



CLEVELAND HEIGHTS

Monday, September 13, 2021 Minutes

CITY COUNCIL

7:47 – 8:58 p.m.

President Stein presiding

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

Staff present: Boland, Hanna, Himmeltein, Mecklenburg, Niermann O'Neil

Judge Costello wrote a letter to Chief Mecklenburg regarding Sgt. Chris Skok's heroic actions outside of the workplace. Sgt. Skok was volunteering as an assistant coach on Judge Costello's son's baseball team. After making it to the championship, the team had a party to celebrate their great season. This party took place at a house with a swimming pool and the adults were supervising the children. Judge Costello and the homeowner noticed a child struggling in the water. Before anyone else could react, Sgt. Skok was already in the pool, saving the child from drowning. Judge Costello and Chief Mecklenburg presented Sgt. Skok with a Lifesaving Award for his actions on August 22, 2021.

Ms. Brown Triplett, the mother of the child who was saved by Sgt. Skok's actions, praised Sgt. Skok for being an awesome coach and a great person. She described what occurred that day and how her daughter had seen her brother struggling in the water and jumped in to help him. She started struggling in the water and Sgt. Skok immediately leapt into the pool to save her. Ms. Brown-Triplett expressed her gratitude for Sgt. Skok's actions that day.

Personal communications from citizens

Diane Hallum defined “systemic racism” and alleged that members of the City’s staff have perpetuated systemic racism. She accused the Director of Parks & Recreation of putting black toddlers at risk by not adhering to the federally mandated mulch standards at the playground in her area. She also accused the CDBG Coordinator of ignoring HUD regulations related to the allocation of CDBG funds. Ms. Hallum submitted a formal complaint to the City.

Gail Larson watched the Public Safety and Health Commission meeting on August 26th and is in favor of the Novak report's recommendation of creating a community liaison position. One of the responsibilities of this position would be to listen and respond to complaints and service requests. She would appreciate having a staff person dedicated to

assisting residents with these matters. Ms. Larson described her neighbor's housing situation and how she is also negatively affected by it. She has tried to contact staff at City Hall regarding this potential housing case but it would be a lot easier if there was a community liaison to contact.

The City Manager said she would have someone from the Housing Department follow up with Ms. Larson as soon as possible regarding her housing issue.

Paul Volpe made a citizen's report regarding the status of the Cedar-Lee-Meadowbrook project. He thanked members of Council for attending the forum and stressed that there was a lot of productive dialogue. Mr. Volpe does not believe parking should be an issue, depending on the number and type of units built. He does not feel including a swimming pool or a park is necessary. Instead of a park, perhaps they can incorporate twice as much green space throughout the development in unique and beautiful ways. He would like Cleveland Heights to be the first city in the area to have a true "shared street" and believes the new street in the plan can be a shared street. He stated that the large buildings to the east are too tall and too close to the single-family homes. The property on Cedar needs to be addressed and integrated into the plan. The pedestrian connections need to be improved so the area is open, public, and permeable. He does not want this to end up feeling like a gated community. Mr. Volpe's last point was lack of diversity in the residential unit prototypes. He believes the housing should reflect our diversity, whether it be economically, culturally, etc. Mr. Volpe came up with three alternative plans that he would like reviewed and he would like to meet with the Planning Director to discuss his ideas.

President Stein requested that Mr. Volpe also email his plans and ideas to members of Council.

Blanche Valancy represents the League of Woman Voters and they have three candidate forums coming up. These forums will be live streamed as well as recorded for future viewing. On September 23rd, there will be a forum for candidates running for Mayor and City Council positions. On September 30th, there will be a forum for those running for Mayor and Council for University Heights. On October 7th, there will be a forum for those who are running for the Board of Education for Cleveland Heights – University Heights School District. These forums are from 7-9pm. Information and links to these forums can be found at lwvgreatercleveland.org

Council Member Ungar voiced his support for the Director of Parks & Recreation as well as the CDBG Coordinator. He felt that Ms. Hallum's earlier comments were unfair and misrepresent the situations. Council Member Ungar stated that it is awful that both of these City employees are now having their names smeared on a public record. He stressed that he voted against putting Diane Hallum on the Citizens Advisory Committee. He said nothing that she said was true and it is wrong to say such things without having a reasonable basis for these accusations.

President Stein also voiced his support for the Director of Parks & Recreation and the CDBG Coordinator. He said that Diane Hallum's attacks on the Director and staff in general is wrong and he agrees with Council Member Ungar.

Report of the City Manager

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

Matter of Record

Moved by Council Member Cobb, Seconded by Council Member Ungar

Roll Call: Ayes: Hart, Seren, Stein, Cobb
 Nays: None

Motion Passed

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

Matter of Record

Moved by Council Member Hart, Seconded by Council Member Cobb

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

Motion Passed

Susanna Niermann O'Neil also voiced her support for the Director of Parks & Recreation as well as the CDBG Coordinator, who work diligently and do their very best for the City.

Report of the Clerk of Council

Amy Himmeltein had nothing to report.

ADMINISTRATIVE SERVICES COMMITTEE

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

Introduced by Council Member Seren, Seconded by Council Member Hart

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

Legislation Passed

***MOTION** to amend Ordinance No. 123-2021 to include language in Section 2(b) inserting “unless otherwise provided in the Charter, until April 1, 2022, may hold meetings and members may attend”

Moved by Council Member Cobb, Seconded by President Stein

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

Motion Passed

Council Member Cobb expressed his concerns regarding the absence of a sunset provision within Ordinance 123-2021. He does not believe this should go on indefinitely and makes the argument that there is value in having in-person meetings. Law Director Bill Hanna explained the reasoning behind not including a sunset provision in the legislation. President Stein inquired as to whether there was consideration for a six-month renewal provision in the legislation. Mr. Hanna said this had been considered but ultimately, they thought they would leave it for a future council to amend or repeal since there is so much uncertainty at this point in time in regards to the pandemic. Council Member Hart agreed with Mr. Hanna that Council may forget to renew the legislation if a six-month renewal provision is implemented and then they would be in violation. Vice President Seren suggested additional legislation be drafted to amend this ordinance to add a sunset provision and this could be determined in the next month or so. President Stein suggested passing a motion to amend the legislation at this council meeting but Vice President Seren pointed out that adding a sunset provision to the legislation does not need to be rushed. Council Member Ungar said he agreed with both President Stein and Vice President Seren but suggested they refer to the Law Director for advice. Mr. Hanna recommended April 1, 2022 as the sunset date if they want to implement a 6-month renewal provision. The motion to amend was passed by Council.

Vice President Seren suggested expanding video recording to the Boards & Commissions meetings so the public can more easily access the meetings on YouTube. President Stein pointed out that the City Manager has had cameras installed in the Executive Conference room so they are able to video record meetings. Furthermore, Susanna said they have cameras they can use to record for meetings and events held in the atrium.

Vice President Seren also commended Sgt. Skok for his split-second action that saved the life of a child. He expressed that he was very moved by the story and had experienced a similar situation when he was a child. He said not everybody is capable of taking such action even when they have the means and responsibility to act. Vice President Seren also acknowledged that while the City appreciates the work of the developer and the architect, they also appreciate the expertise and engagement of the residents in regards to the Cedar-Lee-Meadowbrook project. He encouraged residents to vote in the primary on September 14th.

COMMUNITY RELATIONS AND RECREATION COMMITTEE

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

Introduced by Council Member Seren, Seconded by Council Member Ungar

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

Legislation Passed

FINANCE COMMITTEE

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

Introduced by Council Member Hart, Seconded by Council Member Cobb

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

Legislation Passed

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

Introduced by Council Member Hart, Seconded by Council Member Cobb

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

Legislation Passed

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

Introduced by Council Member Hart, Seconded by Council Member Cobb

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

Legislation Passed

MUNICIPAL SERVICES COMMITTEE

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

Introduced by Council Member Hart, Seconded by Council Member Ungar

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

Legislation Passed

Council Member Hart voiced her support for the Director of Parks & Recreation as well as the CDBG Coordinator. She also encouraged residents to go out and vote in the primary on September 14th.

PLANNING AND DEVELOPMENT COMMITTEE

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

Introduced by Council Member Ungar, Seconded by Council Member Hart

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

Legislation Passed

Council Member Ungar thanked Ms. Valancy for her comments earlier and appreciates her civic contributions. He also encouraged residents to go out and vote in the primary

for the first elected mayor of Cleveland Heights. Council Member Ungar also thanked Eric Zamft and his colleagues for putting together a focus group meeting on September 1st. He encouraged residents to watch the meeting.

PUBLIC SAFETY AND HEALTH COMMITTEE

Council Member Cobb informed Council that he was part of the Public Health and Safety Committee meeting on August 26th involving the Housing Department regarding the recommendations of the Novak report. He received a lot of comments from the public, including requests for follow up, and he is working with the City Manager and the Housing Director to get answers. Council Member Cobb also encouraged residents to vote in the primary election on September 14th.

NEXT MEETING OF COUNCIL: MONDAY, SEPTEMBER 20, 2021

Respectfully submitted,



Jason S. Stein
President of Council



Amy Himmlein
Clerk of Council