

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:37 p.m. to discuss the contents of the City Manager's memo.

Council Members present: Dunbar, Roe, Seren, Stein, Stephens, Yasinow

Council Member excused: Ungar

Staff present: Boland, Briley, Butler, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Smith, Wong

Councilwoman Roe motioned to move to Executive Session at 7:10 p.m. to discuss litigation and personnel. The motion was seconded by Councilwoman Yasinow.

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Yasinow

Nays: None

Councilwoman Roe moved to end executive session. That was seconded by Councilwoman Yasinow.

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Yasinow

Nays: None

Executive Session adjourned at 7:28 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:37 p.m., Mayor Stephens presiding.

Council Members present: Dunbar, Roe, Seren, Stein, Stephens, Yasinow

Staff present: Boland, Briley, Butler, Freeman, Juliano, Lambdin, Mannarino, McRae, Mecklenburg, Niermann O'Neil, Raguz, Smith, Wong

Mayor Stephens stated, "Good evening and Happy New Year. Welcome to Cleveland Heights City Council meeting of January 3, 2016... 17. My agenda said 16. This little yellow sheet, I read what was on it. I guess I can't just read. Okay. Tuesday, January 3, 2017. It is our regular 7:30 Council meeting. We're a few minutes late, but we had a few issues to handle. Mr. Raguz, our Clerk of Council, would you call the roll please?"

Council Members present: Dunbar, Roe, Seren, Stein, Stephens, Yasinow

Council Member excused: Ungar

Tom Raguz stated, "Six present, Your Honor."

Mayor Stephens stated, "Councilman Ungar is absent this evening and we excuse his absence. Next is the approval of the minutes of the regular Council meeting held on Monday, December 5, 2016.

Do you, my regular scribes and editors, have comments and you've already provided those I think? Next comes our standard personal communications from our citizens and residents or anyone else who has something they'd like to share with members of Council and the City Manager this evening. If you're interested in speaking, please remember we'd like you to keep your my comments to approximately three minutes. You approach the podium and give your name and your address. Is there anyone who would like to make comments to Council this evening? Okay, this is going to be a very efficient evening. Next is the report of the City Manager."

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

Tanisha Briley stated, "Good evening, Your Honor. Happy New Year! I take full responsibility for the 2016. I did your packet on Friday. Jennifer was absent. I need to notify Council that the bids were received for the Cedar Road Resurfacing and the Cedar Fairmount Streetscape. The lowest responsive bidder was Perk Company, Inc. in the amount of \$3,991,539.91. I'd like to make this a Matter of Record."

### **Matter of Record**

Mayor Stephens stated, "I'm going to refer this to the Municipal Services Committee."

Councilwoman Yasinow stated, "Thank you very much. I hereby move that the City Manager be allowed to negotiate and to enter into a contract with the lowest responsive bidder Perk Company, Inc. for the Cedar Road Resurfacing and Cedar-Fairmount Streetscape in the amount of \$3,991,539.91."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Mr. Raguz, if you would call the roll please."

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Yasinow, Dunbar

Nays: None

Tom Raguz stated, "Six ayes, Your Honor."

### **Authority Granted**

Mayor Stephens stated, "This resolution passes and the City Manager is authorized to enter into a contract with Perk Company for the Streetscaping and Resurfacing of Cedar Road. Is there anything else, Madam City Manager?"

Tanisha Briley stated, "Nothing else this evening, Your Honor. Thank you."

Mayor Stephens stated, "Thank you. Next we have the report of the Director of Finance/Clerk of Council, Mr. Raguz."

Tom Raguz stated, "Good evening, Your Honor. I need to notify Council that two notices had been received from the Ohio Department of Liquor Control advising that an application has been made by the following:

- James C Barle, Inc. Upper Level, 3099 Mayfield Rd., Cleveland Heights, Ohio 44118, Transfer D1, D2, D3 and D6 permits from Inglewood Group LLC, DBA Rockefeller's, Upper Level, 3099 Mayfield Rd., Cleveland Heights, Ohio 44118; and also
- Noble Roman Inc., dba Noble Gas, 2610 Noble Rd., Cleveland Heights, Ohio 44121 for C1 and C2 permits

I'd like to make these a Matter of Record."

#### **Matter of Record**

Mayor Stephens stated, "We can make these a Matter of Record, however, I want to refer Noble Roman, Inc. to the Law Director and the City Manager for additional review and attention."

Tanisha Briley stated, "Yes, Your Honor."

Mayor Stephens stated, "Okay, thank you. The Barle, Inc. Upper Level request will be referred to the Public Safety and Health Committee of Council as well as the City Manager and Law Director separate from Noble Roman. Thank you. Now we move on to committee reports. First, there is a committee - the Planning and Development Committee. Councilwoman Dunbar."

#### **Planning and Development Committee**

Councilwoman Dunbar stated, "No legislation tonight, Mayor, but I would like to commend On the Rise Artisan Breads for being listed as a winner on the Weatherhead upstart list of the fastest growing companies in Northeast Ohio. The annual Weatherhead lists highlight three categories of companies. There's a list of 100 companies that grew rapidly from a solid base in 2011 to more than \$1,000,000 in sales in 2015. The upstart list is for smaller companies with equally impressive growth rate and finally there's a list of a few companies that had 100% growth from 2011 to 2015 or met other criteria. When I looked at these lists, I was looking for Cleveland Heights companies even though this community is largely a residential community. Still, we have some good businesses here. On the Rise was the only Cleveland Heights company I spotted on these lists. It was billed as 'Best Artisan Bread Bakery on the East Side of Cleveland.' I have to say that they have some serious competition right here in Cleveland Heights in the Stone Oven, Zoss and others. In any case, congratulations to On the Rise Artisan Bread for its notable achievement and recognition. I'm hoping I'll see more Cleveland Heights companies on future Weatherhead fastest growing companies list. That's it."

Mayor Stephens stated, "Thank you. Next we have Public Safety and Health Committee."

#### **Report of the Public Safety and Health Committee**

Councilman Seren stated, "Thank you, Mayor."

Mayor Stephens stated, "Councilman, I'm sorry."

Councilman Seren stated, "That's all right. I don't have any legislation today, but I did want to very briefly run through the Nuisance Abatement Board determinations that have taken place since our last meeting. I just wanted to update the Council and the residents. 1610 South Euclid - the board determined that..."

Mayor Stephens stated, "South Taylor?"

Councilman Seren stated, "Oh, yes, sorry. I don't know why - South Taylor. Sorry, 1610 South Taylor - the board determined that the property owner must fix all exterior violations by March 1 and after March 1, the City will fix the violations at the owner's expense. We determined that the evidence showed that the damage to the house from the property damage from the fire was not sufficient to make razing necessary. So, we modified the order and the property owner shall fix all of the exterior violations by March 1 and then we'll take another look at it."

Mayor Stephens stated, "I have a question for you."

Councilman Seren stated, "Sure."

Mayor Stephens stated, "So, we hear this and then he or she would be able to rent this out again?"

Councilman Seren stated, "Well, this is the issue and this is actually, now that you bring it up, one of the reasons why I am proposing the legislation related to the occupancy permits for rental properties and any nuisance abatement or property taxes that are delinquent. If we were to pass this legislation either as I wrote it or in is a modified form, we could prevent that rental occupancy."

Mayor Stephens stated, "Well, this owner had a tenant in there with no occupancy permit prior to the fire."

Councilman Seren stated, "And this owner also had a property management company that they're no longer using and I think that, based on this situation, the owner is maybe going to be a little bit more conscientious, but either way, we did not have any desire to allow for the razing of a property simply because of the level of damage that was caused by a relatively localized fire. So, there was no structural damage to the property that would require..."

Mayor Stephens stated, "The beams in the roof were still structurally sound?"

Councilman Seren stated, "No, there are..."

Mayor Stephens stated, "Because there were three holes in that roof."

Councilman Seren stated, "There is a section of the roof that at the very least had some structural damage, but the replacement of the roof would be sufficient to mitigate that or abate that nuisance and so that is what the board ordered him to do."

Vice Mayor Stein stated, "Can I ask a question?"

Councilman Seren stated, "You may."

Vice Mayor Stein stated, "How much is it determined that the City would have to pay to fix all this property if the City follows through with our nuisance abatement?"

Councilman Seren stated, "If we have to follow through with abating this nuisance for this person, it may be that the City will review this and determine that the structural damage and market of the, like the rental market or the or the housing market, still doesn't necessarily allow for us to invest in the property for that return and so in that case, we would have to raze it."

Mayor Stephens stated, "Since one of the things I see on a regular basis is a repair of roofs, I know that we couldn't possibly do the roof on that property for less than \$7,000."

Councilman Seren stated, "Yeah."

Mayor Stephens stated, "I imagine there are interior things that need to be done as well."

Councilman Seren stated, "That's correct and this was thoroughly discussed during the hearing along with an estimate from the people that would be doing the work. So, I think those concerns were addressed and we just, as opposed to having, you know, the missing tooth on the street when it's not necessarily required to abate the nuisance in this case, the owner of the property was convincing that their investment in that property would continue and that they would fix it and they would... they plan on getting it up to code and getting the nuisance abatement. So, by March 1, if it's not taken care of, then we'll have to take another look at it, but..."

Mayor Stephens stated, "Are we saying that everything has to be done by March 1? Because what we've seen with several folks like this is they go in and do a little bit and then asked for additional grace period."

Councilman Seren stated, "Well, what we determined is that all exterior violations must be taken care of, all exterior violations including the property and the structure."

Mayor Stephens stated, "The garage in this? So, the site finished as well as the structure and the garage?"

Councilman Seren stated, "So, if there's any debris in the yard, if there's anything that needs to be cleaned up - all exterior violations must be fixed by March 1."

Councilwoman Roe stated, "So, that would include the roof?"

Councilman Seren stated, "That would include the roof."

Vice Mayor Stein stated, "Were the neighbors made aware of the board's decision? Because I know that some of the neighbors have come to Council over the last year or so."

Mayor Stephens stated, "And a couple have called independent of their attendance at the meeting."

Councilman Seren stated, "Well, I'll tell you - I think in this case if this owner fulfills his end of the bargain on this and he seemed to be convincing to me at least. And I can't speak to whether the neighbors have been notified. That's not something... I have to refer to our Law Department for that, but if the owner takes care of the exterior violations by March 1 as agreed, then this would be taken care of to the neighbors' satisfaction before we would get to raze this property anyway because this person would take it to court. So, I think that all in all it's a result that hopefully will be to the benefit of not only our residents outside of this particular owner, but also to the owner's satisfaction hopefully and, you know, I hate to see a property knocked down for not sufficient reason. Frankly, I mean the structural damage was not to the degree that this house can't be saved for an investment at least on the owner's part that doesn't outweigh the return. So, it's still, according to his rental market in his calculations, a property that can be saved and can be profitable."

Mayor Stephens stated, "We really need to push staff to hold this owner's feet to the fire because they have for the last for more than three years managed a property to minimum standards. It's been a detriment. It's been the ugliest property on a major thoroughfare in our community and only because of the fire have we gotten their attention. All the notifications that staff had sent to them previously, they use the rental company or their manager as a reason for why it happened that way, but they owned it and they should have invested in it and I personally walked in the first level and it was problematic."

Councilman Seren stated, "Like I said, I can't speak to that, but I will say the current owner has taken over I guess toward the beginning of 2015 after his father passed away toward the end of 2014. I don't know exactly what the complications of that business endeavor are because it's multiple properties that this particular company owns. I don't know what the complications are that he's had to sort out since then, but based on our conversation, I was willing and the rest of the board was willing - it was a unanimous decision - to allow this individual until March 1."

Mayor Stephens stated, "Are they current on their real estate taxes?"

Councilman Seren stated, "I can check that for you now if you'd like."

Mayor Stephens stated, "Well, you can tell me afterward. I can look at that too, but that's of concern as well."

Councilman Seren stated, "Yeah."

Mayor Stephens stated, "I'm sorry. We all have concerns about this."

Councilman Seren stated, "That's fine. That's what this is for."

Mayor Stephens stated, "So, if you would proceed please."

Councilman Seren stated, "And, you know, I would like to say I don't think that this is the most lenient thing. It holds them to a strict timetable and if they're not taken care of to our satisfaction, then the City will have to step in and I do believe that this is just another example of why the type of legislation that I proposed earlier is necessary because what we don't want is for someone who is behind on their taxes to be making money on property in our City. Behind on taxes or behind on nuisance abatement charges. So, I think that if we take care of this and then make it a requirement that they're contributing to the community that they're benefiting from if they're going to be a landlord in our community, then we all benefit. So, we thought that, according to the evidence that we were given, the property and this is sort of, I mean, you know, you understand this - the calculation of whether or not the money that you have to invest in a property to rehab it..."

Mayor Stephens stated, "I do it all the time."

Councilman Seren stated, "Exactly. Is worth what the market will provide in terms of rent or in terms of a sale and we found and that owner was insistent that this is something that they can fulfill their end of the bargain on. So, that's the first property."

Mayor Stephens stated, "We eagerly await March 1."

Councilman Seren stated, "And, you know, another thing I would like to say is that - on several on actually pretty much all four of these properties the board made some determinations that maybe changed what we as a Council did in this appeal process. I think that it was a substantive appeal process and it was respectful both of the City and of the property owner and I believe that we looked very closely at the evidence that was presented to us and we also attempted to understand not only the City's position, but also the property owner's position and sort of the long-term benefits to the City based on our actions. I would like to say that thus far my, you know, inclusion in this board has been, I think, valuable. So, I'll just leave it at that and move on to the next property, 950 Nelaview. This was a property that we all saw pictures of. There were, it was, I mean I, as a lay person here, it seemed to me to be a hoarder situation and the property owner came in and we spoke with her and we spoke with the City and the board determined that raising this property strictly on the basis of, 'It's filthy,' was not something that we thought was appropriate in this case based on the testimony that we were presented. So, what we determined is that the owner would have 30 days to remove all of the debris from the property, including the property, after which the City would step in and do this at the end owners' expense."

Mayor Stephens stated, "Understand that hoarding is not something that is solved in 30 days."

Councilman Seren stated, "Cleaning out the property. Yes, we understand that."

Councilwoman Yasinow stated, "Is this the one that had all the garbage on the back stoop and it would be cleaned up temporarily and then it be right back to where it was?"

Councilman Seren stated, "That is correct. That is correct and this is a situation where this, you know, be that as it may, that is maybe the idea that this particular individual may have a situation that is

not helped by cleaning out the property or at least on a long-term basis. As a board, we were not, you know, it wasn't really in our domain to deal with whatever other issues that might be going on that are of a personal or psychological in nature, but in this case, we didn't feel that knocking the property down was the most appropriate response to that situation, but – and this is the caveat – the City has not been able to inspect this property in a meaningful way because of the clutter that was in the property and so the idea or rather order was that once the debris is removed (and this is thirty days from December 29), the City will conduct a full exterior and interior inspection because there was some indication that the property might not be saved. It might not be able to be saved and that has to do with structural issues.”

Mayor Stephens stated, “I walked around the exterior of the property and I question whether appropriate maintenance has been done over the years to the structure.”

Councilman Seren stated, “And that's entirely possible, but we were given testimony that an inspection, a sufficient inspection, was not possible. They weren't able to do it and so they would like to do it and we'd like to see it and so the board will convene after this inspection to determine whether the order to raze it is appropriate.”

Councilwoman Yasinow, “What was the vote on that property?”

Councilman Seren stated, “Unanimous.”

Vice Mayor Stein stated, “Councilman, just a question. If I remember correctly, that property specifically was brought to attention because neighbors were complaining about the egregious odors that were making their living conditions impossible.”

Mayor Stephens stated, “Part of the problem is that other people cannot have quiet enjoyment of their property. Their property rights are interfered with.”

Councilman Seren stated, “That is correct and out of that, I will say, you know, part of the determination that we had to make was that there is a woman standing in front of us who, you know, lives in this house.”

Mayor Stephens stated, “Oh, I thought she didn't live in that anymore. She owns it, but didn't live there anymore.”

Councilman Seren stated, “She's been ordered to not live in it while the house is not in livable condition. So, she's been staying at a shelter because she doesn't have anywhere else to go and so that was something that we had to take into account and we thought that knocking down the house that she owns and would be living in if she could was not necessarily the most appropriate response given the evidence that we had because a dirty house is not necessarily sufficient to knock a house down and that's something that we wanted to investigate a little bit more fully which is why we wanted to give her 30 days to clean the house out so that we could do a full inspection of the house and then receive the evidence from the inspection that we were not given because they couldn't do the inspection. If this continues to be a problem, then other measures will have to be taken and I can't necessarily say that all

of those measures will have to do with determining that the property is a nuisance; that there may be other measures that authorities or family members can take, but until those things are proven to be, you know, necessary that, I mean, that would be a step we'll have to take in the future, but for now, the board determined that razing the house was not, given the evidence that we were given at the time, was not the most appropriate response to the issues that we saw."

Mayor Stephens stated, "This leaves a blighting – a substantial blighting influence - both visibly and od..."

Councilman Seren stated, "Odorously? We understand. We understood that and we definitely..."

Mayor Stephens stated, "To the neighbors and this is why people move out of our neighborhoods and leave vacancies because we are not pushing these property owners to correct their violations sooner, faster, quicker. We've been going back and forth with this specific property owner I know for almost two years now."

Councilman Seren stated, "Well, I've only been going back and forth with this property owner since we received the pictures and we were given a report on this nuisance property and we determined that a different way to abate the nuisance was more appropriate and that razing the property and leaving a vacant lot where there once was a house that potentially could have been saved and still, I mean at this point, we're not entirely sure that this will be maintained in the ownership of this particular person and a different owner may come in and take the house. We don't know this. My point is that razing a house because it needs to be cleaned, even very thoroughly cleaned, razing a house is not necessarily the most appropriate solution at this time."

Mayor Stephens stated, "I will concede that, but this house has become a detriment to the values of the adjacent properties."

Councilman Seren stated, "And we are not ignoring that."

Mayor Stephens stated, "Okay, so we move along."

Councilman Seren stated, "All right, moving along, we've got the Rise Bar. So, in this case the City was able to prove that there was a nuisance created, but the City did not provide evidence that the nuisance was not already abated in November and so by the time that we had our hearing, we were given testimony that incidents that we were to be made aware of it as the board at that meeting on that date, that incidents did not continue based on some changes in event promotion."

Mayor Stephens stated, "What's the street address on that?"

Councilman Seren stated, "This is at Severance."

Councilwoman Yasinow stated, "Forgive me if I'm wrong, but is this the one where there was the stabbing?"

Councilman Seren stated, "There is that. Yes, that is the issue. That is one of the issues, but in this case, the board determined that due to those changes in event promotion in the clientele that was to be brought into this location for various events that this nuisance may have been abated by those changes; and we determined that, well, two things. The first is that we would give them until the beginning of June to see if those six months and the reason why we chose six months and this is the reasoning for that - is that if we gave them three months, if we gave them two months during the winter, then we may not be able to see if those changes were actually effective and so we could go two months and not have an incident and then at that point determine that okay, well the changes were effective in abating the nuisance and we're not having these problems anymore, but once the summer months start then and it starts to get a little bit warmer and more people are going out there, we might have a better idea and I recognize that this is a dangerous situation that people have been hurt there and it's a trade off in terms of, you know, shutting down a business and effectively firing all of the employees who work there."

Mayor Stephens stated, "But how will we feel if there's a loss of life there?"

Councilman Seren stated, "That's correct and it's a very difficult tradeoff."

Mayor Stephens stated, "When I have ever made decisions about business success or loss of life, I choose life every time."

Councilman Seren stated, "Well, I'll tell you, I think that, you know, if there's a person who is going to a bar in Severance and this is a person who is a violent individual who is going to commit a crime, it may not be the Rise Bar that they go to. In all likelihood, you know, wherever this person goes..."

Mayor Stephens stated, "There are other venues, yes."

Councilman Seren stated, "And in that way, as long as the bar is not attracting that clientele and making a safe space for that type of clientele, the person who will commit the violent acts, then the bar is not the problem. So, what we're hoping is that the changes that this bar's already made in terms of dress code, age limits, there was a portion of the time that this bar owner had brought him some event promoters and they were bringing in 21 and over and there were some issues and that's not to say that all of the issues were caused by younger clientele either, but the clientele that they were attracting and I mean proactively attracting were the clientele that we saw creating these problems where there's, you know, somebody with a concealed weapon, somebody was stabbed in the parking lot and that's the sort of thing that we have to stop, but the issue is that and I won't say necessarily that the City conceded this, but I will say that the City did not fight the determination that the changes that were made may have abated the nuisance already because of the lack of incidents in certain changes were made."

Mayor Stephens stated, "Okay, so they made the changes in early December for example."

Councilman Seren stated, "Well, there were changes that were made. I believe the real incident had to do..."

Mayor Stephens stated, "We have received a letter from the owner."

Councilman Seren stated, "Yeah."

Mayor Stephens stated, "And he said that he would be making some changes."

Councilman Seren stated, "Correct. There were changes made prior to that as well, but I think that giving them the chance... I didn't finish the other caveat and I think that it's important that you hear that as well. If there is criminal activity in the interim..."

Councilwoman Yasinow stated, "In the next six months?"

Councilman Seren stated, "Yes, within the next six months, that the board may reinstate that revocation of business occupancy; and that's something that I think is very important in this order is that..."

Mayor Stephens stated, "Okay, I needed to hear that."

Councilman Seren stated, "Yeah, yeah. So, it's not just, you know, free six months. Don't worry about anything. It's like, 'No, you have to maintain these changes and do whatever other necessary changes will abate this nuisance,' and so that's the order that we gave. That also was a unanimous decision."

Vice Mayor Stein stated, "Well, just as a point since I disagreed with you on the previous two, I think I'll just let you know that I think the board's decision on this one is... I could agree on."

Councilman Seren stated, "Well, you know, the tradeoff I think is the possibility of violent acts and we do not and did not take that lightly and that is a concern of mine and it will continue to be a concern of mine. At the same time, I know, that there are other venues that have the potential for violent acts here in this City and there are other venues that are creating the same requirements and rules for their clientele that this owner has instituted, and so, and where there aren't violent acts and so I'm hoping that the changes that they've made allow us to at least, you know, as long as the bar exists and employs people, that those employees continue to be able to maintain their livelihoods and that we don't necessarily, you know, put those employees out of a job as a result of something that may have already been abated; and so, I mean, it was difficult to weigh and we don't take it lightly and I didn't take it lightly. At the same time, we wanted to have sort of that stick where if these changes either aren't enough and the owner isn't willing to make changes that are enough, then we will revoke the business occupancy. So, okay, the final minutes..."

Mayor Stephens stated, "We took 15 minutes on you, dude."

Councilman Seren stated, "I know you did. I apologize. The final nuisance abatement appeal was withdrawn by the City. We found..."

Mayor Stephens stated, "What was the address?"

Councilman Seren stated, "This was 13093 Cedar. We found that the request to abate this nuisance was not supported. The evidence and the code did not align. So, the criminal activity that took place was not addressed by the code."

Mayor Stephens stated, "Refresh our memories. What was occupying this building?"

Councilman Seren stated, "This was a rental and the renters are currently being evicted. Their child, well, an adult child of the renter committed a theft and when the house was searched, I believe there were some drugs or drug paraphernalia found. You can please forgive me about the specifics exactly. I don't have the notes in front of me, but the... what we found is that the criminal activity..."

Mayor Stephens stated, "Could be abated by removal of this occupant."

Councilman Seren stated, "Well, there's that."

Councilwoman Seren stated, "Who is not on the lease?"

Councilman Seren stated, "That as well that and that particular individual I believe is dealing with a criminal case now and is not in the property and as far as I know, the tenant will be out of the property as well."

Mayor Stephens stated, "Okay."

Councilman Seren stated, "And so the City withdrew this."

Mayor Stephens stated, "Against the landlord. Against the landlord since they had made an effort to correct the tenant's problem."

Councilman Seren stated, "Yeah, what they wanted us to do was revoked the occupancy permit, but the City withdrew its request for that. So, that is the result of the appeals process for nuisance abatement."

Councilwoman Yasinow stated, "Okay."

Mayor Stephens stated, "Okay, thank you for that update."

Councilman Seren stated, "You're welcome."

Mayor Stephens stated, "Is there anything else you'd like to share with us this evening?"

Councilman Seren stated, "Not tonight. Thank you."

Mayor Stephens stated, "Okay, next we move on to Administrative Services Committee. Councilwoman Roe."

### **Report of the Administrative Services Committee**

Councilwoman Roe stated, "Okay, so..."

Mayor Stephens stated, "Are you going to be as exciting as Councilman Seren?"

Councilwoman Roe stated, "You know, I don't know that I can meet that standard that has just been set in terms of excitement, but, so, I have two pieces of legislation tonight. One is Ordinance Number 1-2017 and I move the adoption of this ordinance amending Ordinance Number 7-2016, the wage and salary ordinance and this is to incorporate the new terms agreed to by the City of Cleveland Heights and the Fraternal Order of Police Ohio Labor Council Incorporated and represents the police dispatchers."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Thank you, Councilwoman Yasinow. Mr. Raguz, would you call the roll please?"

Roll Call: Ayes: Seren, Stein, Stephens, Yasinow, Dunbar, Roe

Nays: None

Tom Raguz stated, "Six ayes, Your Honor."

**Ordinance Passed**

Councilwoman Roe stated, "Okay, I'm halfway through. Next I have Ordinance Number 2-2017. This is an ordinance to amend Section 183.01, the public hearing of Chapter 183, political influence by corporate entities of the Cleveland Heights Codified Ordinances to establish more flexibility on the hearing date. This ordinance essentially allows us after we go through what was approved by the voters in the Move to Amend - this ordinance allows us more flexibility in scheduling the public hearing. So, that's the effect of the ordinance, so I move that we pass this."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Thank you, Councilwoman Yasinow. Mr. Raguz, if you would call the roll please."

Roll Call: Ayes: Stein, Stephens, Yasinow, Dunbar, Roe, Seren

Nays: None

Tom Raguz stated, "Six ayes, Your Honor."

**Ordinance Passed**

Mayor Stephens stated, "Thank you. This resolution... this ordinance passes. Is there anything else you'd like to share with us this evening, Councilwoman Roe?"

Councilwoman Roe stated, "I think not."

Mayor Stephens stated, "Okay, next we move on to Community Relations and Recreation Committee. Vice Mayor Stein."

#### **Report of the Community Relations and Recreation Committee**

Vice Mayor Stein stated, "This committee has no legislation tonight."

Mayor Stephens stated, "Well, thank you for that brevity. Next we move to the Finance Committee. Councilman Unger is not here this evening. Our vice chair is... yes."

#### **Report of the Finance Committee**

Councilwoman Dunbar stated, "I have nothing to report except Happy New Year, everyone."

Mayor Stephens stated, "And next we move to Municipal Services Committee. Councilwoman Yasinow."

#### **Report of the Municipal Services Committee**

Councilwoman Yasinow stated, "Thank you very much, Your honor. I have no legislation this evening, but I do have a few quick remarks. First off, with regards to Ordinance 2-2017 that was just passed - just for residents to have a little background knowledge with this. There was no previous flexibility as to when we could get a hearing and we were actually working with those who helped get Move to Amend on the ballot and its proponents to work with them as to create a mutually agreeable time and date and we realize that we did not have the flexibility for the City Hall to be able to work with the most ardent supporters of Move to Amend. This was done collaboratively and we all look forward to the hearing on this which was scheduled for January 25 at 7:00 p.m. here in Council Chambers, so we look forward to having all residents who wish to attend to come and to speak their mind and have a forum to discuss the importance of maintaining a strong democracy free from extravagant corporate influence. So, we welcome you all and look forward to seeing you. As Chair of Municipal Services, I just want to give a quick thank you to those who have helped make the transition to Cleveland Water possible. The transition to Cleveland Water. We were previously a master meter city which means that we purchased our water from Cleveland Water and sold it. We are now a direct service city with the City of Cleveland Waters Department like dozens of others in the region. This is the end of a very long, it actually is still ongoing, saga, but it could not have been done without the truly excellent work of our staff who have made this possible - our City Manager as well as - and they do not get nearly enough credit for this - Collette Clinkscales, the head of our Water and Sewer Department as well as Jim Lambdin, the head of our IT department. This was a very intricate, very complex transition. Their work in this has been invaluable. A lot of long evenings and we thank them for their work. Please do give your Water Sewer Department/IT Manager a hug. And if you have any questions..."

Councilwoman Roe stated, "As long as it's not inappropriate."

Councilwoman Yasinow stated, "What?"

Mayor Stephens stated, "The Administrative Services Chair reminds you that it should not be inappropriate."

Councilwoman Yasinow stated, "In that case, please give them a professional handshake. So, if you have any questions about your transition, go to Cleveland Water services, we have Frequently Asked Questions up on the City of Cleveland Heights website to help with answering any questions you may have. For example, you will no longer be billed for your water by the City of Cleveland Heights. Please do not come to drop off any payments for your water to the City of Cleveland Heights after the final bill goes out. The final Cleveland Heights water bill will be delivered at mid- January. So, please do see your frequently asked questions on the City of Cleveland Heights website and mailings will also be going out to residents. Additionally, fun with Municipal Services, garbage pick-up. As we did observe the New Year's holiday on Monday, garbage pickup has been delayed by one day so that means if you get your garbage picked up on Monday it will now be picked up on Tuesday, so on and so forth, including if you get your garbage picked up on Friday, it will now be picked up on Saturday of this week and then we go back to the regular schedule."

Mayor Stephens stated, "Until we have another holiday."

Councilwoman Yasinow stated, "Until the next holiday at which point, please note it will all get pushed back one day. And finally I just wanted to wish everybody a very Happy Holidays and a Happy New Year, Merry Christmas, Happy Hanukkah, Happy Kwanzaa and anything that you may celebrate around this season. That is all that I have for Municipal Services."

Mayor Stephens stated, "Thank you. I had a rather long speech prepared because it's the beginning of the year and I wanted to talk about how life is part of a lifelong process of learning and what I learned is that nobody wants to stay here very late and so I'm going to skip to the important parts which are that in the seven years that I've served as a member of Council and now as the Mayor, we have learned about our school systems and our children, the crime statistics, the cost of safety services, recreation and entertainment, interaction with other communities, interaction with my colleagues and I think all six of us who are present here today and the seventh would probably agree that there are things we didn't know about when we ran for Council the first time. And so we've learned more than we expected to, but this is a very special community and all of us believe that because we're a zone where we believe in freedom to express who we are whether we are have different thoughts or religions or races or lifestyles, this is a community that is welcoming to all of us. Yesterday, I held a friend and former colleague's grandchild in my arms who will be the third generation to live in this community and they're proud of what this community stands for and how wonderful it is that generations will, as they say, boomerang back home after they've spent time in Boston, New York, Los Angeles, Chicago and other places. So, I'm thankful that this community is so special and so attractive that you want to go and place somewhere else for a little while, but you always want to come back home. So, with those short

notes, I thank God for this country and that we can recover from any mistakes that we make and some of us are perceived certain things to be part of the great American experience of democracy and I also think God and hope that he or she will bless Cleveland Heights. Once again, when we are finished with our Council meeting as efficiently as possible. Yes?"

Tanisha Briley stated, "We just need you to set the hearing for the Democracy Day."

Mayor Stephens stated, "Thank you and I have a note for that and looked over it in moving fast. The Move to Amend Democracy Day event; the hearing is scheduled for January 25, 2017 at 7:00 here in our City Council Chambers at 40 Severance Circle. If you'd like to attend and comment on political issues that can be changed by corporate investment, things that are related to how we focus on public investment in our community, those things are what we ask you to focus on and go on our website and look at the legislation as to what we focus on, but we will hold a hearing on January 25 at 7:00 p.m. here in Council Chambers for Democracy Day. With no further information, I'd like to thank you all for your attendance and your attention if you're watching this on YouTube or on our channel. The next meeting of our City Council will be... official meeting will be Tuesday, January 17, 2017 at 7:30 p.m. Thank you very much. This meeting is over."

The meeting adjourned at 8:21 p.m.

Respectfully submitted,

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Cheryl Stephens, Mayor

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Tom Raguz, Clerk of Council

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