



# CITY OF CLEVELAND HEIGHTS, OHIO

## MINUTES OF THE CITY COUNCIL MEETING OF MONDAY EVENING, MAY 21, 2007

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:20 p.m.

Edward Kelley, presiding

Council Members present: Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: Caplan, Dietrich

Mayor Kelley excused the absence of Council Members Caplan and Dietrich.

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Posius, Ruane, Wagner

Topic of discussion included general information pertaining to the City Manager's weekly memo.

Council Member Evans moved to adjourn into Executive Session at 7:20 p.m. Second by Vice Mayor Montlack.

Edward Kelley, presiding

Council Members present: Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: Caplan, Dietrich

Mayor Kelley excused the absence of Council Members Caplan and Dietrich.

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Posius, Ruane, Wagner

Topic of discussion included litigation and property acquisition.

Executive Session concluded at 7:34 p.m., adjourning into Committee of the Whole and concluding at 7:35 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:42 p.m.

Edward Kelley, presiding

Council Members present: Evans, Kelley, Montlack, Tumeo, Wilcox

Council Members absent: Caplan, Dietrich

Mayor Kelley excused the absence of Council Member Caplan and Dietrich.

Staff present: Carter, Czaga, Downey, Gibbon, Malone, Mannarino, Posius, Ruane, Wagner

The minutes of the Regular Council Meeting held Monday, May 7, 2007 were approved and signed by Mayor Kelley along with the ordinance and resolutions passed at that meeting.

“My name is Elsie Day and I live at 2180 Briarwood Road. I am here as Chair of the Commission on Aging. We would like to read a letter of recommendation for the people who work at the Senior Center.

The Cleveland Heights Commission on Aging wants to express its appreciation and admiration for Amy Jenkins, Donna Sartain, Florence Duncan at the Senior Activity Center. They do an excellent job. Programs are innovative and entertaining. They make coming to the Center a warm and happy experience. The support staff are also kind and helpful. These are the reasons more seniors are coming and enjoying the Senior Activity Center. We commend their efforts.

I would also like to bid farewell to Carol Rich, although she is not here [tonight], and thank her for all the wonderful service she has given seniors in Cleveland Heights and we hope her retirement will be satisfying and happy and we are very happy to start to work with Amy Jenkins as the coordinator with the Commission and now I would like to introduce the members of the commission who are here.

Mayor Kelley added, “Absolutely, would you please do that.”

Ms. Day named the following members, “Judy VanKleef, Gale Hessler, Louise Tufts, and Wilma Kasper. Thank you very much.”

Mayor Kelley stated, “Thank you, Elsie. First of all, I want to thank everyone who serves on the Commission on Aging, you do such a fantastic job. I always said, this is my 14<sup>th</sup> year serving this city as an elected official, Commission on Aging, with no disrespect to the Planning Commission, that board should be a model board for any board we have or any board anywhere, you guys do such a great job. I want to thank you for doing that. You meet one Monday a month, you take a couple months off during the summer, more work gets done in a couple hours you meet and whatever event we put on you are always there. There are enough helpers, there are enough people to do things. You are certainly a model for everybody else. I, too, want to thank Amy, Donna and Florence for what you do and wish you the best of luck, Amy, as you assume your new role. I also want to recognize the support staff. We always have enough people to volunteer and help out at the Community Center and you are indeed, too. There are record numbers of people, come seniors, using the Community Center and it does my heart feels good every time I come down there for an event. We are a model for many, many other cities that come and look at our Senior Center and they walk away puzzled how we do it and in the space we have - the 10,000 feet dedicated space - the track, different things our seniors do. They work with the weights, etc. Some of them walk and run and just different things we do and the things we do at the high school and things like that. It is so fantastic. I don't want to leave Carol Rich out. Carol Rich is retiring or has retired, Mr. Downey?”

Mr. Downey affirmed as such.

Mayor Kelley continued, “She certainly has been one of the best, if not the best senior coordinator in the area for many, many years. She certainly will be missed, but I know Amy has been somewhat

of the apprentice sort of to speak, not to use a word from Donald Trump's thing. We are looking forward to what you're going to be doing. It's a case study for success. I want to thank you for coming here tonight and recognizing all of you. Does anyone else from your group want to speak before I move on?"

No one else spoke.

Mayor Kelley continued, "Again, thank you for all you do. Like I said, it does us all very well. Does anyone want to say anything from Council? Ken, did you want to say something? I mean, you're the closest to the - -."

Vice Mayor Montlack laughingly responded, "I can only say, amen. The best assignment that any of us on Council ever have is to be liaison with the Commission on Aging, because you still meet Friday mornings. Well, when you leave those meetings on Friday mornings, you usually feel 100% better than when you walked in because just knowing all the great things you do. Every compliment that you have received is truly from the heart."

"I'm Ted Woodbridge. I live at 1255 Oakridge Drive. I'd just like to make a presentation to the Mayor and the Council.

We appreciate the opportunity to present to City Council the proactive activities that are taking place in the Oakridge-Inglewood-Yellowstone neighborhood, and to ask for your assistance and support in helping achieve the vision we hold for the future of our neighborhood. Our vision is as follows: "The Oakridge-Inglewood-Yellowstone neighborhood is a highly desirable place to live; neighbors know each other and are comfortably involved; the neighborhood is so attractive and well-maintained that houses sell by word of mouth, even before being officially placed on the market. That is our vision.

As many of you know, ours is an active neighborhood: we hold a number of events and activities throughout the year. We also produce a directory that lists all the families in our neighborhood, as well as the telephone numbers of major city departments and the regulations for recycling.

Currently, neighbors have undertaken several additional initiatives. These include: (1) Compiling a group e-mail list to facilitate our communications with each other; (2) Working with Kara Hamley O'Donnell, Historic Preservation Planner for the city to gather and document the history of the area and its individual homes. In this regard, on March 13<sup>th</sup>, more than 40 neighbors gathered at the home of Ted and Diana Woodbridge to hear Kara's wonderful presentation of the rich history of the early years of our neighborhood and the "how-to" steps to research the history of an individual home, inspiring a number of neighbors to begin that process; (3) Educating the residents about the value of being an Historic District and preparing the application and documentation required to be recognized on the National Register of Historic Places; (4) Working with Dan Krizner and the Cleveland Heights Forestry Department to "reforest" the area by planting new curb lawn trees. Last year, 34 trees were planted and to-date, we have obtained signatures of neighbors requesting that an additional 41-70 trees be planted this year. Trees are a great users of CO<sub>2</sub>; thus this partnership with the city contributes positively not only to the beauty of our neighborhood but also to the environment; and, (5) Providing the residents with a list of potential activities and ideas they can participate in that would help us achieve our vision for the future of this special area.

Attached is a copy of our initial idea sheet. You will find that attached to a new letter that is attached in your packet.

From here, we plan to seek additional ideas and responses from neighbors and then begin to implement the ideas that elicit broad support. In turn, we are here this evening to ask the city's help in addressing two issues that, in our opinion, detract from our excellent neighborhood. The first issue is the deteriorated condition of our streets and curbs. You'll note in your packets that there are photographs of many of those curbs. Streets and curbs are a major indicator of the care a city gives its neighborhoods, and the condition of these infrastructure components are key to the appearance and desirability of our neighborhood. A recent audit of our streets and curbs indicates great need for major improvements. This audit found that 18 homes have non-existing to severely damaged curbs, a highly visible condition and major impediment to achieving the vision we hold for our neighborhood. Attached to this presentation are the names and addresses of the owners of the 25 homes with the worst of the decaying curbs. In addition to the condition of our curbs, the surface of our Oakridge-Inglewood-Yellowstone streets is deteriorated in many places and in need of major repair. In at least one area, specifically the portion of Yellowstone that runs from Mayfield to Glenwood, the deterioration is so substantial that repaving will likely be required.

The second issue we bring tonight is the volume of cut-through traffic and the speed at which it travels through our residential area. This is a significant problem, especially at "rush hours" (mornings and evenings) and particularly on the Oakridge Drive section between Yellowstone and Montevista.

The undersigned residents, including most of the 25 households with deteriorated curbs, as well as other neighbors who have heard of and support this presentation, hereby request that the city replace all damaged and decaying curbs, repave our streets, where necessary, and explore ways to address the traffic issues we have raised. A number of the families who have signed this letter are here tonight are available for comment or your questions.

Before I go into conclusion, some suggestions might be for the cut-through traffic: no-left-hand-turn sign at the corner of Oakridge and Yellowstone as you are heading south on Yellowstone at the designated times; a no-right-hand-turn [sign] at the corner of Montevista and Oakridge at the designated times; and, since there are three stop signs at the corner of Inglewood and Oakridge, which are frequently abused, paint at least the signs [that] are there, but if the streets were stripped, painted and even the words, "on-the-street" that might help. There may be many other ideas and suggestions but those are just a couple.

In conclusion, Oakridge-Inglewood-Yellowstone is a unique and highly desirable neighborhood, as you are well aware of. We are requesting your assistance to keep it that way. Your efforts will support our efforts and help insure that our vision for the Oakridge-Inglewood-Yellowstone neighborhood is achieved. Thank you for listening and we look forward to working with you on our requests."

Mayor Kelley asked if there was anyone else from the group who wished to speak. Someone from the audience spoke and the Mayor requested she come to the podium.

"My name is Hilla Molinaro. I live at 1355 Inglewood. I would just highly support what Ted just said. I think we all in our neighborhood work very hard on our houses and our yards, but the streets just don't go with it. It's quite appalling the way they look. So I thought this city could do something about that."

Mayor Kelley responded, "Thank you. The easy answer to the traffic issues before signage is obviously enforcement. That, Mr. Downey, is something we could look into almost immediately. As far as the signage and the speed and that cruising through stop signs and speed areas - are there certain times of the day that is more prevalent than others? It is the rush hour component?"

Mr. Woodbridge responded, "The rush hour is the time."

Mayor Kelley answered, "We can do that right away. How late - what time?"

Mr. Woodbridge spoke from the floor but it was unclear as to his answer.

Mayor Kelley continued, "In the absence of our Municipal Services chair, I think the first thing we can do is a street assessment to see where the streets were, where they fall in as far as the normal structure of being re-paved and my guess is that it's obviously not this year because we already have our streets lined up for this year. As far as the curbs and the other areas, Mr. Downey, do you want to handle that or that would be something that maybe Mr. Czaga and/or Alex would look into?"

Mr. Downey replied, "Yes, your Honor. We would be more than happy to do that. I might ask, Ted, are you the spokesman for the group? I mean if we wanted to begin - -."

Mr. Woodbridge affirmed such.

Mr. Downey continued, "I mean if we wanted to begin the dialogue you would be the person to talk to. Okay. We'll probably have our public works director as well as our capital projects coordinator talk with you and me to go over all of these; the traffic, the speed, the street - to give you an idea where it's at on our list, etc."

Mayor Kelley responded, "They'll work with you, within days, if not hours, you'll see police enforcement over there. So warn your other family members - -."

Mr. Downey interjected, "That's the one thing that will happen. If all of a sudden you see the police there more now attempting to work with you, so just be careful yourselves. The people who are cutting through, the people we want to get. Unfortunately, sometime the homeowners get caught."

Mayor Kelley asked, "Did you only bring four packets?"

Mr. Woodbridge answered, "No, there should have been eight packets."

Mr. Downey replied, "We've got three here."

Mayor Kelley said, "Phyllis didn't get one."

Mr. Downey reiterated, "Oh, I'm sorry. Phyllis didn't get one [he gave her one packet]."

Mr. Woodbridge said, "There should be eight packets."

Mayor Kelley said, "Okay! So we have a plan. I can't guarantee you anything, but you'll see some changes right away in the enforcement aspect and Mr. Czaga and Mr. Mannarino will be over there with Ted to look at some of the curbing issues. I think the last time the curbing was probably done there was probably an assessment many years ago when I was probably in high school or college. Seriously! No! I remember seeing there was an assessment done and people were charged for the curbs, that probably was in '75, somewhere between '75 and '85. I remember seeing it specifically."

There was conversation from the audience that was unclear.

Mayor Kelley continued, "Alright, so that we hit some of the numbers you wanted to be addressed. So we're going to have a plan, Bob?"

Mr. Downey replied, "Yes. As long as I know I now have Ted to contact, we're fine."

Mayor Kelley asked, "Anything else? Anyone else want to address Council on any issue at all? If you want to leave, we won't be offended."

### **REPORT OF THE CITY MANAGER**

Mr. Downey stated, "Thank you very much, your Honor. I have several items this evening, the first of which would be is that staff is requesting authority to take bids for the Demington and Fairmount Sanitary Sewer Improvement Project."

Mayor Kelley made it a matter of record and referred it to the Municipal Services Committee of Council.

Vice Mayor Montlack moved that the City Manager be given the authority as requested.

Second by Council Member Tumeo.

Roll Call: Ayes: Evans, Kelley, Montlack, Tumeo, Wilcox

Nays: None

**Motion passed**

Mr. Downey continued, "Thank you very much, your Honor. In your packets Council received a copy of Bid Document No. 2007-08, parking lot improvements for City Parking Lots #15 and #24. The lowest and best bidder was the Chagrin Valley Paving Company, in the amount of \$58,248.00. Your Honor, I request that the bid tabulation and the award of contract be made a matter of record."

Mayor Kelley made it a matter of record.

Mr. Downey concluded, "Thank you very much, your Honor. That is all I have this evening. I might just point out to yourself and Council, the new carpeting in Council Chambers here as well as on the second floor public areas in the building."

### **REPORT OF THE DIRECTOR OF FINANCE/CLERK OF COUNCIL**

Mr. Malone stated, "Thank you, your Honor. I need to notify Council that one notice has been received from the Ohio Department of Liquor Control advising that application has been made by the following: Dave's Supermarket, Inc., d.b.a. Dave's Supermarket 15, transfer D1, D2 and D6 permits from Riser Foods Co., d.b.a. Giant Eagle #189, premises 12426 & 12438 Cedar Road, 1<sup>st</sup> Floor and Basement, 44106. Your Honor, I need to make this a matter of record."

Mayor Kelley made it a matter of record and referred it to the Public Safety and Health Committee of Council, the City Manager, and the Director of Law.

Mr. Malone continued, "I also need to notify Council that one resolution of the Board of Zoning Appeals has been received pertaining to a variance in the Zoning Code and is requested by the following: BZA Calendar No. 3124 Bruce C. Weiber, 3495 Severn Road, accessory-use regulations. Your Honor,

I need to make this a matter of record.”

Mayor Kelley made it a matter of record and referred it to the Planning and Development Committee of Council.

### **REPORT OF THE MUNICIPAL SERVICES COMMITTEE**

Vice Mayor Montlack stated, “Thank you, your Honor. There is no legislation and no report.”

### **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

Council Member Wilcox stated, “Thank you, your Honor. There is one ordinance from this committee. We have a resolution from the Board of Zoning Appeals from the May 16<sup>th</sup> meeting. Vice Mayor Montlack attended that meeting and I think he is going to read this into the record.”

Vice Mayor Montlack stated, “Thank you. At the Board of Zoning Appeals, BZA Calendar No. 3124, Bruce Cweiber, 3495 Severn Road, in an ‘A’ single-family district, applying for a variance from the accessory-use regulations of the Zoning Code, to permit a 20-foot driveway width in the front yard, where the Zoning Code normally permits a driveway of 12-feet in the front yard. The Board of Zoning Appeals has recommended granting the variance; finding practical difficulty on the following basis, that the applicant’s double lot of 130’ in width is unique to the immediate Severn Road neighborhood, and accessing the new front-loading three-car garage which is 30’ in width by a 28 foot driveway tapering to 12’ at the sidewalk would cause difficulty in gaining direct access to the applicant’s garage, and possibly cause damage to the applicant’s landscaping. All of the properties on the north side of Severn Road in the immediate vicinity have straight driveways with no tapering, averaging 15’ in width, accessing their front-loading garages, and the applicant should have the configuration in order to conform to the character of the neighborhood. Other normal conditions are that construction should be completed within 90 days and the construction should be pursuant to plans approved by the City. I therefore move, that the Council approve and adopt BZA Calendar No. 3124.”

Second by Council Member Wilcox.

Roll Call: Ayes: Kelley, Montlack, Tumeo, Wilcox, Evans

Nays: None

**Resolution confirmed**

Council Member Wilcox stated, “Your Honor, I have Ordinance No. 59-2007(PD), accepting the Dedication Plat of Severance Circle dedicating property owned by Time Warner NY Cable LLC abutting the Ring Road at the Severance Town Center Shopping Mall; and declaring an emergency.

This legislation is necessary as a result of improvements the City undertook several years ago around the Severance Ring Road which resulted in a new street, streetscape and other improvements, including the access roads around Severance Town Center and ultimately ending up with a dedicated public street as a result. During that process it was necessary to get dedication of certain areas for those public streets from various property owners surrounding the Ring Road and this is in the nature of somewhat of a housekeeping matter to get one of those dedication plats that was necessary to complete the dedication. So this is one more of those plats.

These public improvements, being the Ring Road, have been successfully completed. The City has prepared a dedication plat and Time Warner has signed the dedication plat dedicating a portion of its property identified on the plat to the City; and the City by this Ordinance will accept this dedication.

Section 1 of this Ordinance provides that the Dedication Plat of Severance Circle, substantially in conformance with the Dedication Plat which is attached to this Ordinance, dedicating certain property abutting the Ring Road at Severance Town Center is hereby approved and accepted. I offer Ordinance No. 59-2007(PD) for passage tonight.”

Mayor Kelley accepted Ordinance No. 59-2007(PD).

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Evans, Kelley

Nays: None

**Ordinance passed**

Council Member Wilcox continued, “Thank you, your Honor. Finally, I wanted to make an announcement of a couple of public hearings that are going to be held in the near future. This involves what is commonly referred to as Top of the Hill. If you recall, City Council, a number of months ago went out on a RFP process and hired Allegro Realty Advisors to explore the feasibilities and possibilities of development of the area that we refer to as Top of the Hill, which is Euclid Heights Boulevard and Cedar Road, at the top of Cedar Hill. As part of that process, the City Council is committed to communicating with the city about this project. There have been no decisions made about how to proceed with development on this project other than the process of communicating the report that we have received from Allegro to our citizens. I believe that report is now on our website and there are two public meetings - public hearings set for - the first one is June 7 at 7:00 p.m. at City Hall and the second one will be June 12 at the Alcazar Hotel in that area of Cedar Hill at 7:00 p.m. as well. So, those are two opportunities for our citizens to listen to the report from Allegro and to ask questions and get some answers on where we may be headed from here on in. This is the first step. Again, I want to make it clear, that we haven’t made any decisions other than we are going to present the report which will give us some ideas of about what might be feasible at Top of the Hill, but no decisions have been made about proceeding other than to have these public hearings. Again, I hope to see many of you at our meetings on June 7 and June 12. That concludes my report.”

Mayor Kelley commented, “City Council will be in attendance at both those meetings and the key staff members will also be there, so we are looking forward to this whole process as it unfolds and if you do have any comments or questions prior to the meeting, you can call Community Relations Department at 291-2323 or the Planning and Development Department at 291-4868 for any further information. As Council Member Wilcox said, the report is available online on our website [www.clevelandheights.com](http://www.clevelandheights.com) and you are welcome to go online to see the report and /or download it and print it for yourself and we will have numerous copies of the report available at the two meetings and there will be plenty of time for people to ask questions or make comments at the meeting. Obviously, we will be there to field the questions, in addition to Allegro [who] will answer questions. I’m sure Council, as we do at these meetings, will stick around after the meetings if there are other questions. We are looking forward to see what comes out of these two meetings.”

#### **REPORT OF THE PUBLIC SAFETY AND HEALTH COMMITTEE**

Council Member Evans stated, “Thank you, your Honor. There is no legislation this evening, but I would like to announce that University Hospitals on May 12 sponsored an EMS Regional Symposium, which involved fire and EMS departments from Cuyahoga County, Lake County, as well as Geauga County. The class work involved instructing and teaching the participants using a 12-lead technology, advanced drug therapy, and quick access to the cardiac CAT lab [as to] how they could save heart muscle which could conceivably prevent catastrophic heart attacks. The case study was presented by the director of the cardiac CAT lab from University Hospitals. Our department was very pleased to

participate in this simulated competition which came at the end of the day. I'm very pleased to announce that our department came in first with that competition. We all know that our fire and EMS department does a very fine job for residents in this city and I know that they are that much prouder and more comfortable going out to the homes or wherever they are called for, for emergencies when they are dealing with people that are in the process of having a heart attack. I feel better and I'm sure the rest of us all feel great about them learning a little bit more and I'd like to congratulate the department on a fine showing. That concludes my report."

### **REPORT OF THE ADMINISTRATIVE SERVICES COMMITTEE**

Council Member Tumeo stated, "Thank you, your Honor. I have no legislation. I do have one announcement to make. Over the next couple of weeks we'll be doing some updates on boards and commissions. I know that we have at least one vacancy on the Administrative Services Commission. If you are interested in what we are doing in terms of working with the city, employee issues, it is an advisory committee that works with our Assistant City Manager and so if you are interested in per-chance serving on this board, please call the city and get an application and get it in over the next week. Thank you."

### **REPORT OF THE COMMUNITY RELATIONS AND RECREATION COMMITTEE**

Council Member Tumeo stated, "I am honored to fill in for Councilwoman Dietrich, who always knows everything that is going on in this city and I'm afraid I'm not quite as knowledgeable but I would like to do a couple of announcements. First of all, we had our shredding day last week and that went really well for those of you who came. Thank you for participating, we shredded a lot of paper and got rid of a lot paper and it all went into recycling, which Councilwoman Caplan would be very pleased that I mentioned recycling in her absence, so getting a couple of stones out there.

I would also like to announce to make sure that tomorrow, Tuesday, the 22<sup>nd</sup>, there is a presentation at the Forest Hills Presbyterian Church that's being sponsored by Future Heights, looking at economic development in commercial districts and its role in economic health and vitality of cities. It has a featured speaker and I would encourage you if you are interested in that sort of thing to make sure and try and stop by that. It's at 7:00 p.m.

Also, next Monday is Memorial Day and we will have our traditional Memorial Day Parade. It will be starting from City Hall around 10:00 a.m. and I understand the Mayor has arranged for wonderful weather, so it is going to be a great day and so I hope to see you there. We have a large turnout and it's a lot of fun. Thank you."

### **REPORT OF THE FINANCE COMMITTEE**

Vice Mayor Montlack stated, "Thank you, your Honor. There are several pieces of legislation from this committee. They all relate to, in essence, enabling legislation for various grantees under the block grant or Community Development Block Grant program. Under this program, Cleveland Heights being an entitlement community, is one of those communities that receives direct Community Development Block Grants from the federal government. After studying recommendation made by the Citizens Advisory Committee reviewing block grant grants, this Council, around the end of October or the beginning of November of each year enacts a budget, setting forth the amounts to the grantees, usually, pretty well tracking the recommendations made by the Citizens Advisory Committee. Throughout the year, various grants are given pursuant to legislation and this is another group of such grants. So, in a sense there is nothing surprising about this legislation as it simply fulfils the earlier legislation approved by the city.

The first of those is Resolution No. 60-2007(F), authorizing the City Manager to enter into an agreement with the Cleveland Tenants Organization, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with its telephone information services; providing compensation therefor; and declaring an emergency. As with each of these pieces of legislation a more complete description of activities is provided in Exhibit 'A' which is attached to this legislation and the other pieces of legislation if someone is particularly interested in reading all of the activities. In this case, the amount given is Seven Thousand Five Hundred Dollars (\$7,500.00) from Year 33 Community Development Block Grant Funds. The particular work of the Cleveland Tenants Organization is counseling through telephone information services. Resolution No. 60-2007(F) is presented on first reading for passage."

Mayor Kelley accepted Resolution No. 60-2007(F).

Council Member Tumeo added, "I would just like to make one small correction. It's actually for Seven Thousand not Seven Thousand Five Hundred Dollars."

Vice Mayor Montlack jokingly added, "If I make one more mistake tonight, I'm out."

Council Member Tumeo added, "Never, never."

Roll Call: Ayes: Tumeo, Wilcox, Evans, Kelley, Montlack

Nays: None

**Resolution passed**

Vice Mayor Montlack continued, "Thank you. Resolution No. 61-2007(F), authorizing the City Manager to enter into an agreement with the Heights Community Congress, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with its programs to promote integration and fair housing; providing compensation therefor; and declaring an emergency. In this case, the grant is in the amount of Twenty-seven Thousand Eight Hundred Twenty Dollars (\$27,820.00) and the services to be performed are two-fold, encouraging an open balanced housing market throughout Cleveland Heights and the eastern suburbs resulting in integrated communities and neighborhoods and instilling a sense of community spirit and involvement of residents of all races, cultures, ethnic heritages and socio-economic levels and providing programming that meets those goals. Resolution No. 61-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 61-2007(F).

Roll Call: Ayes: Wilcox, Evans, Kelley, Montlack, Tumeo

Nays: None

**Resolution passed**

Vice Mayor Montlack continued, "Thank you. Resolution No. 62-2007(F), authorizing the City Manager to enter into an agreement with the Heights Emergency Food Center, a non-profit corporation, for the use of Community Development Block Grant funds for the payment of operating expenses; providing compensation therefor; and declaring an emergency. The amount granted to this really stellar organization which is run by volunteers and does such a terrific job is in the sum of Four Thousand Seven Hundred Fifty Dollars (\$4,750.00) and this is to provide help in the Emergency Food Center at 3663 Mayfield Road which will serve approximately 2,500 families in 2007 and provides each eligible family if needed a three day supply of food, once a month. Resolution No. 62-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 62-2007(F).

Roll Call: Ayes: Evans, Kelley, Montlack, Tumeo, Wilcox

Nays: None

**Resolution passed**

Vice Mayor Montlack continued, "Thank you. Resolution No. 63-2007(F), authorizing the City Manager to enter into an agreement with the Noble-Nela Merchants Association, a non-profit corporation, for the use of Community Development Block Grant funds for assistance with the administrative costs of the Association and its activities; providing compensation therefor; and declaring an emergency. The amount of this grant is Eight Thousand Five Hundred Dollars (\$8,500.00) for general operating expenses of the Association. Resolution No. 63-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 63-2007(F).

Roll Call: Ayes: Kelley, Montlack, Tumeo, Wilcox, Evans

Nays: None

**Resolution passed**

Vice Mayor Montlack continued, "Thank you. Resolution No. 64-2007(F), authorizing the City Manager to enter into an agreement with Open Doors, Inc., a non-profit corporation, for the use of Community Development Block Grant funds for assistance with the organization's after-school programming for middle school-aged youth; and declaring an emergency. The amount of this grant is in the sum of Forty-three Thousand Dollars (\$43,000.00). The services include after-school programming, as I said, for Roxboro Middle School youths. The program is designed to support and enhance academic, social and emotional growth of 120 students. It is located at 2747 Fairmount Boulevard and a second site at 2757 Fairmount Boulevard. Resolution No. 64-2007(F) is presented on first reading for passage tonight."

Mayor Kelley accepted Resolution No. 64-2007(F).

Roll Call: Ayes: Montlack, Tumeo, Wilcox, Evans, Kelley

Nays: None

**Resolution passed**

Vice Mayor Montlack concluded, "Thank you. Just a couple of quick comments. Many of the grants read in the legislation tonight relate to various service or social service organizations - that's only a part of the great number of activities that CDBG funds provide for and some of them involve streets, if you were watching this program or are here tonight, you're aware of the interest that folks throughout Cleveland Heights have in their streets. This kind of assistance helps greatly in that regard and certainly a lions share of the CDBG funds go to housing enhancement activities, which is another important part. That's why we watch with such great interest the decisions of the federal government with regard to the block grant funding. At this time, President Bush's administration has recommended something like a 10% cut in CDBG funds as they have directed so many funds to other priorities favored by that administration and at the same time some 60 U.S. senators have now signed a letter indicating to the Bush administration their intention to seek an increase in CDBG funding. We have a slight difference of opinion on what America's priorities ought to be when it comes to assisting communities in these times. That's an important piece I think for us, and on the state level, I just want to report a very,

very important piece of legislation, House Bill 138 has been assigned to a committee. This among other things, which is co-sponsored by Representative Foley from the west side in Cuyahoga County, this legislation will tighten up the rules for out-of-county and out-of-state property owners to designate persons responsible who reside in the community who are responsible for the maintenance and upkeep of properties. This is something of great importance to communities such as ours that value equal and efficient housing and property inspection services. They have begun to hold hearings in the House Civil and Commercial Law Committee and have received some good support from Greater Ohio and a number of other associations around the state and we can take some heart in the fact that in the General Assembly, following the last election there is more of a spirit of by-partisanship and willingness to look at some of this legislation. I'll keep you posted. That concludes the report of this committee."

## **REPORT OF THE MAYOR**

Mayor Kelley stated, "Thank you. I have a little bit of everything tonight. I want to say goodbye to Sister Rita Mary Welsh who spent 10 years at Beaumont. Mr. Downey and I had the pleasure of attending her farewell on Saturday. Obviously, Bob was there for the whole thing and I got there a little late due to a baseball game of my son, but she spent 10 years at the helm at Beaumont as the president; unparalleled growth of the size of the school, the fine arts building and the chapel, and the upgrades to the basketball facility. In addition, she was a key member of our visioning committee and spent a lot of time doing a lot of great things for our community and certainly opening the doors to Beaumont to us for many meetings and she certainly will be missed. She is someone who grew up in the community and she is going on sabbatical and hopefully she'll turn up back here in some capacity. She certainly will be missed.

You've heard us talking for a lot of years about properties that go into disrepair, whether it be tall grass or garbage or things of that issue, I want you to know that we always get on it. So I want you to know that if there is a property in your neighborhood where it is in shambles or there is a 'for sale' sign on the front lawn and it's vacant, please feel free to give us a call, to call Rick Wagner's office or housing office at 291-5900 or the main number at 291-4444 or the City Manager's office at 291-3737. We will be more than happy to cite the people, to cut the grass, otherwise we'll get out there within 24 to 48 hours, depending on the weekend, etc., and cut the grass for them and put it on their tax bill. We are not going to stand for this type of behavior. I realize the rain and the sun contribute to the height of the grass, but there are a lot of properties out there and that one property or two properties on your street where it gets out of hand and if there is somebody living in a house we'll cite them too. We're equal citing, sort of to speak. So if there is that one property or one that is giving you a lot of aggravation in that neighborhood let us know, which brings me back to the house on Kingston that we had two weeks ago where a lot of the neighbors came and complained about that house in particular. Well, Council took decisive action and due to the key work of Kathleen Ruane, our Assistance City Manager and Rick Wagner, that house has been fixed up. We cited them for it. We gave the banks ten days to do it and if I'm not mistaken Rick Wagner is hiding behind the camera, all the work that we cited them for (almost \$3,000.00 worth of work) the bank did indeed fix it up. They fixed the garage and they did the other work. So, sometimes dreams do come true and miracles do happen even on Kingston Road. So, that was a success story. We'll be more than happy to do it. We were ready to do it, if they didn't do it.

A couple more things. I want to say a big get well to Susanna O'Neil's mother who suffered a broken leg over the weekend and that's why Susanna is not here, but we do want to say a good get well to her.

We also want to give sympathies to Bonnie Caplan's son, Aaron, and the whole Caplan family on Aaron's loss of his father-in-law and that's why Bonnie is not here today. Certainly we want to give our

sympathies to Stephanie Tubbs-Jones, who lost her father late last week and the funeral was earlier today and certainly we want to give our sympathies to her and Steve will certainly be missed.

I think that's about everything. I think I covered about everything. Obviously, 'Go Cavaliers'. You are the furthest you've been in a while and my Indians look like they're going to come true in my 101 season as long as they can play all the games at home and Milwaukee - they'll probably win 110. Certainly, go Cavaliers and hopefully next time I talk to you from this position we'll be in the finals against probably San Antonio. We wouldn't mind Utah to bring Boozer back in town, Boozer the looser sort of to speak. But, we'll take the finals against anybody. Like I said, 'Go Cavaliers' and Indians.

This meeting is adjourned at 8:32. Our next meeting will be Monday, June 4, 2007. Don't forget our parade next Monday, as Councilman Tumeo said, I'm looking for a lot of our young baseball players and soccer players to participate and have a good time. Thank you for coming tonight."

Respectfully submitted,

Edward J. Kelley, Mayor  
President of Council

Thomas K. Malone  
Clerk of Council

/mwc