislation was to pass. I believe it is in Finance Committee. Councilperson Hart do you yet have a date for that meeting to discuss that legislation which I believe would help the Cedar Fairmount district.

Council Member Hart      Have we chosen a date yet? Pardon me? We can have it anytime between now and...

President Stein Yes, it is up to you. If you don't have it tonight maybe you could work on that and figure it out with your committee members.

Council Member Hart I will give you a call tomorrow and we will set a date.

Sal Russo Thank you, I appreciate it.

President Stein Thank you, Sal. Number 12. 13. I'm sorry I lost track.

Catherine Osborne Good evening, my name is Catherine Osborne. I live at 3255 Cedarbrook. That's near the dead-end of the Cedar Lee parking lot. I purchased my house in 2015 in part because the neighborhood was close to many amenities and quiet due to reduced car traffic. I'm here because since last summer Cedarbrook has only been partially blocked from the Cedar Lee parking lot by a single bollard after others was knocked down and removed. Cars frequently and quickly squeeze through in both directions to reduce the number of stop signs and lights they encounter. I cannot blame my neighbors for doing so because we have numerous police cruisers, delivery vehicles, city utility trucks that do the same. I contacted Public Works in September and again in November last year and was reassured that a chain would soon be installed but the issue has not been resolved. This is a public safety issue. I have been nearly hit by vehicles cutting through the neighborhood when walking from the pedestrian path behind the parking garage. I have seen near collisions yesterday as vehicles, including a FedEx truck from both directions encountered the

less than two lane passage and there are a lot of small kids that live at the end of that street and ride their bikes in this area and now have to contend with through traffic on a street with dead-end signs. This current arrangement is not sustainable and I understand and support the move you Flaherty and Collins to develop Cedar Lee and Meadowbrook. I look forward to having new homes and businesses as my neighbors instead of a parking lot. I understand new construction on this sit might make placing new bollards seem like a waste and while I would personally prefer a chain and look forward to having this site developed. Can we at least put up a stop sign or something in the meantime? At the present it is treated like an intersection with no signage and I've heard this Council note the importance of resident input on this project for years now so it is unfortunate that this issue on the development's boundary has not been addressed while we the residents near by wait for it to be finalized. That's it.

President Stein      Thank you, Catherine. City Manager, can we get something done?

City Manager      Yes, we will definitely take care of that. I am so sorry.

Niermann O'Neil

President Stein      Thank you, City Manager. Thank you for coming Catherine. Number 14.

Joann Siegel

I'm Joann Siegal, a longtime Cleveland Heights resident in walking distance from Cedar Lee and a small business owner in Cleveland Heights. I am addressing Council tonight to show full support of your decision to hire Flaherty & Collins to fully develop the hole in our Cedar Lee business district. This is long overdue and my family his hoping that you break ground as soon as is humanly possible. We are glad you chose this plan and develop all parcels whether than wait and do part of it at a later time. We know that if we wait, it may not happen. Citizens have had plenty of time to express opinions. It is time to act now before we scare developers away and we have developer that is will to work with us. The new tenants will be able to walk to our establishments that are already in the district. They will add tax dollars vitality and an element of safety to our beloved business district. They will add jobs and income tax revenue. They will bring their friends and their family members to show off their new neighborhood. This new development also has the potential to provide another option for those families who wish to downsize but stay close to the action of the City of Cleveland. There are families that would otherwise move to places that we are competing with for citizens such as Lakewood, Shaker and parts of Cleveland. Please disregard the fearmongering comments that I am quite certain that you have heard and will still hear. Most of the people I have discussed this project with are very excited to see it happen and they are also eager to see the ground breaking take place as soon as possible. We all love parks

but the business district needs to be continuous so the people will walk from place to place. A park, no matter what type and what attractions it supposedly has, will interrupt the flow of people going from shop to shop and restaurant to restaurant. Besides, we have several nearby parks. Fairfax Elementary School park and playground is just a few blocks south and the mini park next to the theater is in the business district. Cain Park, Cumberland Park, Shaker Lakes Trails, they are all nearby. Regarding the argument that our City needs affordable housing, we can look around and see plenty of empty homes and apartments on all sides of town. I have heard that some of this housing is owned by absentee landlords who are not keeping their buildings up to code. Maybe if the City cracks down on these slumlords who live far away, they will be more compelled to fix up their buildings and rent them. We need to maintain income diversity among our residents. If we do not include market rate, an aim to bring in residents whose incomes are higher than the medium income here, we will not be able to afford excellent City services that people of all incomes can enjoy. Thank you for your time.

President Stein

Thank you. Number 15.

Walter Theme

Thank you Mayor Stein and Deputy Mayor Seren and Council for allowing me to speak in support of the development.

President Stein

Excuse me, what is your name.

Walter Theme, I live in the St. Ann's area. I'm here to support the development and can pretty much agree with everything that the owner of the Cleveland Urban Winery had stated. We have plenty of parks, we don't need another one particularly. We have a shortage of market rate housing, new market rate housing, and we have a big hole in the district. I'm not sure when that whole was created or when the City took over that land but the last development proposal was like 13 years ago when we got shutdown by the economy. So, that's all.

President Stein Thank you, Walter. Thank you. Okay now we are moving on to 16-20. For those of you who were not here, we are encouraging you to keep your remarks to 3 minutes because there are still more people who want to speak. When you come to the podium state your name, your address and your purpose of Council. Number 16.

John Fleshon Good evening. I'm John Fleshon. I live at 3239 Cedarbrook. That's right near the 50 foot wall that's going up and yes I'm one of those awful people that's gonna tell you how awful it's going to be. There is already green space in a park there that is probably about 10 times the size of our proposed mini park that's gonna be the width of the street if it's lucky over by Heights Art. I have pictures here I will be glad to give you if you want to know what it looks like. This is what it looks like. I hope your eyesight is better than mine. I have taught at Cleveland State for 30 years in Urban Studies, Geology, Biology and 30 years in the high schools. I

have been a resident of Cleveland Heights for 45 years now. I bought the house, it was a project, and now it's a bigger project but my neighbors and my house this past year all have new roofs so part of that degrading housing is right there. This is right in my face and my neighbors, they are not super happy to see this. When I worked for the City, I also ran the YCC Program. We planted 200 trees in the parks. Carl Zaga nicely came in when they put the garage in and softened that side by putting in about 30 or 40 specimen trees that have matured very nicely. It's beautiful. It's there right now and it's going to be gone. This is kind of a bait and switch. Everybody knows that the part over by Lee Road has been something that has been thought about since it was a super fun site and suddenly they have added somehow, don't take it personally, I really don't know which one of you did it, but somebody has added 4 acres to that and that eats up the entire parking lot at Cedar Lee but it also comes very close to single family residential housing and I can guarantee you none of us want a 50 foot wall separating us from the rest of the community. They're basically stealing the sky. You are not going to be able to see the sky from anywhere at the end of Cedar Road and I really want you to think real hard about what's going on. You can kind of argue that the 15 years we have been talking about a part of it but all of a sudden last year we've added 5 acres, 4.4 acres is a total of 5 acres and it's a totally different project and somebody here said go slower. Sometimes you need to hurry slowly. Thank you for listening.

President Stein

Thank you, John.

John Fleshon

I have extra pictures if you want them.

President Stein

If you would like to leave them over there and we can pass them around, over there with Mrs. Himmelein. She will pass them around to Council.

John Fleshon

Thank you for listening.

President Stein

Thank you, John. Number 17.

Lynn Mentch

Hello, my name is Lynn Mentch. I live at 3002 Meadowbrook Blvd. and I am here to talk about the Meadowbrook Lee site. Our house is 5 blocks from the Meadowbrook Lee site. The construction noise and new traffic patterns will likely impact my daily life but I'm not against the development. However, I do believe our neighborhood deserves a larger park than what is currently included in the design. To me the proposed pocket park feels like an afterthought and I believe it would be a huge missed opportunity for our City and our neighborhood. As a 33-year-old, the places that my friends and I are attracted to are outdoor destinations. Beer gardens, play areas for kids, flea markets, you get the idea. This was true even before COVID. I have a hard time imagining the small park becoming a destination. It feels like the developers are getting a pretty good deal and I'm not sure what we are getting in return. In June, I received the City's email update in which the City highlighted Cedar Fairmount Summer Fun. This series of events was a lot like events we

would go to until I saw the locations. In the parking lot adjacent to Night Town, in the parking lot next to Luna, in the Firestone parking lot. We have a Tree City USA designation and we are holding events in parking lots. If this doesn't prove the need for an activity park, I'm not sure what will. Again, I am not against the development but I would like to see a larger park as part of the design. So, my question to Council is, why can't we have both? Thank you.

President Stein

Thank you. Number 18. Number 19.

Vickie Ham

Hello, my name is Vickie Ham, I live at 3318 Tullamore Road so I'm right down the street from Meadowbrook Lee. I want to say that I strongly support keeping the entire parcel at Meadowbrook Lee as green space and using the space as a public park. We want our tax dollars to go toward a healthier future for our children. Children need green space to play and they need us to reduce our impact on climate change. Building these condos would reduce existing green space and would also remove what actually is being used as a multi-use outdoor space currently. My dog Jack and I like to run around and mingle with other dogs in the green space and others enjoy their meals from neighboring businesses there. Preserving green space will also have a positive effect on climate change whereas the concrete and blacktop of the new building will accelerate climate change. This land is owned by Cleveland Heights so it should remain public green space and not private. We should postpone the final

decision on plans for the green space until our new Mayor is in office.

Thank you for your time.

President Stein

Thank you. Number 20.

Bob Brown

Hello strangers. I'm Bob Brown. I'm a 45-year resident of Cleveland Heights. As many of you know I am a City Planner. I worked for 9 years for the County and worked in several urban areas including Cleveland Heights and then for 30 years for the City of Cleveland as a Planner. With respect to Lee Road I want to see that mixed-use retail district strengthened as a more vital and vibrant pedestrian oriented space. It's already that way but it's not strong enough, not enhanced enough. I agree that green space should be an important part of the Lee Meadowbrook district. I believe that that can be achieved by the park and gathering space that's proposed by the developer on Lee Road and by what Future Heights is proposing between Heights Arts and Boss Dog. Many of you know we have lost probably about 15,000 people in Cleveland Heights over the decades and I think it's time we got more creative and I think we are beginning to do that about finding ways to rebuild and repopulate our community. I think this is one of the ways that we can do that. The last thing I will say is I do think that the development of the former Ohio Savings site on Lee Road is a pretty straight forward proposal. I do think and I agree with some of the people who have spoken that there needs to be more study of the other part of the development including the housing

that is proposed on the backside of the garage adjacent to the single family houses and also obviously there have to be more study of the parking there and making sure that the development that occurs there, if it does, does not rob the parking that the merchants and the theatre need. I think that part of the project is ready to go and makes perfect sense and part of it needs a little more study. Thank you.

President Stein      Thank you, Bob. Now we are moving on to the next group. So, 21 is coming up, maybe you didn't hear so I'm encourage to keep your comments to 3 minutes or less because there are still some other people that want to speak and when your number comes up come to the podium state your name, address and purpose of the Council. Number 21. Number 21, Fran. Hi Fran.

Fran Mentch      Good evening. My name is Fran Mentch and I am chair of the Northeast Ohio Sierra Club Executive Committee. Although I am speaking tonight as a resident. I am a member of the committee called People for the Park. People for the Park has gathered 991 signatures on our Change.org petition and we have many thousands of hits on our website and we have received a lot of encouragement from people requesting yard signs and coming to our events. People for the Park is comprised of all kinds of people and we stand together and our desire for the 1.07 acres at Meadowbrook Lee Tullamore to become an activity park. I have two quick points. One is the need for parks and green space and the second is

about the governance and the process that you have used. Climate change and its devastation and immense human suffering is upon us. The 1.07 acre of green space is small but important. Our motto is “What is green, stays green.” Building a park at Cedar Lee is in Cleveland Heights’ best interest, economically and socially and it sends the right message about our values and we will benefit from explaining to people and explaining to people that that is our value. My second point is that six times the City has attempted to develop this property and three times I was a part of a committee that submitted proposal in response to the City’s request for proposal to develop the site. In the past few months, I have requested 8 times for the park to be on your agenda. Phone calls and emails to elected and City officials have gone unanswered. You passed the Memorandum of Understanding about this development at a special meeting on June 28 as an emergency measure. The Memorandum of Understanding stated the goal is to move to the Development Proposal in 60 days, 30 days of which were used up in your July recess. Your conversation this far has only been with the developers. This process is developer driven and you have advocated the political process to the developers and you have excluded citizens. Is this good governance? This poor communication can lead to unnecessary bad feelings and can generate conflict. Let’s start tonight to repair the relationship. Please help to move the relationship between citizens and City government forward in a positive way. Based on these two concerns, we ask that City Council 1) revise the Flaherty & Collins

plan to include the park and 2) that you wait to decide on the Flaherty & Collins proposal until after the November election. What is green, stays green. Thank you.

President Stein      Thank you, Fran. Number 22.

David Klain      Thanks for taking the time. My name is David Klain. I was born on Tullamore Road. Over the last 50 years I spent a lot of my time cycling. I have cycled across every (inaudible) United States. I have seen a lot of cities, a lot of towns and I'm here to speak out on behalf of the park. I think you should keep your green space. Almost all of the places I have pedaled to and from have started in Cleveland Heights. That's both coasts, the Gulf Coast, all along the Canadian Border, the Mexican Border. A lot of my wisdom is gathered in that way. I think it's pretty obvious from the behavior of the Cleveland Heights City Council that you have made up your mind. I think that you are going to go ahead with the Flaherty & Collins Plan and I think that most of the information that you have about that plan comes from Flaherty and Collins. There are a great number of people that I have spoken to over the past couple of months that would like to see that developed as green space. That's what brings people out. We go out to see people, not apartments. There are a lot of things about the Flaherty Collins plan that is dubious. It is unlikely I think that they are gonna find 200 people that want to occupy that space between Wendy's, the high school and a parking garage. I think it's a

much better idea to have it as an activities park to bring people out and use those businesses and that you are going through the motions right now as though there was a desire for public discourse. Those among us who were hoping to see this green space still green are speaking to fourteen deaf ears. Tony Cuta was right when he told me before June 28 that this was a done deal. This brings me back to the cycling because I still cycle around here a lot and what I've seen this year in particular since COVID is a proliferation of pint size plastic bottles with the lids replaced and those bottles are full of urine and they are placed right aside of the road. I saw one tonight on Cedarbrook. It is my understanding that the reason why that is happening is because of the delivery drivers need a place to go and don't have it. Given what I said, we know where this is headed. Flaherty & Collins are gonna get their way. We also know that they can't build south of the AT&T Access. That's why they are giving up that one-third, not one-half, but one-third of that green space because they can't build there anyway. So, what I'm asking you, would you please be so bold as to ask them to put in a public restroom and I'd like to ask you to ask them to maintain it as part of their lease agreement, their \$10 a year lease agreement that's a part of this giveaway for the next 100 years. I'm pretty sure they can handle that. There is a real nice public restroom in Beachwood in the Shaker median strip, they use it all year round, it's private, it's heated, it's clean, it's well lit. Thanks.

## Report of the Clerk of Council

No report.

**Matter of Record**

### MUNICIPAL SERVICES COMMITTEE

**RESOLUTION NO. 100-2021 (MS).** A Resolution authorizing the City Manager to enter into an amendment to an agreement with Black and Veatch for professional consulting services in connection with the City's Sanitary Sewer Overflow Control Project

Introduced by Council Member Dunbar, Seconded by Council Member Hart

Roll Call:      Ayes: Dunbar, Hart, Russell, Seren, Stein, Ungar, Cobb  
                    Nays: None

**Legislation Passed**

### PLANNING AND DEVELOPMENT COMMITTEE

**ORDINANCE NO. 101-2021 (PD), *First Reading*.** An Ordinance adopting procedures for the transfer of 3424 Beechwood Avenue, received through the City of Cleveland Heights Land Reutilization Program, to FutureHeights, Inc.; declaring the property no longer needed for a public purpose

Introduced by Council Member Ungar

**Legislation Introduced**

**RESOLUTION NO. 102-2021 (PD).** A Resolution authorizing the City Manager to execute a First Amendment to Grant Agreement with Cuyahoga County to fund the Cleveland Heights-SBA Small Business Performance Grant Program

Introduced by Council Member Ungar, Seconded by Council Member Dunbar

Roll Call:      Ayes: Hart, Russell, Seren, Stein, Ungar, Cobb, Dunbar  
                    Nays: None

**Legislation Passed**

\***MOTION** to extend the period of time for the Planning Commission to consider the proposed zoning amendments transmitted via Resolution 70-2020 until August 20, 2021.

Introduced by Council Member Ungar, Seconded by Council Member Dunbar

Roll Call:      Ayes: Russell, Seren, Stein, Ungar, Cobb, Dunbar, Hart  
Nays: None

**Legislation Passed**

Council Member Ungar made a statement responding to concerns regarding the Cedar-Lee-Meadowbrook project.

**COMMUNITY RELATIONS AND RECREATION COMMITTEE**

No report.

**FINANCE COMMITTEE**

**ORDINANCE NO. 107-2021 (F)**. 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.

Introduced by Council Member Hart, Seconded by Council Member Dunbar

Clerk of Council Amy Himmlein made a statement explaining the ordinance.

Roll Call:      Ayes: Dunbar, Hart, Russell, Seren, Ungar, Cobb  
Nays: None

**Legislation Passed**

**PUBLIC SAFETY AND HEALTH COMMITTEE**

**ORDINANCE NO. 103-2021 (PSH)**. An Ordinance amending various sections of Chapter 373, "Bicycles and Motorcycles," of Part Three, Traffic Code, of the Codified Ordinances of the City of Cleveland Heights

Introduced by Council Member Cobb, Seconded by Council Member Dunbar

Roll Call:      Ayes: Seren, Stein, Ungar, Cobb, Dunbar, Hart, Russell  
Nays: None

**Legislation Passed**

**ORDINANCE NO. 104-2021 (PSH)**. An Ordinance authorizing an agreement with the Chagrin Valley Dispatch Council (CVD), a regional Council of Governments, pursuant to Ohio law, to join CVD's joint Police, Fire and Emergency Medical Services communications system for the dispatch of Police, Fire and EMS services in and for multiple communities, and authorizing the City to approve the dissolution of the Heights Hillcrest Communications Center (HHCC).

Introduced by Council Member Cobb, Seconded by Council Member Dunbar

Council President Stein made a statement regarding the ordinance and regional cooperation.

Roll Call:      Ayes: Stein, Ungar, Cobb, Dunbar, Hart, Russell, Seren  
                    Nays: None

**Legislation Passed**

Council Member Cobb made an announcement regarding a planned Public Safety and Health Committee meeting on Thursday, August 19, 2021, to follow up from a prior meeting concerning Housing Department staffing and the Novak report as well as immigration legislation.

**ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 105-2021 (AS).** An Ordinance to accept the fact-finding recommendations in the matter of the City of Cleveland Heights and the Ohio Patrolmen's Benevolent Association (OPBA), SERB Case Nos.: 2020-MED-12-1424; 2020-MED-12-1425; and 2020-MED-12-1426, and declaring an emergency.

Introduced by Council Vice President Seren, Seconded by Council Member Dunbar  
Council Vice President Seren made a statement explaining the legislation.

Council President made a statement thanking police officers for their service.

Roll Call:      Ayes: Ungar, Cobb, Dunbar, Hart, Russell, Seren, Stein  
                    Nays: None

**Legislation Passed**

**ORDINANCE NO. 106-2021 (AS).** An Ordinance repealing Section 107.02(a) of Chapter 107, "Public Meetings," of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights; adopting a replacement Section 107.02(a) of Chapter 107, "Public Meetings"; amending Section 107.02(b), and declaring an emergency.

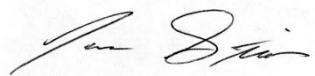
Introduced by Council Vice President Seren, Seconded by Council Member Hart

Roll Call:      Ayes: Cobb, Dunbar, Hart, Russell, Seren, Stein, Ungar  
                    Nays: None

**Legislation Passed**

Council Member Seren made a statement regarding the special primary election scheduled on August 3, 2021, and encouraging everyone to vote.

Respectfully submitted,



---

Jason S. Stein  
President of Council



---

Amy Himmlein  
Clerk of Council