

City Council for the City of Cleveland Heights, Ohio, held a Committee Meeting of the Whole on the above date at 6:34 p.m. to discuss the contents of the City Manager's memo.

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

Council Members excused: Roe, Stein

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

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:51 p.m., Mayor Stephens presiding.

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

Council Members excused: Roe, Stein

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

Mayor Stephens stated, "Good evening and welcome to Cleveland Heights City Council meeting, Monday, June 5. This is our regular Council meeting. We apologize to the audience for a slight delay, but we have a full work session agenda. We'll try to move fairly quickly through this evening's meeting, but we will be respectful of people who have chosen to attend Council tonight. I'm assuming a few of you would like to share a few comments with us, so we will make time for that. We won't rush you, but we will ask you to pay attention to the time frame. Before we begin this evening, I'd like to ask the Law Director to take on one of the responsibilities that we take great joy in on occasion. We have a new staff member to swear in. Mr. Juliano."

Jim Juliano stated, "Thank you, Your Honor. Go ahead and say hello to everybody."

Laurie Sabin stated, "Hello, everybody."

Laurie Sabin was sworn in by Jim Juliano for the position of Director of Finance and Clerk of Council.

Mayor Stephens stated, "Thank you, Laurie, Ms. Sabin. We welcome you on staff here at the City of Cleveland Heights and you have your first official responsibility with Council if you would call the roll please."

Roll Call: Present: Dunbar, Roe, Seren, Stephens, Ungar, Yasinow

Excused: Roe, Stein

Laurie Sabin stated, "Thank you."

Mayor Stephens stated, "I have five members of Council present."

Laurie Sabin stated, "Five present, Your Honor."

Mayor Stephens stated, "We'd like to excuse Councilman Stein and Councilwoman Roe. The next item is approval of minutes of the Special Meeting of Council. Typically, Ms. Sabin, I have two colleagues who are editorial geniuses and they regularly take time to make comments. They will hand them to you in advance usually, but I will confirm that when we come to the meeting. Next item is personal communication from residents, citizens, property owners, interested parties. So, if you'd like to speak to Council this evening, we would like to welcome you to the podium to your right and my left. Please state your name and address for the record and try to keep your comments at approximately three minutes. Mr. Valancy, I see you've raised your hand four times already."

Jack Valancy stated "Thank you, Mayor Stephens, members of Council. My name is Jack Valancy. I live at 3021 Yorkshire Road. I've been a resident of Cleveland Heights for more than 50 years. As a member of Ensemble Theater's Board, I was one of the Coventry School tenants and met with Councilwoman Mary Dunbar and Economic Development Director Tim Boland on June 2. We met separately with Board of Education members and staff on May 30 and plan to speak at their public meeting tomorrow. Coventry School tenants requested these meetings to share our concerns about the School District's intent to place us on month to month leases, first communicated to us on May 9, and has planned partnership with the City to find a developer for the Coventry School site, announced May 23. The goals of Cleveland Heights request for qualifications and preliminary development proposals, RFQ/RFP, draft number 1 dated May 5, 2017 specifies, 'a residential/mixed used development integrating the existing area or a portion thereof known as Peace Park that effectively incorporates community feedback into the design.' It goes on to say, 'the City welcomes and encourages highly creative ideas and approaches from the development team.' At our June 2 meeting, Councilwoman Dunbar accurately summarized the Coventry School's tenants' three requests. First, one year leases. Second, explore developing Coventry School as an arts and cultural center. Three, Coventry School tenants play a meaningful role in the conversation. We appreciate your assurances of a transparent, creative and inclusive process going forward and we welcome our neighbors' participation. As part of the public record, I will submit a folder containing documents supporting the economic and social benefits of the Coventry School tenants as well as arts and cultural organizations and centers around the country. I will Email these documents to Council and School Board members and staff for your convenience. Among these documents is a spreadsheet detailing the school tenants' economic contributions. With combined budgets of more than \$3,000,000 per year, Coventry School tenants withhold payroll taxes on 82 employees. Ensemble Theater and Future Heights alone pay another 124 independent contractors. Coventry School tenants engage more than 2,000 volunteers; provide direct services to more than 5,000 people and effect close to 90,000. And then there's the synergy with Coventry Peace Playground and Park, the Coventry Branch of Heights Libraries and the Coventry SID. Tonight, Coventry School tenants will describe how their organizations contribute to our beloved community's economic and social strength. The uncertainty, disruption and expense unnecessarily imposed by month to month leases and forced relocation and our desire to explore developing Coventry School as an arts and cultural center as recommended by the District's 2008 Coventry School Study Committee report. Tonight Council is considering Resolution 68-2017 authorizing the City Manager to

execute a non-binding Letter of Intent with the School District about their partnership relating to the sale of Coventry School. This train is leaving the station. We don't want to get railroaded, so let's get everyone on board. Thank you for your consideration."

Frank Lewis stated, "My name is Frank Lewis. I live at 2840 Washington Boulevard directly across the street from the front doors of the Coventry building and that's why I'm here to speak tonight. My wife and I purchased our house in 2003 in large part because of its proximity to the Coventry School and I'm sure you know that school was closed a few years later and it took a lawsuit to bring forth the fact that the reasons for that closing were fairly specious and, in fact, community input had little, if any, or no bearing on how the decision was made. In 2011, I heard a rumor that the School District and the City were looking into the possibility of expanding the parking lot of the school building and I contacted somebody at the School District and confirmed not only was that true, but that plans were already underway. I subsequently learned that a City official had been leading others in City Hall to believe that residents were very much in favor of this plan which was false. We weren't even aware of it. We found out quite literally by accident, but it ultimately went nowhere. So, then we come to this year when they residents learned via press release that the School District had decided, now was considering, but had decided to sell the building and what I actually find most alarming about that is, from what I've learned, the tenants of the building learned at approximately the same time we did in more or less the same manner. So, I'm bringing all this up now not to dwell on the past or complain, but to urge you to use transparency throughout this entire process, to involve all stakeholders, including the neighbors, of that building as far as deciding what will happen with this property. It's very meaningful not just to the community, but as I'm sure you're going to hear from others, to Cleveland Heights in general. Finally, I just want to add that, speaking for my wife and I, we are very much supporters of the current tenants and the current use of the building. They have been fantastic neighbors. I hope very much that they're all able to stay there. Thank you."

Mayor Stephens stated, "Thank you, Mr. Lewis. Yes, sir."

Martin Cozintino stated, "My name is Martin Cozintino and I've been a resident of Cleveland Heights for 46 years. My wife, my late wife, we're from Columbia, her and I, and raised our children in the Cleveland Heights Schools. We live right across the street from Cain Park and I bought the house there specifically for its proximity to the park. I believe that if Cleveland Heights claims to be the home to the arts, it is imperative that every effort be made to save the Coventry School Building for this specific purpose. For the past six years, it has proven time and again that its arts and cultural activities envelop thousands of Cleveland Heights residents as well as hundreds, maybe thousands, from all Cuyahoga County cities and beyond. They all come here to enjoy this unique place and its playground, its Peace Park, Thursday night movies and the numerous arts and cultural activities all offered by the present tenants of the building. Its influence has been felt far beyond its Coventry Village location and has attracted economic as well as cultural valued residents to enjoy the other enjoyments offered by Coventry Village. Its Shakespeare and Ensemble Theater performances, its poetry slams and children's readings, its free admission play readings, arts contests enjoyed by parents and friends of schoolchildren who participate in all of these programs. A development of this site commercial and or residential use –

that does not consider this priceless group of tenants already operating in the building would present a huge loss of an arts and cultural center that has even demonstrated its growing economic sustainability. I strongly urge the City, Heights Council Members to ardently consider the Coventry School as an irreplaceable asset of Cleveland Heights to be protected and expanded as a future promise for its arts and cultural value, to the community and far beyond. Thank you.”

Mayor Stephens stated, “Thank you. Yes, ma’am.”

Brady Dindea stated, “Hello. My name is Brady Dindea and I am the Board President of Artful. I am a resident of University Heights, but I spend much of my time and my money in Cleveland Heights. I want to thank all of you who are tenants at the Coventry Building for welcoming Artful. We are brand new. If you haven’t heard of us, we’d love to tell you more about ourselves. We officially opened our doors in March. We were expecting approximately 150 people at our grand opening and we had well over 400 people. We had to open our doors 15 minutes before our grand opening was supposed to happen. We’ve been welcomed by other tenants there in the short amount of time we’ve been there. We’ve developed unbelievable partnerships that are just getting off the ground, getting ready to launch, to do amazing things within our community. We’re looking forward to working with Ensemble Theater and joint programs between our artists and their theater and actors. We love going to Lake Erie Ink and we’re hoping to find ways we can support the kids at Lake Erie Ink with arts, maybe work on Comic-Con; that would be a dream come true for me. But I speak to you tonight because I just, we’ve done a lot of research before we started our non-profit and what we found out in that time was that normally, these kinds of synergies take a very long time to happen, take a lot of support from cities, SIDs, whatever you want to call it. This has happened very organically. This has happened naturally. It’s taken some time, but we’re now full in that building with some really talented people; some of your most creative, smartest residents, contributors in your city work or take advantage of programs that these non-profits have to offer. I just want to make a couple points that I think is important that you know if you don’t already know. Cleveland Heights has one of the largest concentrations of artists in all of Cuyahoga County. Currently, a lot of those artists are leaving this city to build studios or rent studios with in Downtown or the Near West Side. Your money is leaving the city every day because you have the largest concentration of artists who have to go elsewhere. We saw this need. We love the art. We grew up in our parents’ studios. When we went out and talked to citizens, we found out there was a need for a central location for artists to practice, create and sell their works. We fill that need. We’re just getting off the ground. We love where we are and we really think, not only our group, not only the artists who rent from us, but all the people you see in this room. We have some really creative ideas and we would really love to work with you guys closely on figuring out the right solution for the city, for the school, for the tenants of Coventry and for the residents in the area. I truly believe that when we all come together and work together, we can come up with something far beyond what some of us are imagining right now. So, thank you.”

Mayor Stephens stated, “Thank you.”

Amy Rosenbluth stated, “Good evening. My name is Amy Rosenbluth. I live at 3243 Clarendon Road and I am Co-founder and Executive Director at Lake Erie Ink, a writing space for youth, and good

evening, Mayor and City Council. So, Lake Erie Ink, I stood here five and a half years ago requesting a permit for us to be housed in the Coventry School Building and I remember, just, it was an idea, and it was an idea to fill a need, just like Brady referred to, and the need at that point and it's still a very strong need is for youth to have a safe, supportive and enriching place to spend their out-of-school time. And when we moved into the building, you know, we weren't sure how it was going to go. We had ideas and we had the passion and we had the skill set as English teachers and we were immediately welcomed by the two main tenants at that time which were Family Connections and Ensemble Theater, and both of those organizations sort of welcomed us in and said, 'We can help you and here's the lights switches and here's where garbage goes out and here's this system and that system,' and I just have to tell you we just finished our sixth year of programming and this year was unbelievable. We served more than 500 youth on site. So, those are students who came to our programs after school, evenings, weekends and during the summertime. Of those almost 500 students, 170 were from Cleveland Heights, and those were all ages; that's K-12. We do all kinds of the arts programming, but we're also providing programming such as college essay personal narrative writing, helping students write scholarships, teaching interview skills, helping our young people learn how to communicate with each other and with their community. One of our visions is that we not only bring kids together, but that we also introduce the community to our kids and we do that through publications and we do that through presentation. We've always invited people to come in and hear what our kids have to say and we do that through open mics, and again, we thank Ensemble because they have allowed us to host our open mics in a real theater and they come and they support our kids, and the other residents in the building come through and see what our kids are doing and as somebody who has worked with children my whole life, to be able to offer a space where kids are safe and accepted and supported and nurtured is a critical component of a community. So, I just, in closing, we just so strongly hope that City Council and Mayor, that you take the time to really look at the creative options and all of the energy and the synergy that happens in this building and that you really consider creative place-making that connects the arts and education and, at the very least, we really are hoping that you understand the need for us to have a year so that we can plan thoughtfully for our own consistent programming and that we have a place, so that I can tell families who are registering their children for after-school programs that they have a place to go. Thank you for listening."

Mayor Stephens stated, "Thank you."

Alexander Leslie stated, "Hello, Mayor, City Council. My name is Alexander Leslie. I live at 3005 East Derbyshire Road and in addition to being a neighbor of the Coventry School Building, I'm also a board member of Lake Erie Ink. Amy says she'd not that good at public speaking, but that was pretty good. We make use of that building because I believe in the mission of Lake Erie Ink. I also have a 2-year-old son who goes to Family Connections and plays on the playground, and truly it's an essential part of our lives – the current tenants of that building as well as the services that they provide which are crucial. So, I stand here in support of all of it, but I want to specifically speak to Lake Erie Ink and say that the city has a tremendous amount to be proud of investing in a program like Lake Erie Ink. I hold in my hands a publication of teens, of poetry and works of fiction as well as photography by youth that attend Lake Erie Ink and this, along with lots of other printed works, shaped the lives of young people by providing

them with essential transformational space that truly they couldn't find anywhere else. And so, for me, I don't just speak as somebody who believes in the mission of Lake Erie Ink as an important part of our community, but I believe Lake Erie Ink could go anywhere and thrive many places, and as a community member, it's essential that we keep it here in Cleveland Heights. Moreover, I think as a person who's a neighbor of the building, my young family and I chose Cleveland Heights as a place to live, a place to raise our son, a place to send our son through the School District, because of the character of Cleveland Heights. Much of that character is embodied by the tenants of the Coventry School Building. So, my hope and challenge to you all is that you find a way to maintain the character while at the same time recognizing that simply any tenant or any building or any structure is not going to do for those of us who treasure that character in that community. So, I encourage you to use judicious thought as well as transparent action as you move forward and seek input from so many people who've shown up today. So, thank you all."

Mayor Stephens stated, "Thank you."

Claire Robinson gave her statement and submitted it in writing as follows. "Thank you. Good evening, Mayor and Council Members. My name is Claire Robinson May. I live at 2958 Somerton Road, about a 5 minute walk from Coventry School and the Peace Park playground. I am also a proud class of 1983 graduate of Coventry Elementary school. I have known this neighborhood all my life, and I am grateful every day to live in this beautiful, diverse, eclectic, artistic, and walkable community. I am grateful to Council for stepping up regarding the potential sale and development of this site that is so central to our neighborhood.

I am here as a Coventry resident to support the Coventry Building tenants' requests of City Council, which are the following.

1. Year long leases. These are needed for stability of operations of these valuable institutions. Simply put, you can't effectively run a theatre, a school, or an after school program on a month to month lease.

2. Explore developing the Coventry site as an arts and cultural center. This is far and away the best use and fit for the neighborhood. The city should commit to what has already developed organically, for the benefit of all Cleveland Heights residents.

3. For Coventry building tenants to have meaningful input in the conversation. Absolutely. All of these tenants are valuable city partners who have already invested in the building in numerous ways. I would add that Coventry neighborhood residents and merchants should also be invited to participate, as the Coventry site is our collective backyard and its development could have a huge impact - positive or negative - on the character of our historic neighborhood and business district.

I am also here to support maintaining the Coventry Peace Park and playground. Anyone passing through on a sunny (or reasonably sunny) day can see that the Peace Park is Coventry's beating heart. This is where families and friends gather to meet and play. It is also the center of the very popular

Coventry Village summer events series. We must preserve the park as city property for the enjoyment of all.

As for the building, I admit I don't have the answers. The flaws of that building were already becoming apparent in the 1970's and 80's, shortly after it was built. You have generations of kids who learned to concentrate very well in the midst of a lot of noise! Obviously, it is well past its prime and in need of repair or even replacement. I hope the city will work with tenants, residents, and groups such as Future Heights to come up with a feasible and affordable plan to address the building's issues long-term, while continuing to serve the needs of each constituency.

The Coventry site - through the school district's careful stewardship - has grown into a neighborhood arts and education center, housing institutions that enrich our community in countless ways, surrounded by a beautiful park that truly brings residents together. I urge you to continue that stewardship, so that the site may benefit Cleveland Heights and Coventry Village for years to come. Those of us in the neighborhood stand ready to help in any way we can. Thank you."

Deanna Bremer Fisher stated, "Good evening. I'm Deanna Bremer Fisher and I live at 2514 Fairmount Boulevard and I work at 2843 Washington Boulevard in the Coventry Building as the Executive Director of Future Heights and I want to take this discussion a little bit, to a broader level, because I want to talk about the Master Plan. The Master Plan was just approved in March. That Master Plan does protect the Coventry site as a development site, but it also commits the city to being a Home of the Arts. So, in the Master Plan, as I said, that was adopted in March, it has several sections, several goals and objectives underneath those goals as far as action steps. On page 51, it states the goal of maintaining strong business districts is important to the city and goal D in that section states fair, vacant and unbuilt and underutilized parcels with new development. Now, you know that the Coventry Building site is one of the sites that is identified on the map as part of that inventory of available sites. However, on page 71 of the Master Plan, the overall goal states that the city has a goal of being a home for arts and culture saying that not only will Cleveland Heights support an arts community through vibrant events and incorporation of public spaces, but it will also provide support for the artists and organizations that call the city home. So, moreover, on goal C on page 82, it calls for us to construct, promote and program private/public spaces that act as attractors and points of community pride. Coventry Peace Park that you just heard about and many of the organizations housed in the Coventry Building that interact with that space and that neighborhood would fall into this category. Furthermore, goal D on page 85 states the city will support arts organizations that can be lynchpins in neighborhood revitalization and I think this is what we have seen in the Coventry Building and the Coventry neighborhood. Were a building that was closed and vacant, a situation that could potentially happen in the neighborhood, has become home to a variety of arts, culture and community organizations that help give the neighborhood life. It would be foolish to throw this away.

So, that's the big picture and now I want to talk a little bit about Future Heights. A couple years ago, in 2014, Future Heights looked to increase its staff by hiring a full-time Community Builder and one of the factors that enabled us to make that decision was - first of all, wording of CDBG funds to the organization and I know you're passing those resolutions again tonight, so I want to take a moment here

to thank you for that. That was huge for us, so thank you. Another factor was a reduction in operating expenses and these operating expenses were able to be reduced by our moving into the Coventry Building where the School District granted us a very reasonable lease with utilities and that space also offered us free parking which is also huge. So, this is huge for a non-profit that has no endowment and runs a very lean operation. We're very thankful that the School Board was able to do that for us for the time that it could, but we all run lean operations at the Coventry Building and, as people have mentioned before, this uncertainty regarding the location and the cost of our facilities is a major issue for all of us and we need to know, we need a commitment, that the community values our organizations and is willing to work for us. So, now very specifically, I want to ask you here tonight to show leadership and vision throughout this process.

Number one, as you know, we've all asked for 12-months leases. Secondly, I also want to ask you to take a look at the RFQ process and you can put language in there that affirmatively states a vision and a direction for potential developers. We can state that we would like to include arts and culture center if possible; that we would welcome that in an RFQ. We can put that right in there. Thirdly, I would like to ask if we could have a period of time to study the Coventry Building as an arts and culture center to see if that would be feasible in the current building or in a new development on that site and if you could give us 60 to 90 days to do that, I know that we've got Future Heights volunteers who are already committed to working on that process as volunteers and we can get that done. If it's not, if we find that it's not feasible to be on that site, we would like to have, to be able to work with the city individually or collectively to find another location in the Heights where there can be an arts and culture center because it's very important for us as a city. And lastly, I'd like to say that if you decide to partner with Future Heights, the organization that has raised its hand to become the Community Development Corporation for the city, to find a win-win solution, we will be able to maintain arts and cultural organizations in our community and we will be able to develop and redevelop the Coventry site to the benefit of the whole. This is a complex issue, but I know that if we all work together, that we can do it. Thank you."

Mayor Stephens stated, "Thank you. Is there someone else who would like to speak this evening?"

Celeste Grosentino stated, "Good evening, City Council. Thank you for the few moments to speak. My name is Celeste Grosentino and I'm the Executive Artistic Director at Ensemble Theater. We were actually the first tenants in the Coventry Building about six years ago and like Lake Erie Ink and Family Connections, all of the companies that are in the building right now have created such a wonderful kind of collaborative, co-op family synergistically, organically, all those words are such great things. The big concern for us, well, for me, is the rapidness of which all of this is happening. So, that's the concern that we've all stated both to the School Board and to the city unanimously. So, it's something that we're communicating across the board and that is to allow us the opportunity to deal with a possible move and/or taking over the building. I know something that I've talked about since we moved in. I've taught at Fine Arts way Far East. I lived in New York for four years and I've taught at Beck Center on the west side. I also actually work for the Cleveland Museum of Art. I always thought of that building as something of a very unique asset in the City of Cleveland Heights. Cain Park is my backyard. I

also feel the same way about the park. I walk my dog and actually Ziggy Marley is playing. I think that's pretty neat. So, it's something that I tell people who I know in New York City and they're like, 'Wow, that's the coolest thing.' So, it's really unique. I mean, I was born and raised in Cleveland Heights. My parents bought my house the year I was born on Hyde Park, 3275, and so for me, Ensemble has been a resident of Cleveland Heights for the... we're now in our 38th season and we would love to stay there. I've always envisioned the Coventry Building to be something like a mini-CMA with that beautiful green space that's in front of it, all the artistic opportunity that we could do there. That's the way I've always looked at the building. I've never thought of it as anything else, so just, I think, to be part of that creative thinking process, I think there's a lot of asset and opportunity there that if allowed the opportunity to discuss could be beneficial in so many different ways. So, thank you for the opportunity to say that."

Mayor Stephens stated, "Thank you."

Cindy Pinter stated, "Hi. I'm Cindy Pinter and I live at 1385 Burlington Road and, in fact, my husband and I are new residents to Cleveland Heights. We moved here a year ago and one of the reasons we moved to this community was because we looked around and it seemed to us that Cleveland Heights was a very vibrant community. It had the same things and values in diversity, culture and artistic community that we were looking for and we also knew of what Shannon was doing, trying to get Artful and I was looking for a place where I could have a studio, where I could teach children. I have a small studio there now with my partner who was a former student of mine at Cleveland Institute of Art and she is also a resident of Cleveland Heights and our studio is called Tiny Movements, Big Ideas and we want to, you might have read the article about us in Heights Observer, but we want to teach children to use the medias of animation photography and video to explore their big ideas. So, we are just getting off the ground now and it seems to me that our organization Artful spent a lot of time, effort and money putting up walls and getting studios together for all of us to avail ourselves and then suddenly, two months later, we get this notice that the building is going to be up for sale or redevelopment and that was kind of shocking and I think it would be a disgrace to let this arts community fall apart. For a year, I lived in Geneva, Switzerland, and they have a center called Center De Jun Coutre. It was a place where the whole community could come together and take classes and practice different kinds of art – theater, music, printmaking, photography and while I was living in Geneva, I became part of that community and my own hope was that when I came back to America, I would find an art and culture center like that I could be participating in in my own community. It seems to me that so many of the inner-ring suburbs are deteriorating, but I have big hopes for Cleveland Heights and that's why when we decided to move out of Shaker, we chose this community because we felt like it is alive and it's alive with arts and like the sign on Cain Park say, 'Home to the Arts,' I want it to stay that way. Thank you."

Lee Chilcote gave his statement and submitted it in writing as follows. "Good evening. My name is Lee Chilcote. I live at 2322 Delamere Drive in Cleveland Heights.

I am a 45-year resident, a former council member and vice mayor of Cleveland Heights.

I operate two businesses in the Cedar Fairmount district and own property on Hampshire Road in Coventry Village.

I am here this evening, both as citizen and on behalf of the Coventry Building Tenants, to register my concern regarding the proposed resolution to enter into a letter of intent with the CH-UH School District in respect of the acquisition of the Coventry School Building.

Maybe because I have been around a while, I liken Coventry Village to portions of Greenwich Village in New York City. For me, like Greenwich, Coventry has always been eclectic and has the feel of a creative place, where art and education flourish. We have something unique in Coventry and we should not lose sight of what we have.

So, as I look on what city council is about to do, I have the following concerns:

(1) The RFQ/RFP which has been prepared and presumably will be finalized and circulated once a letter of intent or an agreement is signed between the city and the school district does not recognize the fact that there is a fully active, vibrant arts center in the Coventry Building. This was what was called for in the 2008 Coventry School Study Committee report and what exists today. In other words, there is a disconnect between what is being thought about in the RFQ/RFP and what the community has said in the past it wants. You have nine viable tenants in the building and the city has reacted as if those tenants do not exist.

(2) The RFQ/RFP provides that the developer, not the city, will conduct the only public meetings. City Council has a direct responsibility to seek the input of the community as to what it wants.

(3) The RFQ/RFP does not recognize the tremendous investment and commitment of the tenants in the Coventry Building. The city and the school district need to provide an absolute assurance that no tenant will be asked to move on short notice and before an agreed upon date. Therefore, on behalf of the tenants, I request the following:

(A) The RFQ/RFP should be rewritten so that the developer is required to actively consider the community's expressed desire to have an arts center on this site. The developer should be required to affirmatively establish the cost and value implications of a center as part of the overall response.

(B) A public process should precede the issuance of an RFQ/RFP so that the community can express its vision for the site.

(C) The school district and the city should immediately issue a public commitment to the tenants assuring them that their occupancy will continue until July 1, 2018 and thereafter if possession by a selected developer is not required for construction purposes. At least 6 months' notice needs to be given in advance of any relocation request."

Lee Chilcote stated, "Thank you for your attention."

Mayor Stephens stated, "Is there anyone else who'd like to make comments this evening? Last chance. All right. If you would not like to speak at this time, members of this Council typically are willing to entertain short conversations at the end of the Council meeting. Now, we move to the report of the City Manager."

Councilwoman Dunbar stated, "Do you want to let them leave?"

Mayor Stephens stated, "Oh, if anyone would like to leave, now is the time before we move into the formal portion of our meeting."

Councilman Ungar stated, "We're going to talk about this resolution."

Mayor Stephens stated, "Okay, now we move to the report of the City Manager, Mrs. Briley."

Report of the City Manager

Tanisha Briley stated, "Thank you, Your Honor. First, I would like to request permission to go to bid for the Meadowbrook Waterline Replacement Project and I would like to make that a Matter of Record."

Matter of Record

Mayor Stephens stated, "Thank you. I'll refer that to the Municipal Services Committee of Council."

Councilwoman Yasinow stated, "Thank you. I'll wait a sec. I move that we authorize the City Manager to go to bid for the Meadowbrook Waterline Replacement Project."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "There's a first and a second. Ms. Sabin, if you would call the roll please."

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

 Nays: None

Permission Granted

Laurie Sabin stated, "We have five ayes, Your Honor."

Mayor Stephens stated, "The City Manager is authorized to seek bids for the waterline replacement."

Tanisha Briley stated, "Thank you, Your Honor."

Mayor Stephens stated, "Is there anything else?"

Tanisha Briley stated, "Yes, the next item, I would like to report that the city has received a plan for the Coventry Village Special Improvement District renewal and I would like to make that a Matter of Record."

Matter of Record

Mayor Stephens stated, "I will refer that to the Finance Committee of City Council. Mr. Ungar."

Councilman Ungar stated, "Sure, you want me to launch now or wait until my turn?"

Mayor Stephens stated, "Why don't we wait until the Finance Director?"

Councilman Ungar stated, "All right. We'll accept it and then that will be the first order of business."

Tanisha Briley stated, "One last piece, Your Honor. I would like to request approval of my appointment of Hugh Weinberg to the Civil Service Commission."

Mayor Stephens stated, "That's referred to Administrative Services and I believe, Mr. Ungar, you are Vice Chair of that Committee."

Councilman Ungar stated, "I'll be happy to do that. Now?"

Mayor Stephens stated, "We can wait until we get to Administrative Services Committee."

Councilman Ungar stated, "You got it."

Mayor Stephens stated, "Thank you. Is there anything else for the good of the order?"

Tanisha Briley stated, "That concludes my report, Your Honor."

Mayor Stephens stated, "Thank you. Next we have the report of the new Director of Finance and Clerk of Council."

Report of the Finance Director/Clerk of Council

Laurie Sabin stated, "I need to notify Council that six 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. 3421: Nan and Hugh Sullivan, 2939 Scarborough Road, to permit a portion of the front of the house to be set back 46.93 feet;
- BZA Cal. No. 3422: Fairmount Presbyterian Church, 2765 Fairmount Boulevard, to permit the driveway to have a zero foot setback at the rear property line;
- BZA Cal. No. 3428: Fairmount Presbyterian Church, 2757 Fairmount Boulevard, to permit a parking lot with a 3.5 foot setback to the rear property line and from the maximum front and side yard coverage regulations of the Zoning Code to permit two curb cuts;
- BZA Cal. No. 3424: John and Anya Rudd, 2178 Harcourt Drive, to permit a 8.5 foot tall fence in a portion of the rear yard;

- BZA Cal. No. 3425: Stephen R. Hanley, 1490 and 1494 Rydalmount Road, to permit one garage building to be constructed on two parcels; and
- BZA Cal. No. 3426: Stephen R. Hanley, 1494 Rydalmount Road, to permit a one car garage.

Thank you.”

Matter of Record

Mayor Stephens stated, “Thank you. That will be referred to the Planning and Development Committee of Council. Councilwoman Dunbar.”

Councilwoman Dunbar stated, “Actually, I’m referring it to Kahlil.”

Mayor Stephens stated, “Who’s on the committee to do the beginning of your section. Okay, is there anything else from the Finance Director?”

Laurie Sabin stated, “One more Matter of Record. I need to notify Council of one Fiscal Officer’s Certificate pertaining to proposed legislation to provide for the issuance of bonds; for the purpose of paying costs of acquiring and installing energy conservation measures in City buildings and facilities, together with all incidental work and related appurtenances thereto.”

Matter of Record

Mayor Stephens stated, “Thank you. We’ll refer this to the Finance Committee of Council. Councilman Ungar, when it’s your turn, you have quite a few things to take care of.”

Councilman Ungar stated, “I do, holy smoke.”

Mayor Stephens stated, “Next we move to the committee reports. A short list is for Community Relations and Recreation Committee. Resolution Number 58-2017 and...”

Report of the Community Relations and Recreation Committee

Councilwoman Yasinow stated, “I am the Vice Chair. This is a resolution declaring June 2017, ‘LGBT Pride Month’ and declaring an emergency. Whereas, the City of Cleveland Heights historically has been a community that values and seeks diversity in its residents; and whereas, well, a long history, Whereas, in an effort to further build and strengthen our communities and nation, one should value the LGBT (lesbian, gay, bisexual, and transgender) community members as colleagues and neighbors, daughters and sons, sisters and brothers, and friends and partners, I hereby recommend passage of Resolution Number 58-2017 this evening to celebrate June 2017 as LGBT Pride Month to recognize the significance that LGBT Americans have made throughout our nation’s history.”

Mayor Stephens stated, “Is there a second?”

Councilman Ungar stated, “Second.”

Councilman Seren stated, "Mayor."

Mayor Stephens stated, "A point of privilege?"

Councilman Seren stated, "Yes, I'd like to just make a brief statement. Some of you may know and many of you may not, I was raised by two women and I think as a result of that, it was never anything unusual to me, you know? And I guess my very brief statement is that I can't wait, and I know it's going to take a really long time, and I probably won't see it, but I look forward to a world where it's not a big deal to anybody, just like it was for me growing up. So, that's all I have to say."

Councilman Ungar stated, "Well said."

Mayor Stephens stated, "Thank you. Ms. Sabin, if you will call the roll please."

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

 Nays: None

Laurie Sabin stated, "That is five ayes."

Resolution Passed

Mayor Sabin stated, "Thank you. Resolution Number 58-2017 passes."

Councilwoman Yasinow stated, "Just a quick statement."

Mayor Stephens stated, "A point of privilege for Councilwoman Yasinow."

Councilwoman Yasinow stated, "A point of privilege. This is extremely important to me, this resolution. I'm incredibly proud of it. We should be very proud of the City of Cleveland Heights for being really at the forefront of the LGBT movement here, not just in Ohio, but frankly in the nation. We were the first municipality in the entire state to have a Domestic Partner Registry. I mean, that's a big deal. Right here. I mean, it wasn't much. It was literally a binder in Susanna Niermann O'Neil's, our Vice City Manager's Office, and that had to go up to the 8th District Court of Appeals, just one step below the Ohio Supreme Court to see if we could even have a binder in an office to give you an idea of how far we have come. I'm very proud. We've had so many members of Council who were leading the march, holding the banner for the City of Cleveland Heights when we had the Gay Games here. We were, I believe we had the strongest human rights organization in the State of Ohio that protects education, public accommodation, it encompasses gender expression, which frankly, when you're hearing all these cities wondering, 'Oh gosh, what do we do about bathrooms?' We already did that 2 or 3 years ago. So, we're really at the forefront. I'm very proud of this organization, but the thing is – one thing that's important – while we're cheering, we're clapping, we're saying, 'I can't wait for the day when it's not a big deal.' It unfortunately still is a big deal. There are no protections in the State of Ohio for employment for LGBT persons, so if you're gay or someone thinks that you're gay, you can be legally fired in the State of Ohio unless you have an Ordinance like what we have here in the City of Cleveland Heights. There are no hate crimes protections for people who are LGBT or perceived to be LGBT even though they are the main

targets for hate crime attacks in our state. So, this matters a heck of a lot and I'm very proud of this ordinance here tonight. I'm proud of the work that we've done on our resolutions, but please do remember to keep up the fight. Call your Representatives. Call you State Senators and say that we should have employment protections. We should have hate crime protections; that we've come a long way, but we still have very far to go."

Mayor Stephens stated, "But we represent the values to people because they always bring these things to us, so for that, we're very lucky. This is the community that believes in these activities. So, moving along to the Finance Committee. Councilman Ungar."

Report of the Finance Committee

Councilman Ungar stated, "Okay, thank you. Can I take care of the Administrative Services motion and I do this as my capacity of Vice Chair. Carol Roe is the Chair and isn't able to be with us this evening. I would move to confirm the appointment of Hugh Weinberg to the Civil Service Commission."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "If you would call the roll please, Ms. Sabin."

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

 Nays: None

Laurie Sabin stated, "That would be five ayes, Your Honor."

Appointment Made

Mayor Stephens stated, "So, he is appointed to this Committee, to your committee, and will serve as soon as you give him notification."

Tanisha Briley stated, "Thank you."

Councilman Ungar stated, "Okay, now my financier hat. The first motion is one acknowledging Coventry Village Special Improvement District, a plan for public services and improvement and to return said plan to the Board of Directors without comment and without any recommendations for changes. May I have a second?"

Mayor Stephens stated, "Do I have a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. Ms. Sabin, if you would call the roll please."

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

Nays: None

Laurie Sabin stated, "Five ayes."

Motion Passed

Mayor Stephens stated, "We have the ability to move forward to legislation if they get us the documents, right? Now, we have an Ordinance Number 52."

Councilman Ungar stated, "This is one we're all familiar with. This is the one providing for the issuance and sale of bonds and the maximum principal amount of \$6,050,000 for the purpose of paying costs of acquiring and installing energy conservation measures in City buildings and facilities. That's a second reading."

Mayor Stephens stated, "Okay, is there a second?"

Councilwoman Dunbar stated, "Second."

Councilman Seren stated, "Mayor?"

Mayor Stephens stated, "Yes."

Councilman Seren stated, "Just another brief comment. I just wanted extend some thanks to Chanelle Smith who until very recently was the Deputy Director of the County's Sustainability Department. I've known Chanelle for a really long time. She just left, but I'm just really happy that she was able to help us get this deal through before she left the County. So, I just wanted to put that out there and say thank you to Chanelle."

Tanisha Briley stated, "I'm heartbroken now."

Mayor Stephens stated, "That she's left?"

Tanisha Briley stated, "I had no idea."

Mayor Stephens stated, "Career moves happen occasionally."

Tanisha Briley stated, "She deserves whatever it is. I'm sure it's excellent."

Councilman Seren stated, "Oh yeah."

Mayor Stephens stated, "So, now we need a roll call. If the Clerk would call the roll please."

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

Nays: None

Laurie Sabin stated, "Five ayes."

Ordinance Passed

Mayor Stephens stated, "Thank you. This ordinance passes and we have the ability to enter into an agreement. Moving right along, Resolution Number 59-2017. Councilman Ungar."

Councilman Ungar stated, "This is a resolution that authorizes the City Manager, Ms. Briley, to enter into an agreement with the Cedar Taylor Development Association, which is a non-profit, for the use of CDBG funds for assistance with the costs of the Association relating to the implementation of streetscape enhancements for that business district; and providing compensation therefor."

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

 Nays: None

Laurie Sabin stated, "That would be five ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes and we move onto the next resolution which is Number 60-2017. Councilman Ungar."

Councilman Ungar stated, "Thank you. This is a resolution authorizing our City Manager to enter into an agreement with the Cleveland Tenants Organization for the use of CDBG funds to provide funding for assistance with its telephone information services; and providing the money therefor."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

 Nays: None

Laurie Sabin stated, "We have five ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. Resolution Number 60-2017 passes. I'm going to defer Resolution Number 61-2017 until the next official meeting of Council. Councilman Ungar, if you would move on with Resolution Number 62-2017."

Councilman Ungar stated, "Yeah and thank you. Thank you for that. For those of you that are wondering, my wife is on the board of Family Connections and that was funding for Family Connections, so we're going to move it along and that will expedite things so I don't have to move my own abstention. 62-2017 (F) is a resolution authorizing our City Manager to enter into an agreement with FutureHeights, a non-profit corporation, for the use of CDBG funds to provide funding for assistance with its Community Capacity Building Program; and providing the funds therefor."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

Nays: None

Laurie Sabin stated, "Five ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Thank you. This Resolution Number 63-2017 passes. We move on to Resolution Number 64-2017."

Councilman Ungar stated, "I think you're one ahead of yourself. Yeah, 63. 62 passed; we're on 63. Yeah, 63 is a resolution authorizing the City Manager to enter into an agreement with Geshner, a non-profit corporation, for the use of CDBG funds for the payment of operating expenses."

Councilwoman Dunbar stated, "Second."

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

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

Nays: None

Laurie Sabin stated, "And five ayes."

Resolution Passed

Mayor Stephens stated, "Thank you. This resolution passes and we move on to Resolution 64."

Councilman Ungar stated, "Last one for me this evening – a resolution that authorizes our City Manager to enter into an agreement with the Heights Community Congress, a non-profit corporation, for the use of CDBG funds for assistance with programs to educate on Diversity in our Community; and providing the funding for it."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. If you would call the roll please, Ms. Sabin."

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

 Nays: None

Laurie Sabin stated, "And five ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "And Resolution Number 64 passes. Are there any comments you'd like to make this evening."

Councilman Ungar stated, "Just, I have one comment. It's fortuitous. I didn't expect Ms. Fisher to be in the room this evening, but I just want to take a moment and a point of personal privilege to congratulate FutureHeights on its very successful annual meeting of, I guess it was a couple weeks ago, May 24. I and a number of other members of Council had the good fortune of being invited to attend that. Ironically, in light of what we're talking about this evening, that was at Coventry in the Coventry Building. It was literally a packed house; standing room only. There were awesome presentations by Judy Rossen, who's the former Mayor of Shaker Heights and by Ms. Fisher who's here this evening. She's the Executive Director. There was a, I thought, a moving opening session presided by Julia Zabow who facilitate a discussion basically on, my words not hers, community vibrancy, and it was just terrific. It basically talked about what different people's perspectives, makes a vibrant community and makes a community like ours tick and some of the comments there you wouldn't find terribly surprising, but some of them were. Some of them were just downright enlightening and I submit, and this is going to sound like an advertisement for FutureHeights. I actually think if you want to see what makes a community really tick, you go to FutureHeights' website and whether we're talking about the trees in Cleveland Heights or the housing stock or the walkability of the commercial districts, all which were mentioned and a whole bunch others. One thing was really clear to me and they're probably too modest to say it is that FutureHeights has an awful lot to do as an organization with the vibrancy in our community right now. You heard the eloquent remarks that, whether you agree with them or disagree with them, doesn't matter, but we've got a community organization that is just unbelievable right now in terms of its commitment, in terms of the depth of the talent. It doesn't mean I agree with everything or they agree with everything that I say, but I guess we really don't have too many communities to compare it to, but I think we've just got something special going on with a bunch of terrific highly skilled energized people; all of whom want to see our city advance and prosper and are willing to volunteer to help us do that. So, again, I'll stop sounding like a pitch and the pitch was made for them, but I'm on TV, so I'm making more of a pitch for them, but if you have any interest in getting involved in a very high energy, very organized fashion and really proverbial awards of making a difference in your community, I strongly urge you to check out FutureHeights because we're just blessed that that is a gem in our community and I'm pleased and I congratulate them again on a very successful event and I look forward to working with them and I wish them nothing but the best going forward."

Mayor Stephens stated, "Thank you. Next we move to the Municipal Services Committee of Council. Councilwoman Yasinow."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "All right. I've got three pieces of legislation this evening. Two are on first reading only. First is Ordinance Number 65-2017. This is an ordinance establishing a Utilities Division and amending Chapter 911, "Water and Sewer Rates and Regulations," of the Codified Ordinances of Cleveland Heights. Whereas, the City of Cleveland Heights moved from a Master Meter community to a Direct Service community with Cleveland Water, which eliminates the need for a Division of Water; and whereas, the City remains responsible for the maintenance of sanitary sewage and storm water drainage collection systems in Cleveland Heights; and whereas, Chapter 911, "Water and Sewer Rates and Regulations," of the Codified Ordinances of Cleveland Heights establishes water and sewer rates and related functions; and whereas, Ohio Revised Code Section 729.49 authorizes Council to set a schedule for sewerage rates and does not require that said rates be codified; I hereby move for passage this evening Ordinance Number 65-2017 that would take Chapter 911, "Water and Sewer Rates and Regulations," of the Codified Ordinances of Cleveland Heights for that to be renamed "Sewer Rate and Regulations," and shall be enacted and adopted in its entirety to read as Exhibit A attached hereto and incorporated therein. A complete copy of Exhibit A is also filed with the Clerk of Council and that the existing Chapter 911 shall be and is hereby repealed in its entirety. I hereby present Ordinance Number 65-2017 for passage."

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

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "Thank you. If the Clerk would call the roll please, Ms. Sabin."

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

 Nays: None

Laurie Sabin stated, "Five ayes."

Resolution Passed

Mayor Stephens stated, "Thank you. The resolution passes. Next is Resolution Number 66-2017.

Councilwoman Yasinow stated, "All right. This is a resolution authorizing the City Manager to enter into a Consent Decree relating to improvement of the environment and the City's sanitary sewer system; and declaring an emergency. Whereas, the City of Cleveland Heights is committed to responsible environmental stewardship; and whereas, the efficient management, operation, and maintenance of the City's sanitary sewer system will directly benefit the quality of water in the City and the entering Lake Erie watershed; and whereas, the City intends to comply with the Clean Water Act with regard to discharge from the sanitary sewer system; and the City's sanitary and storm sewer

systems were designed and built over one hundred (100) years ago under accepted engineering practice for the time; I hereby present Resolution 66-2017 under which the City Manager would be authorized to enter into an agreement in the form of a Consent Decree with the United States Environmental Protection Agency and the Ohio Environmental Protection Agency wherein said decree shall be substantially similar to the negotiated draft dated on or about May 17, 2017, a copy of which is available from the Clerk of Council, and shall be approved as to by the Director of Law.”

Councilman Ungar stated, “Second.”

Mayor Stephens stated, “There’s no second necessarily because it’s a first reading.”

Councilman Ungar stated, “Okay.”

Councilwoman Yasinow stated, “And this is a related one and I’m going to take a point of privilege. This is Resolution Number 67-2017 and this is on first reading only. This is a resolution establishing sewer rates pursuant to Cleveland Heights Codified Ordinance Section 911.01, effective as of October 1, 2017; and declaring an emergency. Whereas, it is necessary to make significant improvements to the City’s sanitary sewage and storm water drainage collection systems; and whereas, the current revenue is inadequate to fund said improvements necessitating an increase in rates as set forth herein; and whereas, Council is authorized under Ohio Revised Code Section 729.49 and Section 911.01 of the Codified Ordinances of the City of Cleveland Heights to establish sewer rates; and, the City is committed to developing affordability programs including homestead sewer rates for eligible seniors and shall establish such programs prior to October 1, 2017, I hereby present Resolution 67-2017 wherein the following sewer rates would be established:

Effective October 1, 2017	\$41.03 per 1,000 cubic feet of water consumed
Effective October 1, 2018	\$42.24 per 1,000 cubic feet of water consumed
Effective October 1, 2019	\$43.45 per 1,000 cubic feet of water consumed
Effective October 1, 2020	\$43.45 per 1,000 cubic feet of water consumed.

I hereby present Resolution Number 67-2017 for passage this evening. Well, not for passage, for consideration.”

Mayor Stephens stated, “Thank you, Councilwoman Yasinow. Do you have any other issues or comments you’d like to make at this time?”

Councilwoman Yasinow stated, “I just want to take a moment to briefly discuss the three pieces of legislation that were brought forth this evening and frankly, also to commend our city staff, City Manager Tanisha Briley, Law Director Jim Juliano, our outside counsel and engineers for this matter. As some of you may be aware, and well, now are, we are going to be entering into a consent decree with the Environmental Protection Agency, frankly, to be in compliance with the Clean Water Act. We had a large community gathering with representatives from the Environmental Protection Agency as well as

the Department of Justice to discuss what has happened here. We are doing what we are supposed to do to keep our Great Lakes great. We have a special sewage system that was built over 100 years ago with the standard practice of its time. The representative from the EPA who came and spoke said that he has never seen a system like what we have in the City of Cleveland Heights. The way it was built, it's frankly into what – bedrock – is it specifically?"

Mayor Stephens stated, "Well, it was common in Ohio."

Councilwoman Yasinow stated, "It's common in Northeast Ohio, so Northeast Ohio is unique in the nation and then each little one within it has its own special quirks including the City of Cleveland Heights. What its existence was state of the art when it was built. Now, what we have is frankly illegal and we are doing what we can. It's good, but we need to work on its mitigation guarantee that untreated sewage does not flow into our waterways and into our Great Lake. We are doing what we have to. We are doing in full compliance with the Clean Water Act. This happened all across our country. You've seen larger cities be subject to consent decrees and they went through the larger cities. They did Cleveland. They did Akron. They did Lansing, Michigan; and now they've moved into the inner-ring suburbs, the smaller ones, and frankly, it's our turn, and I'm sure we're joining many other cities that are subject to their own consent decrees, Lakewood for its treatment plant, the Northeast Ohio Regional Sewer District has its own consent decree. I said Lakewood... Elyria, Euclid, I mean we are one of many. This is nothing unique and frankly I think you're going to see this happening to a lot more communities and frankly, I'm just glad that we were able to negotiate something so successfully that lets us keep our water clean, that lets us work better understand a system that the EPA says it has never even seen anything exactly like it before. I like that we can do this while instituting an affordability program for our resident. I'm very proud of the work that they did and I'm proud of the City of Cleveland Heights and that's just what I have to say about those three resolutions this evening."

Mayor Stephens stated, "Thank you. Moving along to Planning and Development Committee."

Report of the Planning and Development Committee

Councilwoman Dunbar stated, "Okay. Tonight I am proposing Resolution Number 68-2017 for your consideration. This is a resolution authorizing the City Manager to execute a non-binding Letter of Intent with the Cleveland Heights-University Heights City School District concerning a partnership relating to the sale of the Coventry School; and declaring an emergency. As you surely gathered from the citizen comments earlier this evening, the Board of Education of the Cleveland Heights-University Heights School District wishes to explore the possibility of a sale of the Coventry School Building property located at 2843 Washington Boulevard to the City. In brief, the School District wants to sell the Property to the City at a future date. The exact details remain to be determined. I move that Council members vote in favor of this resolution."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

Councilman Ungar stated, "Can we have some discussion for a moment on this?"

Mayor Stephens stated, "Certainly."

Councilman Ungar stated, "I have a question of staff. I was moved and impressed by a number of the comments that I heard this evening and I just wonder from, I want to hear staff's response specifically to Mr. Chilcote's statements. Is it true that our RFQ or RFP would suggest to a reasonably prudent developer who receives them that we would not be open to all uses including but not limited to the potential use of the site as an arts center. Is the way that we drafted it, in other words, such that it would suggest that that potential use, should it prove to be economically viable and otherwise viable, is off the table."

Tanisha Briley stated, "No, I wouldn't say that that's true. I think, one, the draft RFQ/RFP which is only circulating because of a public records request, and so we make all of those documents available, Council, we haven't even had the discussion on the RFQ with Council yet, so I think it's a bit early to talk about what's definitive or what's not in the RFQ, but as far as the draft is concerned, uses aren't limited in the draft. We do talk about what exists as far as the zoning is concerned and frankly, the zoning only allows for single-family housing at this point. So, there's a lot of work that would need to be done on the redevelopment of the site. We are open. The draft talks about being open to it and we talk about some of the market analysis that we've done preliminarily that would suggest that the site would be attractive to residential developers."

Councilman Ungar stated, "I just want to make clear, I will vote in favor of it provided that whatever Letter of Intent is executed or RFQ is executed makes it clear that we are not intending to guide things or direct things and are in no way, either by way of the RFQ or RFP itself or by way of our circulation of it, are intending to, you know, guide the process to the foregone conclusion, you know, such that the, 'proverbial train has left the station.' I mean, I haven't even seen the train yet."

Mayor Stephens stated, "Mr. Ungar, Mr. Chilcote is correct that before we can give staff authority to issue the Request for Proposal or Request for Qualification, we should have time to discuss it, chew on it, and help them edit it before it goes public, but what we have before us tonight is the ability for them to do a Letter of Intent and I fully agree with him as well that we should have further discussion on how we ask for this site to be redeveloped when we go forward."

Councilman Ungar stated, "As long as that's clear in the resolution, I'm good."

Mayor Stephens stated, "As usual, Lee has merit in his argument. I've worked with Lee off and on for almost 15 years now, so his argument has merit and I personally will make sure that we continue to focus on those details."

Councilman Ungar stated, "With that assurance, I will be voting yes. Thank you and thank you for permitting the question."

Mayor Stephens stated, "You have a question to ask like Mr. Ungar."

Councilwoman Yasinow stated, "No, it wasn't a question. I would just like to explain my vote. I could do it before or after this."

Mayor Stephens stated, "Why don't we when we get to our votes, we give explanations if there's a difference of opinion."

Councilman Seren stated, "Mayor, actually before we... I just wanted to point something out. The agenda that was handed out to the public just now says that this is on for just First Reading. What was the..."

Tanisha Briley stated, "If I may clarify, I explained in the Committee of the Whole meeting, there was a last minute discussion with the School District's attorney on Friday that made it seem as though things weren't yet settled for the Letter of Intent. So, we want to make room for that, but in fact, it was a non-issue, so we don't need separate readings."

Councilman Seren stated, "Got it. Thank you."

Mayor Stephens stated, "Okay, if the Clerk would call the roll please."

Laurie Sabin stated, "Do we have a second?"

Councilwoman Dunbar stated, "So, we're supposed to say what we're doing?"

Mayor Stephens stated, "We are entertaining a motion for the authorization of a Letter of Intent or LOI. There was a first and a second and then we had some discussion and now we're going to go back to vote and at the time that you vote, if you'd like to tell the public something else or put that on the record with your vote so that it's not confusing, you may do so. If the Clerk would call the roll."

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

 Nays: None

Resolution Passed

Councilwoman Dunbar stated, "Aye, because all this does is authorize the City Manager to go forward with a Letter of Intent. There's no content to it at this point. So, it should move ahead."

Councilman Ungar stated, "Aye, with the limitations and understandings that I previously stated."

Councilwoman Yasinow stated, "Aye. Now, I would like to talk for just a quick second because frankly, I'm so grateful to have seen everyone come here tonight and talk. For me, this is a vote to authorize the City Manager to execute a non-binding Letter of Intent. There is no train that has left any station here and frankly, I think I share Councilman Ungar's concerns and want to make sure that any RFP/RFP that is sent out is fully done with the discussion of this Council about the concerns of this

community. One thing that is extremely important to me is – I’m the Councilperson who lives the closest to this site. I live two blocks away from it. I’m at Washington and Yorkshire, so I very much know how this impacts the neighborhood and the community. I walk past it almost every single day. I love seeing this be a part of our community. I love the calm and tranquility it affords to the residents on this street. So, I first off, I see this building on a regular basis every single day and frankly, I share a lot of the people who came tonight, their frustration with kind of feeling like, ‘Whoa, this happened really fast!’ I didn’t know that the tenants were going on a month to month lease until I read about it in the paper myself. So, I share the frustration and the surprise with how quickly this happened from the point of the tenants and of the community, first and foremost. Secondly, I sympathize with the School Board. They can’t continue to operate as a landlord as I understand it and the current situation is causing the School Board to lose money. I mean, we already see how the School Board is addressing these issues. There’s concerns about them keeping on properties and particularly with the Coventry School, it’s a property that is draining on their resources and on top of it, there is a roof issue that would cost \$1,000,000 to fix. And then, as I understand it, there’s the additional caveat that there’s only certain entities that the School Board can come to about transferring the property. There’s kind of, as I understand it, and I’m by no means an expert, a pecking order as to who they can even talk to about the redevelopment of this land or just anything to do with this land, and they came to this city saying, ‘Look, we’d like to have some community guidance as to how this happens and what goes with it.’ I don’t know. As I understand, I think charter schools for crying out loud are at the top of that pecking order and I can imagine that we as residents and stakeholders in this community would like to see more happen at this site than just that. I’m also mindful here as a member of the Finance Committee about the city’s ability to take it. This is just a non-binding Letter of Intent. We are not, this is not us taking title to this property here. I mean, we ourselves have just gotten out of a very precarious financial situation. I commend greatly for example our City Manager, Mayor Cheryl Stephens for working toward the passage of Issue 53 which was an income tax increase so that we didn’t have to cut vital services for Police and Fire. So, we’re out of our hole and we’re building our reserves, but we can’t take on a position. We can’t take on a piece of property that is going to be a liability to our city’s coffers. And by the way, we already have a \$1,000,000 roof problem on our service station up at Mayfield and Superior. We can’t. Let’s fix our first \$1,000,000 roof problem before we take on a second one. And also, I view this as an amazing development opportunity, a chance to work with our city, our residents, our stakeholders, our neighbors for what happens with this. We always hear, ‘Well, what are you doing with Top of the Hill?’ We’re finally getting something on Top of the Hill. We’re hearing about Severance. We don’t own Severance. I’m hearing about the triangle and at Mayfield, Warrensville and Noble and we don’t own all of that and this gives us an opportunity to do something where the city owns the land and we can lead it and change it. Well, we don’t own it yet, but we hope to eventually with some developers.”

Mayor Stephens stated, “Is that an aye?”

Councilwoman Yasinow stated, “Almost. I do believe the letter I was in there somewhere.”

Mayor Stephens stated, “In LOI.”

Councilwoman Yasinow stated, "And I know it's 9:15 and I'm sorry, but I do want to say at the very least, and I can't speak for all of Council, but I can at least speak for myself and say that I care about this property as a nearby neighbor. I care about it for the arts institutions that call it home and so, I think what you can see from us is a commitment to transparency, a commitment to communication. We care. We want to see what we can do to help with the transition for all of the tenants because we understand you're not just tenants; you're also residents. You're tax payers. You're stakeholders. So, with all of that, I am happy to give my, 'Aye,' to authorize the City Manager to execute a non-binding Letter of Intent with the School District."

Mayor Stephens stated, "Thank you."

Laurie Sabin stated, "And that would be five ayes."

Resolution Passed

Mayor Stephens stated, "Thank you. Resolution 68-2017 passes. Councilwoman Dunbar."

Councilwoman Dunbar stated, "I am also proposing Resolution Number 69-2017; a resolution authorizing the City Manager to enter into a lease agreement with Dos Neighbors LLC (also known as The Bottle House) to expand their outdoor dining at 2050 Lee Road; and declaring an emergency. This will enable The Bottle House to lease some of the City's public right of way (also known as the sidewalk) to expand outdoor dining and drinking and this legislation proposes allowing Bottle House to lease about 30 square feet of sidewalk space for \$65 per year for the next 5 years."

Mayor Stephens stated, "Is there a second?"

Councilman Ungar stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

Nays: None

Laurie Sabin stated, "Five ayes, Your Honor."

Resolution Passed

Mayor Stephens stated, "Five votes for Resolution Number 69 which passes. Is there anything you'd like to share with us this evening?"

Councilwoman Dunbar stated, "Actually, I was going to mention that there's going to be some wonderful hikes coming up of streambeds in Cleveland Heights that you didn't know were there. However, I'll say more about them at the next City Council meeting because they aren't until the latter part of June, but I think a lot of us are not even aware that as part of our watershed, everybody knows

about Doan Brook, but there's many more around our city, a lot of them pretty buried, but they're there and they're part of our watershed responsibility. So, I'll say more about those next time."

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

Councilman Seren stated, "Actually, Mayor."

Mayor Stephens stated, "Councilman Seren."

Councilman Seren stated, "We've got some BZA."

Mayor Stephens stated, "Oh, I forgot. Thank you. We have Board of Zoning Appeals. We have six or seven or those. It's still your responsibility."

Councilman Seren stated, "All right. I move that we approve Resolution of Board of Zoning Appeals Calendar Number 3421 for Nan and Hugh Sullivan, 2939 Scarborough Road, to permit a portion of the front of the house to be set back 46.93 feet where code requires a set back of 52.34 feet."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar and Councilman Ungar stated, "Second."

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

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

Nays: None

BZA Resolution Passed

Mayor Stephens stated, "Five votes for BZA Calendar Number 3421 which passes. Next."

Councilman Seren stated, "I move that we approve Resolution of Board of Zoning Appeals Calendar Number 3422, Fairmount Presbyterian Church, 2765 Fairmount Boulevard, to permit the driveway to have a zero foot setback at the rear property line where a minimum of three feet is required by the code."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

Nays: None

BZA Resolution Passed

Mayor Stephens stated, "Thank you. BZA Calendar 3422 has five votes and passes. Next we have Calendar Number 3428."

Councilman Seren stated, "All right. I move that we approve the Resolution of the Board of Zoning Appeals Calendar Number 3428, Fairmount Presbyterian Church, 2757 Fairmount Boulevard, to permit a parking lot with a 3.5 foot setback to the rear property line and from the maximum front and side yard coverage regulations of the Zoning Code to permit two curb cuts where a minimum of 10 feet and one curb cut are required by the Code."

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

Councilman Ungar stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

Nays: None

BZA Resolution Passed

Mayor Stephens stated, "BZA Resolution 3428 passes. Next we move to Calendar Number 3424, Councilman Seren."

Councilman Seren stated, "Thank you, Mayor. I move that we approve the Resolution of the Board of Zoning Appeals Calendar Number 3424, John and Anya Rudd, 2178 Harcourt Drive, to permit a 8.5 foot tall fence in a portion of the rear yard where a maximum fence height of seven feet is required by Code."

Mayor Stephens stated, "Is there a second?"

Councilwoman Yasinow stated, "Second."

Mayor Stephens stated, "Thank you. If the Clerk would call the roll please."

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

Nays: None

BZA Resolution Passed

Mayor Stephens stated, "Resolution Calendar Number 3424 passes. Next we move to Calendar Number 3425."

Councilman Seren stated, "Thank you, Mayor. I move that we approve the Resolution of the Board of Zoning Appeals Calendar Number 3425, Stephen R. Hanley, 1490 and 1494 Rydalmount Road,

to permit one garage building to be constructed on two parcels where two garages on two parcels is required; and I don't know if we should do both of them."

Mayor Stephens stated, "I guess we could go 3425 and 3426."

Councilman Seren stated, "Okay, let's wait. Let's do them individually."

Jim Juliano stated, "Do them one at a time."

Mayor Stephens stated, "One at a time? Okay. Is there a second?"

Councilwoman Dunbar stated, "Second."

Mayor Stephens stated, "If the Clerk would call the roll please."

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

Nays: None

BZA Resolution Passed

Mayor Stephens stated, "BZA Calendar Number 3425 passes. Councilman Seren."

Councilman Seren stated, "All right. I move that we approve Resolution of Board of Zoning Appeals Calendar Number 3426, Stephen R. Hanley, 1494 Rydalmount Road, to permit a one car garage where a minimum of two enclosed spaces is required by the code."

Mayor Stephens stated, "Is there a second?"

Councilwoman Dunbar stated, "Second."

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

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

Nays: None

BZA Resolution Passed

Mayor Stephens stated, "We have five votes and that means that Calendar Number 3426 passes. Councilman Seren."

Councilman Seren stated, "All right, thank you, Your Honor. So, first piece of legislation. I move that we approve Resolution Number 70-2017 declaring the property at 931 Nelaview Road, Cleveland Heights, Ohio to be a nuisance; and authorizing abatement of the nuisance; and declaring an emergency."

Councilman Ungar stated, "Second."

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

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

Nays: None

Resolution Passed

Mayor Stephens stated, "That's five votes for Resolution Number 70-2017. It passes. Councilman Seren."

Councilman Seren stated, "Thank you, Your Honor. I move that we approve Resolution Number 71-2017 declaring the property at 3384 Silsby Road, Cleveland Heights, Ohio to be a nuisance; authorizing abatement of the nuisance; and declaring an emergency."

Councilman Ungar stated, "Second."

Mayor Stephens stated, "Is there a second? Is that you, Councilman Ungar?"

Councilman Ungar stated, "Yes, second."

Mayor Stephens stated, "Okay. If you would call the roll please, Ms. Sabin."

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

Nays: None

Resolution Passed

Mayor Stephens stated, "Thank you."

Councilwoman Dunbar stated, "Could I say something?"

Mayor Stephens stated, "I'm sorry. Go ahead."

Councilwoman Dunbar stated, "We saw pictures of these houses that are being declared nuisances and they were pretty astonishingly bad. I want to congratulate Allan Butler on progress that he's making on staffing up the Housing Department and also making some innovative changes to how housing issues are handled in the community which should make us more effective in dealing with some of our housing problems and it's way, way, way off in the future, but I also would like... I just had an Email from the Greater Cleveland Congregations Housing Team saying that they're going to have a judge candidate's forum on August 24 at Disciples Christian Church. We can repeat this later when it's closer, but we will also be getting a new judge, Municipal Judge, and so it will be interesting to hear what they have to say about housing at that meeting because that will be a big part of the focus."

Mayor Stephens stated, "Thank you, Councilwoman Dunbar. Was there one more ordinance?"

Councilman Seren stated, "One more. All right. So, this next piece of legislation is related to some public safety personnel that we have. So, Argos is a K-9 Officer who has served very admirably in Cleveland Heights, has served with his handler, was trained by his handler and served with his handler since joining the Police Department and Argos and his handler are both just coincidentally scheduled to retire this year and so, and is sort of the custom, instead of, because of the way that our laws are set up and government procurement and how we deal with what is legally thought of as government property, we don't want to put Argos up on govdeals for auction and we would like for Argos and his handler to retire comfortably and together. So, and the handler is excited about that prospect as well, so, I move that we approve Ordinance Number 72-2017; authorizing the sale of K-9 Officer Argos to his handler upon his retirement for the sum of \$1; and declaring an emergency."

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

Councilman Ungar stated, "Happy to second this."

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

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

 Nays: None

Resolution Passed

Mayor Stephens stated, "We have five votes and Ordinance Number 72-2017 makes Argos Officer Mecklenburg's dog. Is there anything else you'd like to share with us this evening at the close of your commitment?"

Councilman Seren stated, "No thank you."

Mayor Stephens stated, "With that, we move, we've already done Administrative Services. Was there anything else from that committee?"

Councilman Ungar stated, "Nothing else. Thank you."

Mayor's Report

Mayor Stephens stated, "We now move to the Mayor's Report. Cleveland Heights, as you've said, is a vibrant and sustainable community. I have recommended to my colleagues earlier this evening that we create language to voice our support for the International Climate Control activities in this world. It is unfortunate that the federal leadership does not understand that sustainability is important for the future of all of us as long as we shall live and as long as our children and our children's children and future generations will live. So, I've asked my colleagues on this Council to work with me to draft the language to announce to the world that we believe in sustainability not with what we do every day here in Cleveland Heights, things like controlling the chemicals that go onto the grass, that we're one of the communities in Northeast Ohio that recycles the most every year and that we continue to focus on how to reduce the carbon footprint of our community and reduce gas emissions. We're proud that

we're the home of Motorcars because they have created a zero carbon footprint for their facilities through their use of sunshine simply put; and so, in my standard comments at the end of every Council meeting, this country works best because we invest in ourselves and try to realize that our future works best for us when we take a look at how to have the best future. Please, God bless America and God bless Cleveland Heights. Thank you and our next meeting will be June 19 at 7:30 here in Cleveland Heights City Council Chambers."

The meeting adjourned at 9:27 p.m.

Respectfully submitted,

Cheryl Stephens, Mayor

Laurie Sabin, Clerk of Council

/jkw