

Council Committee of the Whole of the City of Cleveland Heights, Ohio, met on the above date at 6:26 p.m. to discuss the contents of the City Manager's memo and Board of Zoning Appeals applications.

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

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

Councilwoman Dunbar motioned to move to Executive Session at 7:44 p.m. to deliberate. The motion was seconded by Councilwoman Yasinow.

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

Nays: None

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

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

Nays: None

Executive Session adjourned at 7:50 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:55 p.m., Mayor Stephens presiding.

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

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

Mayor Stephens stated, "Good evening and welcome to the Cleveland Heights City Council meeting for Monday, April 3, 2017. This is our regular meeting. We apologize to those of you who had to wait a moment or two in the Council Chambers. We just needed a brief executive session. Mr. Michalec, would you please call the roll?"

Mitch Michalec stated, "Yes, Your Honor."

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

Mitch Michalec stated, "Seven present, Your Honor."

Mayor Stephens stated, "Thank you. This evening we will have our regular Council minutes passed to staff. Thank you. At this time, we have a long tradition of hearing personal communications from residents of our community or anyone who has something they'd like to share with the City Council. We need for you to come to the podium on my left or your right, state your name, your address and speak to us for approximately three minutes please. So, is there anyone who would like to address Council? Yes, ma'am."

Katherine Solander stated, "Good evening. My name is Katherine Solander and I live at 2477 Gilford Road. As a representative of the Cleveland Heights Chapter of the League of Women Voters of Greater Cleveland, I'm here to invite the community to attend a discussion with Dr. Talisa Dixon, the superintendent of the Cleveland Heights-University Heights City School District. This meeting will be held on Sunday, April 23 from 2:00 to 4:00 p.m. in Meeting Room A of the Cleveland Heights-University Heights Main Library at 2345 Lee Road in Cleveland Heights. Again, everyone is invited, so please bring your friends and neighbors. Dr. Dixon will speak for a while and then we'll take written questions from the audience. Among the topics the league has suggested she address are trends and changes in school curriculum at all levels, core curriculum, requirements from the State of Ohio and how these have changed and the difficulties of assessing achievement versus assessing student growth. She will also be able to tell us about the progress of plans for the reopening of Heights High School later this year as well as the next phase of reconstruction. This discussion follows the Annual State of the schools address that Dr. Dixon will give at the Community Center on April 5, so questions arising from that presentation will certainly be welcome. The League of Women Voters looks forward to seeing everyone at the Main Library on April 23. Thank you."

Mayor Stephens stated, "Thank you. Next, we'll go down the same row."

Laura Lewis stated, "Good evening. My name is Laura Lewis. I'm at 2840 Washington Boulevard. I'm here as a volunteer with Moms Demand Action for Gun Sense in America. I didn't realize I was going... I thought this would be more of a discussion, but there are a couple of things that we wanted to bring to your attention. First of all is a bill that was recently enacted in Ohio; it's called SB199 or the Guns Everywhere Bill that just came into effect March 21 which will allow people to carry hidden, loaded guns into places such as daycares in the area and Moms has taken it upon ourselves as volunteers to call daycares throughout the State of Ohio, we have quite a large team on this, to make them aware of this law and that they have the right to prohibit the guns in their facility by posting a sign and we have found that there is quite a large percentage of daycares that aren't aware that this law is in effect, so we're here today to ask Council if there is a way of getting word out to daycares in our local communities so our kids are kept safe. So that was the one point I want to mention. Another point is June 2 is National Gun Violence Awareness Day. Moms is asking everyone to wear orange on that day. Orange is the color that people wear to signal,

'don't shoot,' and it has become kind of become a color of the movement, so we are asking all of our elected officials if they will wear the color orange that day, take pictures of themselves, post to social media with the '#WearOrange,' and if there are also any buildings in the area, any local businesses, City Hall that would consider using orange lights to light things up that night and also post those pictures to social media. And then finally, Moms has another program that we like to promote more throughout our community. It's called Be Smart. It's a child access prevention program; puts the onus of the responsibility for safe storage of guns on the adults and encourages people to have a conversation about whether or not there are guns in the home to make this more of a not such a taboo topic and encourage dialogue. We do have a presentation that we like to bring out to community groups and organizations. We have materials that actually the Cleveland Heights Police Department now has at their front desk to give out, but we'd like to get those out in the community more, so thank you very much."

Mayor Stephens stated, "Thank you, Ms. Lewis."

Councilwoman Yasinow stated, "Would it be possible to get a reminder from Moms Demand Action about June 2 and the #WearOrange. Would that be possible to so it stays on our radar or do you have a Facebook page?"

Mayor Stephens stated, "So, the Chief and I met with her a little over a month ago, so she can email to the Chief so the Chief can help remind us."

Laura Lewis stated, "I'll do that and we also have the proclamation which I will be getting to you."

Mayor Stephens stated, "Thank you."

Laura Lewis stated, "Thank you very much."

Mayor Stephens stated, "Where did I see the next hand? Mr. Reddy."

"Good evening, everyone. Vince Reddy. I live at 908 Vineshire Road and I'm here tonight. Well, I appreciate the opportunity to speak to Council and my fellow citizens. I'm here to express my disappointment in what seems to be the decision to repave Noble Road. I'm not disappointed about that, but I'm disappointed about the decision not to consider restriping Noble Road to calm traffic, put it on a road diet, however you term it. Now, I understand it's maybe not a final decision, but it seems to me like it's almost a final decision and I just feel that this would be a missed opportunity to complete a section of the East Side Greenway which the City invested in. The plan for the East Side Greenway is to make the street usable by bikes which it really is not now, safer for pedestrians, whether people and animals both, you know, and especially kids, you know. There's many people in the three to four-foot range that cross Noble Road on their own to go to school, so it is a it is a route to

school and I think will become more so if we lose one of our elementary schools, Oxford or Noble, which I think is likely in the not too distant future. And I think it's also giving up an opportunity to show that Cleveland Heights is a progressive community, you know, one that is sort of on the cutting edge of these kinds of ideas. I appreciate you know investment by the City and County in the north end of Cleveland Heights, but I do worry a little bit that, you know, a smooth Noble Road will make it into more of a traffic thoroughway than it already is and so I'm concerned about that and as I say - I appreciate the investment, but as I said, it's crossed many times a day by little kids and it's , you know, there's really no place where it's safe for kids to cross and it's present configuration.

And I think reducing the street to two lanes, which it already is a two lane street in various pinch points in the commercial districts, it will have a limited effect on motorists because I don't think the four lane configuration is necessary for capacity demands. It seems like that the main purpose of that extra lane in each direction is so that people can pass on either the right or left and often at really perilous speeds. So, I know, I understand the reason is the \$30,000 that it would cost to do the different striping and I understand know that that's one, possibly one reason, but I worry that it's not the only reason. You know, I came to Cleveland Heights 20 years ago and one thing that attracted me to Cleveland Heights was that it seemed like a community that set the standard for Greater Cleveland in many ways and I feel like sometimes now, we're not only not setting the standard, but not even keeping. So, I do hope that there can be more discussion about this before a final decision is made. So, I appreciate the opportunity to speak. Thanks.”

Mayor Stephens stated, “Thank you. Yes, sir.”

Edgar Mitchell stated, “My name is Edgar Mitchell. I live a 2025 Goodnor Road, Cleveland Heights, Ohio since 1979 and I'm glad and proud to be a member of Cleveland Heights neighborhoods and I'd like to thank Council and all of the people that serve, you know, the Cleveland Heights City as safety forces and all that. I just had a question. The reason I came, because I was kind of upset about the water bills now since we got away from Cleveland Heights handling the Water Department, handling the water bill. Well, the Water Department in Cleveland, I received my water bills and so I'm kind of upset with them because I don't understand how Cleveland is billing this because it seems like the sewer bill that I used to pay was approximately \$100 about every three months. Now the way that Cleveland is billing this, I will be paying an approximately \$50 a month which is going to take me \$50 or \$60 dollars over what I paid when Cleveland Heights handled this. Also, this bill comes out as about \$15 a month which is some type of water bill or sewer bill or something with storm sewer bill. I don't understand that bill because we pay a sewer bill and storm sewer bill, is an addition of another \$15 dollars. I don't quite understand that, so I just came here to make Council aware of that and other citizens of Cleveland Heights aware of that because it seems like when Cleveland, when we sent it over to Cleveland, now we're got to

be paying more than we did when we were, you know, head it ourselves. So, I'd like somebody to explain it to me if Council can."

Mayor Stephens stated, "Actually we can't take the time because it gets a little complicated to explain the whole thing to you. What we can do is have, out in the back of the room, you see the gentleman in the door who has Cleveland Heights logo on – he's Mr. Mannarino. He's the Public Works Director. If he can take your name and telephone number, we can follow up with you individually. You can come back into City Hall or we can come to your house or we can talk to you on the phone so that we get every question you have answered."

Edgar Mitchell stated, "Okay."

Mayor Stephens stated, "And you can show us your bill, what concerns you and we can answer those specific questions for you."

Edgar Mitchell stated, "Okay, thank you."

Mayor Stephens stated, "You're most welcome, Mr. Mitchell. We will... I will personally follow up with you, okay? I saw another hand in that direction. Mr. Lefkowitz."

Mark Lefkowitz stated, "Good evening. Is this thing on? Good evening, members of Council. Mark Lefkowitz, 2928 Somerton Road Thank you for the opportunity to speak and make comments tonight. I also wanted to make a few comments in support of the plan for a Noble Road road diet that Mr. Reddy spoke so knowingly and convincingly on, and just to add a few data points to the argument that he made. The City recently adopted a Master Plan and the goals within that plan include crucial target areas including the strengthening of the commercial and residential districts at Noble Road and Monticello. This road diet idea really holds a lot of value in terms of the focus on Monticello in infrastructure improvements and supporting new businesses. In addition, the points that Mr. Reddy made are supported by a well vetted and documented plan that came from the City's Planning Commission which I have right here. The points about crash safety are real. According to the data from the Police Department, Noble Road had 39 crashes in 2014, five causing injury; in 2015, 35 crashes, two causing injury including a pedestrian. So, to underscore the points that Mr. Reddy is making and just to sort of also agree an echo the points that this idea of a road diet, which is a commonly adopted practice now, there's a guidance through the way on this and there are multiple examples across the country of the good that it has produced, would be, in essence, the City living up to some of these ideals that we express in our big planning efforts in our Master Plan and when we talk about creating sustainable transportation network. This is walking the talk and I really do believe that speaking to some members of County government who, this is a county owned road, and they've been very generous in terms of coming up with a funding for the resurfacing. I really don't think this

thing is on. There are opportunities, this being a great opportunity with the Eastside Greenway that Mr. Reddy mentioned, of strengthening relationships that we have with County government and a large framework that the City put a lot of effort into, a lot of resources into with this Eastside Greenway project to figure out of a way of finding \$30,000 and not kicking the can down the road and saying that eventually we'll get to this. This is something we need to prioritize as a City who believes in sustainable transportation and build it once and set the standard for the new normal for this road, come forward in the planning in the maintenance of the project, find \$30,000 in a future round of potentially CDBG funding which it could be used in infrastructure dollars in a low-moderate income neighborhood like this. I think there are opportunities like that. I think we need to really be thinking out of the box a little bit and this is a great opportunity for us to do so. So, I thank you for your attention."

Mayor Stephens stated, "Thank you. Did I see another hand on this side of the room? If not, I'm going to move to this side of the room. Who would like to speak over here? Don't forget to give us your name."

Bruce Needham stated, "My name is Bruce Needham and I live at 1048 Oxford Road, Cleveland Heights. I've been a resident there for a little over 45 years. I was born on Nelaview. My father, who was a dentist, had his practice there and was given a school education by Mr. Stonebreaker. So, I go back a couple of days. In all those days of me being on the planet and living in that area, I have never seen anything to improve even the road over there that's going to prevent accidents and things of that nature. You have an element of people that are coming from both directions down Noble Road. It's an escape route in the Cleveland/East Cleveland and a route coming back up. East Cleveland has tried to do something by putting in speed traps for the school section on the Noble Hill. They have been unsuccessful in collecting any money. People are owed a large sum of money for those traps; they don't even bother. I cannot see how making the road narrower is going to help with the traffic situation. That's going to cause people to run around each other in one lane rather than the two that they have now. You have to live down in my neighborhood to really understand what's going on, not the outside like a lot of people that I just heard tonight. We need help down there, but it's not just a road. Why produce a road when you have deteriorated homes all up and down Noble Road. What are we doing about that? What are we doing about making thing available to people who want to educate their children and have family life in that area? We're talking nothing about that. We're talking about \$30,000 for the what? Lines in the road that's going to cause a bigger safety hazard and what we have now. Thank you for listening to me and let me go down to my grumpy old seat."

Mayor Stephens stated, "Okay, did I see one more hand back there? Okay. Next we move to the, that's the end of our personal communications from the residents, next we move to the Report of the City Manager. Deputy City Manager Ms. Niermann O'Neil?"

Report of the City Manager

Susanna Niermann O'Neil stated, "I have one thing to report this evening, Your Honor. Sealed bids were received for the 2017 City Hall Sidewalk Replacement and that was Bid #17-04. Bids have been tabulated and reviewed and Catts Construction, Inc., their bid of \$65,831.20, is the lowest responsive bid. I put this as a Matter of Record, Your Honor."

Matter of Record

Mayor Stephens stated, "Thank you. Is there anything else?"

Susanna Niermann O'Neil stated, "No."

Mayor Stephens stated, "Next we move to the report of the Interim Director of Finance/Clerk of Council."

Report of the Interim Director of Finance/Clerk of Council

Mitch Michalec stated, "Yes, thanks, Your Honor, I have several items tonight. First I would like to notify Council that two notices have been received from the Ohio Department of Liquor Control advising that applications have been made by the following:

- Jerri Garrett, Cain Park W/S 10 Acres Amphitheaters, 14591 Superior Avenue, Cleveland Heights & Shaker Heights, Ohio 44121, transfer D1, D2 and D6 permits from Richard Tonelli, Cain Park W/S 10 Acres Amphitheaters, 14591 Superior Avenue, PO Box 22420, Cleveland Heights & Shaker Heights, Ohio 44121
- Grand Judaica LTD dba Grand Judaica, 1873 South Taylor Road, Cleveland Heights, Ohio 44118 transfer C2 permit from Jacobs, Judaic & Gift Center Inc. dba Jacobs Judaic Book & Gift Center, 1873 South Taylor Road, Cleveland Heights, Ohio 44118

I'd like that to be made a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. That will be made a Matter of Record and referred to the Public Health Safety and Health Committee of the City Manager and the Director of Law. Do you have a few more issues for us?"

Mitch Michalec stated, "Yes, I do, Your Honor. I would like to notify Council that five Resolutions of the Board of Zoning Appeals have been received pertaining to variances in the Zoning Code and are requested by the following:

- BZA Cal. No. 3414: Charles Zuchowski d.b.a. May Lee Building, 2490 Lee Blvd. to permit a storage facility.
- BZA Cal. No. 3415a: John and Anya Rudd, 2178 Harcourt Drive, to permit a 6 foot tall fence in a portion of the front yard along the south side of the property and to permit a 5 foot tall fence in the front yard.
- BZA Cal. No. 3415b: John and Anya Rudd, 2178 Harcourt Drive, to permit a parking pad in the front yard.
- BZA Cal. No. 3416: Barry Stern and Peggy Mendes-Stern, 2258 Coventry Road, to permit two garages on one parcel.
- BZA Cal. No. 3417: Nan and Hugh Sullivan, 2939 Scarborough Road, to permit a portion of the front of the house to be set back 50.84 feet.

I'd like this to be made a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. This will be referred to the Planning and Development Committee of Council and... I'm sorry."

Councilman Seren stated, "I believe one of those might be referred to the Committee of the Whole."

Mayor Stephens stated, "We'll do that when we get to that section. This will be referred to later in this evening's agenda for review when we have the Planning and Development Committee as an item in Council. And you have another section to read with this?"

Mitch Michalec stated, "I would like to notify Council that seven Fiscal Officer's Certificates pertaining to proposed legislation to be introduced later in the meeting to provide for the issuance of bonds;

- For the purpose of paying costs of acquiring motor vehicles for use by the City's Police Department, together with the necessary appurtenances thereto (the improvement);
- For the purpose of paying costs of improving streets and roads in the City by reconstructing, grading, draining, paving and making other improvements as designated in the plans approved or to be approved by Council (the improvement);
- For the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City's Department of Public Works, together with the

necessary appurtenances thereto (the improvement);

- For the purpose of paying costs of acquiring equipment for use by the City's Police Department, together with the necessary appurtenances thereto (the improvement);
- For the purpose of paying costs of installing and improvement sidewalks at the City Hall Complex, together with the necessary appurtenances thereto (the improvement);
- For the purpose of paying costs of replacing fire hoses and nozzles at the City's fire station facilities, together with the necessary appurtenances thereto (the improvement); and
- For the purpose of paying costs of acquiring motor vehicles and related equipment for use by the City's Fire Department in providing emergency medical services, together with the necessary appurtenances thereto (the improvement);

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

Matter of Record

Mayor Stephens stated, "These are all referred to the Finance Committee of Council and will be introduced later in this meeting. Is there anything else that you'd like to make a Matter of Record or introduce to this evening?"

Mitch Michalec stated, "Not tonight, Your Honor."

Mayor Stephens stated, "Thank you. Next we go to the committee reports. The first committee report will be for Municipal Services."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "Thank you very much. I have one piece of legislation for consideration this evening. This is Resolution Number 25-2017 on first reading only. This is a resolution authorizing the City Manager to execute a professional Energy Service Design-Build agreement with Evans Energy whereas pursuant to Resolution Number 6-2017, the City Manager entered into negotiations with Evans Energy for an energy conservation project identified in its proposed scope of work dated September 16, 2016 as a submitted a response to the City's request for proposals; whereas said project would result in increased energy efficiency equipment reliability and reduced energy costs; whereas this Council is determined it is in the best interest of the City and its residents to move forward with the proposed agreement with Evans Energy under the terms negotiated but City Manager, now be it resolved by the Council, the City Manager be and is hereby authorized to execute a professional Energy Service Design-Build agreement with Evans Energy the terms of said agreement shall be similar to the proposed agreement on file with the Clerk of Council and

shall be approved as to the form by the Director of Law. The stated contract amount shall exceed \$5,445,562 with notice of the passage of this resolution to be given by publishing the title an abstract of its contents prepared by the Director of Law once in one newspaper of general circulation in the City of Cleveland Heights. I hereby offer Resolution Number 25-2017 on first reading only.”

Mayor Stephens stated, “Thank you. Is there anything else you'd like to share with us this evening, Councilwoman Yasinow?”

Councilwoman Yasinow stated, “A few matters actually. First and foremost, I just want to make note of some of the comments that we had this evening regarding Noble Road and to just bring to the community’s attention that the restriping that was discussed of Noble Road - it would not be a single outlay of \$30,000 to restripe the Noble Road. I did confer previously with Public Works Director Alex Mannarino. To do the restriping of Noble Road continually would be an outlay of the City of about \$30,000 each year and add an item to maintain the striping for Noble Road. Our entire budget for restriping in the entire city of Cleveland Heights is \$79,000. So, you would be committing approximately 40% to our entire City's restriping just for one road if the restriping, the diet was put forth and I do think that is a very salient and important fact for residents to be aware of. We are committed to growing Cleveland Heights, being innovative and trying to stay ahead of the curve as I believe one resident put it, but we do need to be mindful of our tax dollars as well including 40% of our entire City's line striping budget. So, I just want to get that information out. So, that's a bit of business.

Second, slightly more exciting, the City of Cleveland Heights will be having a team for the 26th Annual Reaching Heights Spelling Bee. The spelling bee will take place Wednesday, April 19 at 7:00 p.m. at Cleveland Heights High School on the Wiley campus. It promises to ‘bee’ very exciting! Right now we know that myself and Councilwoman Carol Roe will be on the team and our third member is to ‘bee’ determined.

And then finally I just want to let residents know of something rather exciting happening with the City. Our City Manager will this week be attending the City Managers’ Design Academy in Dallas, Texas. There are six projects that will get to be considered with the best designers in the country and it has been decided that for this program, the Taylor-Tudor Development on Taylor Road will be considered and analyzed for possible, what could happen in designing, planning wise to help reinvigorate that part of our City. So, I'm very excited to hear about this to hear this case study involving Taylor-Tudor goes and congratulations to our City Manager on that. And with those three pieces of news. Oh, finally, before I forget. I just wish everybody a Happy and Healthy Passover. I would make a joke about Passover and levity, but I do not think it would be appropriate. If anyone gets that joke, okay. Thank you. Have a good night.”

Mayor Stephens stated, "Next we move to the Planning and Development Committee of Council. Councilwoman Dunbar."

Report of the Planning and Development Committee

Councilwoman Dunbar stated, "I would like to refer the BZA issues to Kahlil Seren, if you would do those."

Councilman Seren stated, "All right. Okay, so first I'd like to refer, I guess re-refer BZA Calendar Number 3414 to the Committee of the Whole for..."

Mayor Stephens stated, "It will be continued for discussion by Council."

Councilman Seren stated, "Yes."

Mayor Stephens stated, "Law Director, do we need a motion for that or just have to make a statement to continue?"

Jim Juliano stated, "Just the Chair indicating a continuation of the matter is sufficient, Your Honor."

Councilwoman Dunbar stated, "It will be continued then."

Mayor Stephens stated, "Thank you, Councilwoman Dunbar. Would you continue, Councilman Seren?"

Councilman Seren stated, "Yes, Mayor. All right. I move the Council approve BZA Calendar Number 3415a: John and Anya Rudd, 2178 Harcourt Drive, to allow a variance permitting a 6 foot tall fence in a portion of the front yard along the south side of the property and to permit a 5 foot tall fence in the front yard where a maximum fence height of 3 feet is permitted."

Councilman Ungar stated, "Second."

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Ungar, Yasinow, Dunbar
 Nays: None

BZA Resolution Approved

Mitch Michalec stated, "Seven ayes, Your Honor."

Mayor Stephens stated, "Thank you, Council Clerk. This Board of Zoning Appeals resolution passes. Next."

Councilman Seren stated, "I move that we approve BZA Calendar Number 3415b: John and Anya Rudd, 2178 Harcourt Drive, to permit a parking pad in the front yard which is

not allowing under our Zoning Code.”

Mayor Stephens stated, “Is there a second?”

Councilwoman Dunbar stated, “Second.”

Mayor Stephens stated, “If the Clerk would call the roll.”

Roll Call: Ayes: Seren, Stein, Stephens, Ungar, Yasinow, Dunbar, Roe
Nays: None

BZA Resolution Approved

Mayor Stephens stated, “We have seven votes in favor of that. It passes and we have two more. Mr. Seren.”

Councilman Seren stated, “Thank you, Your Honor. I move that we approve BZA Calendar Number 3416: Barry Stern and Peggy Mendes-Stern, 2258 Coventry Road, to permit two garages on one parcel where one garage is permitted.”

Mayor Stephens stated, “Is there a second?”

Vice Mayor Stein stated, “Second.”

Mayor Stephens stated, “Thank you. Mr. Clerk, would you call the roll please?”

Roll Call: Ayes: Stein, Stephens, Ungar, Yasinow, Dunbar, Roe, Seren
Nays: None

BZA Resolution Approved

Mayor Stephens stated, “Thank you. BZA Calendar Number 3416 passes and we have one last from you, Mr. Seren.”

Councilman Seren stated, “The last one – I move that we approve BZA Calendar Number 3417: Nan and Hugh Sullivan, 2939 Scarborough Road, to permit a portion of the front of the house to be set back 50.84 feet where a setback of 52.43 feet is required.”

Mayor Stephens stated, “Thank you. Is there a second?”

Councilwoman Dunbar stated, “Second.”

Mayor Stephens stated, “Thank you. Would you call the roll please?”

Roll Call: Ayes: Stephens, Ungar, Yasinow, Dunbar, Roe, Seren, Stein
Nays: None

BZA Resolution Approved

Mayor Stephens stated, "The last BZA Calendar item for this evening passes. Is there anything else from the Planning and Development Committee?"

Councilwoman Dunbar stated, "There is. I would just like to mention a few things quickly. In the northern part of the town, we have gotten some Safe Routes to School money to make improvements that enhanced the safety around the schools crossing the streets. Just don't hold your breath because the time; you get the money and it's, they award it to you, but it's kind of a long time to actually happen, but there will be improvements in that part of the town to help kids get across the streets and walk and bike to school. I'd like to mention that the Police bike auction yesterday was a huge success and all the free helmets from the pediatricians except for one were given away and a lot of people went away happy with bikes for their kids or for themselves. So, that was a success and much fun. I would like to mention that tomorrow night, Tuesday, April 4 at 7:00 p.m., Heights Bicycle Coalition is having a meeting at the Fairmont and it will include a number of things - a talk on, a brief talk, on safe cycling by a lawyer who specializes in bicycle cases and also a presentation about bike sharing which hopefully will be coming to the Heights at some point provided by UH Bikes that's providing all the bike sharing around the town. And a few other business items - we're providing appetizers but you have to order your own drink and it should be interesting for those of us that are interested in bicycling. Also, we have made a new application to be recognized again as a Bicycle Friendly Community, to have the City recognized as a Bicycle Friendly Community and we should be hearing about that within the next month and a little overview of how far things have come, at least for bicyclists, since we started down that road. So, that's it."

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

Report of the Public Safety and Health Committee

Councilman Seren stated, "Thank you, Your Honor I have one piece of legislation for first reading only and it's Ordinance Number 38-2017; amending Chapter 1347, Certificate of Occupancy of the Codified Ordinances of Cleveland Heights by enacting a new subsection 1347.02e. This piece of legislation has been heard in the Public Safety Committee, or at least some version of it, but now we have a new version that has a couple amendments that I'll just go through very, very briefly. This allows for, or mandates, that the Building Commissioner not issue a certificate of occupancy for residential rental structures that either have a certified delinquent property tax balance where the owner is not on a delinquent tax payment plan with the Treasurer or has an unpaid balance for nuisance abatement costs issued by the City after we've abated some nuisance on the property. So,

the additions, I believe, to this version from the last time we discussed this, include a notification section that instructs our Building Commissioner to notify a tenant of the building who may otherwise not be aware that this structure abuse its rental occupancy permit in order to give that tenant some time to either pressure their landlord or make other arrangements if necessary, if that becomes necessary. So, this is just first reading only. We'll be discussing it again I'm sure and I welcome anyone to take a look at the legislation. It's on our website and come to committee meeting next week I guess or the Council meeting in a couple weeks to tell us what you think or just reach out to us and let us know what you think about the legislation in the meantime through other means, and that is it for me."

Mayor Stephens stated, "Thank you. We move next to the Administrative Services Committee of Council. Councilwoman Roe."

Report of the Administrative Services Committee

Councilwoman Roe stated, "I don't have any appointments this evening, but I did want to mention that we have in our packets this evening a draft legislation for creation of the Charter Review Commission and would welcome people's input into that process."

Mayor Stephens stated, "Thank you. Next we have Community Relations and Recreation Committee and I believe there are quite a few things to recognize. Vice Mayor Stein."

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, "Thank you, Your Honor. There are a few. First resolution, Number 26-2017; joining with the United States Department of Housing and Urban Development and other communities throughout the nation in the observance of April as Fair Housing Month; reaffirming the City of Cleveland Heights' commitment to open housing. In celebration of the 49th anniversary of the Federal Fair Housing Law, HUD has promoted the observance of April as "Fair Housing Month" throughout the communities of this nation and this City, since the year 1965, has continually and consistently approved and encouraged the concept of fair housing throughout the City of Cleveland Heights and the entire Cleveland metropolitan area. This Council hereby proclaims April Fair Housing Month in the City of Cleveland Heights. The City of Cleveland Heights joins with United States Department of Housing and Urban Development and other communities nationwide in the observance of Fair Housing Month and hereby reaffirms its commitment established over 50 years ago to fair housing in Cleveland Heights. I offer Resolution Number 26-2017 for passage."

Mayor Stephens stated, "Thank you. Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. Would you call the roll please?"

Roll Call: Ayes: Ungar, Yasinow, Dunbar, Roe, Seren, Stein, Stephens
 Nays: None

Resolution Passed

Mitch Michalec stated "Seven ayes, Your Honor."

Mayor Stephens stated, "Resolution passes. Councilman Stein."

Vice Mayor Stein stated, "Resolution Number 27-2017; proclaiming April 17-22, National Community Development Week, in Cleveland Heights. The City of Cleveland Heights is a participant in the Community Development Block Grant ("CDBG") program whose main purpose is to provide decent, safe and sanitary housing, a suitable living environment, and economic opportunities to low- and moderate-income people; and 2017 marks the 43rd anniversary of the CDBG program, which was enacted into law as part of the Housing and Community Development Act of 1974; and the City of Cleveland Heights is also a participant in the HOME Investment Partnerships ("HOME") program which provides funding to local communities to create decent, safe, and affordable housing opportunities for low-income persons; and this Council recognizes that the CDBG and HOME programs are a partnership of federal, state, and local governments, businesses, non-profits, and community organizations, and that the services funded by the federal CDBG and HOME programs, which are administered by the local governments and often delivered by non-profit organizations, rely heavily on the dedication and good will of our combined efforts; and in light of the current federal administration's threat to eliminate the CDBG program in its entirety, public recognition of the vital importance of the CDBG program to national communities like Cleveland Heights is essential. This Council hereby proclaims that April 17-22, 2017 National Community Development Week in the City of Cleveland Heights and resolves that during this week this community will give special thanks and recognition to all participants whose hard work and devotion to their neighborhoods and their low- and moderate-income residents help insure the quality and effectiveness of the Community Development Block Grant and HOME programs. I offer Resolution Number 27-2017 for passage."

Mayor Stephens stated, "Is there a second?"

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Mr. Michalec, would you call the roll please?"

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

Nays: None

Resolution Passed

Mitch Michalec stated "Seven ayes, Your Honor."

Mayor Stephens stated, "Excellent. Moving right along. Vice Mayor Stein."

Vice Mayor Stein stated, "Resolution 28-2017; a resolution proclaiming April, Autism Awareness Month, in Cleveland Heights. Autism, the fastest growing developmental disability in the United States, affecting more than three million (3,000,000) people, is an urgent public health crisis that demands a national response; and in recognition of the growing needs of the worldwide autistic community and to raise awareness about autism spectrum disorders and the need to provide services to individuals and families who are affected, the United Nations has sanctioned April 2 as World Autism Awareness Day; and Autism Speaks, an organization dedicated to enhancing lives today and accelerating a spectrum of solutions for tomorrow, promotes the awareness of autism worldwide; and in light of the growing impact of autism spectrum disorders and the need for greater awareness, Autism Speaks holds their "Light It Up Blue!" campaign on World Autism Awareness Day, designed to increase awareness about autism by asking participating organizations to turn their lights blue; and the City of Cleveland Heights is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hopes that it will lead to a better understanding of the disorder. This Council hereby proclaims April, Autism Awareness Month, in the City of Cleveland Heights and further proclaims April 2, World Autism Day, to raise public awareness of autism and the myriad of issues surrounding autism, as well as to increase knowledge of the programs that have been and are being developed to support individuals with autism and their families. I offer Resolution 28-2017 for passage."

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. I'd like a point of privilege at this point. My next door neighbors in the back row, Deborah Gladson, she didn't get up to speak, but this is near and dear to her heart and mine because they take such good care of me. Eighteen years ago, her son was diagnosed with autism and it changes how your family cares for a child and what you do on a day-to-day basis and the things that we look for as growth in our children that are part of what we've all evolved with, all become different, and so when we were asked by a third party to introduce this legislation, it became fairly personal for me that we immediately recognize this because you never know. Sometimes it's a year after your child is born that the diagnosis for Autism takes place. It's not something you recognize immediately. And so we need to invest more under our health care issues and help families who need this type of activity to understand what they have to do and how they have to do

it. If you would please call the roll, Mr. Clerk, for us.”

Roll Call: Ayes: Dunbar, Roe, Seren, Stein, Stephens, Ungar, Yasinow
Nays: None

Resolution Passed

Mitch Michalec stated “Seven ayes, Your Honor.”

Mayor Stephens stated, “Thank you. Thank you for support of something. It's very significantly important to us. A couple more for you, Vice Mayor Stein.”

Vice Mayor Stein stated, “Yes, Resolution Number 29-2017; proclaiming April 9-15, 2017, National Library Week in Cleveland Heights. The Cleveland Heights-University Heights Public Library has been serving our community in myriad ways since 1916; and said library leads the nation as a five-star library because of its excellent staff, services, and facilities; and our library serves as a great equalizer of knowledge by providing free access to all; and our library works to meet the changing needs of our citizens, including building collections, expanding outreach services and increasing programming. This Council hereby proclaims April 9-15, 2017, National Library Week in the City of Cleveland Heights and urges all residents to visit the library during this week to take advantage of the wonderful resources available at the library. I offer Resolution Number 29-2017 for passage.”

Mayor Stephens stated, “Thank you. Is there a second?”

Councilwoman Yasinow and Councilwoman Dunbar stated, “Second.”

Mayor Stephens stated, “Multiple.”

Councilwoman Yasinow stated, “Thirds.”

Mayor Stephens stated, “If you would please call the roll.”

Roll Call: Ayes: Roe, Seren, Stein, Stephens, Ungar, Yasinow, Dunbar
Nays: None

Resolution Passed

Mitch Michalec stated “Seven ayes, Your Honor.”

Mayor Stephens stated, “Thank you. This resolution passes. Ms. Vice Mayor, would you like to hear anything else with us this evening?”

Vice Mayor Stein stated, “I’ve got one more; one more resolution I’ve got to share. Okay, Resolution Number 30-2017; proclaiming April, National Poetry Month in Cleveland Heights. The Academy of American Poets established the month of April as National Poetry

Month in 1996; and National Poetry Month seeks to highlight the extraordinary legacy and ongoing achievement of American poets; introduce Americans to the pleasures and benefits of reading poetry, bring poets and poetry to the public in immediate and innovative ways, and make poetry an important part of our children's education; and poetry enhances and enriches the lives of all Americans; and as an essential part of the arts and humanities, affects every aspect of life in America today, including education, the economy, and community pride and development; and Cleveland Heights is home to the Arts; and this Council recognizes the benefits of poetry and has recognized the Poet Laureate selected by HeightsArts since the program began in 2006. Therefore, this Council proclaims April, National Poetry Month, in the City of Cleveland Heights and urges all residents to observe this month, to celebrate the cultural riches our community has to offer, and to recognize the important role poetry in creating and sustaining this great city with appropriate ceremonies, activities, and programs. I offer Resolution Number 30-2017 for passage.”

Mayor Stephens stated, “Is there a second?”

Councilwoman Dunbar stated, “Second.”

Mayor Stephens stated, “Thank you. Would you call the roll please?”

Roll Call: Ayes: Seren, Stein, Stephens, Ungar, Yasinow, Dunbar, Roe
 Nays: None

Resolution Passed

Mitch Michalec stated “Seven ayes, Your Honor.”

Mayor Stephens stated, “Thank you. This resolution passes. Now is there anything else you'd like to share?”

Vice Mayor Stein stated, “That is all this committee report has.”

Mayor Stephens stated, “Thank you. No we move to the Finance Committee, some heavy lifting here, but we’re up for it.”

Report of the Finance Committee

Councilman Ungar stated, “I will try to abbreviate it. Thank you. I have seven ordinances all up for first reading, all similarly situated. And I'll give you the abbreviated version for each. The first one is an ordinance providing, Ordinance 31-2017(F); providing for the issuance and sale of bonds in the maximum principal amount of \$115,000 for the purpose of paying costs of acquiring motor vehicles for use by our City’s Police Department.”

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Oh, no, we just..."

Councilwoman Yasinow stated, "First reading."

Councilman Ungar stated, "It's just a first reading."

Mayor Stephens stated, "It's a first reading, so he continues to go on a roll."

Councilman Ungar stated, "Next one is 32-2017(F); an ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$255,000 for the purpose of paying costs of improving streets and roads in the City by reconstructing, grading, draining, paving and making other improvements as designated in the plans approved or which will be approved by Council. Next is Ordinance Number 33-2017(F); an ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$360,000 for the purpose of paying costs of acquiring motor vehicles and equipment for use in performing the functions of the City's Department of Public Works. Next is Ordinance Number 34-2017(F) which provides for the issuance and sale of bonds in the maximum principal amount of \$150,000 for the purpose of paying costs of acquiring equipment for use by the City's Police Department. Fifth of seven is Ordinance Number 35-2017(F); an Ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$65,000 to pay for costs of installing and improvement sidewalks here at the City Hall. Next is Ordinance Number 36-2017(F); an ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$75,000 for the purpose of paying costs of replacing fire hoses and nozzles at the City's fire station facilities. And last but not least, is 37-2017(F); an ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$355,000 to pay costs of acquiring motor vehicles and related equipment for use by the City's Fire Department in providing emergency medical services. And that is all I have. Thank you."

Councilwoman Yasinow stated, "Well done."

Mayor's Report

Mayor Stephens stated, "Thank you. That concludes our business for the evening. The Mayor's report is very brief. I want to thank all the residents who have volunteered during the last month to help get a series of things done and who were here this evening talking about their various opinions. It's good to know that this community continues to have activists who are paying attention to what we do and how we do it. At this time, I'd like for this meeting to adjourn. Our next meeting of City Council will be April 17, 2017. God bless America and God bless Cleveland Heights."

The meeting adjourned at 8:49 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Mitch Michalec, Acting Clerk of Council

/jkw