

City Council for the City of Cleveland Heights, Ohio, held a Committee Meeting of the Whole on the above date at 6:30 p.m. to discuss the contents of the City Manager's memo.

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

Council Members excused: Dunbar, Stephens

Staff present: Anderson, Briley, Juliano, Lambdin, McRae, Mecklenburg, Niermann O'Neil, Sabin, Wong

Councilwoman Roe moved to begin Executive Session to discuss, with an attorney for the public body, claims or disputes involving the public body that, in the judgment of such attorney, appear likely to be the subject of a future claim. Councilman Ungar seconded. Executive Session began at 7:08 p.m.

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

Excused: Dunbar, Stephens

Councilwoman Roe moved to end Executive Session and Councilwoman Yasinow seconded.

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

Excused: Dunbar, Stephens

Executive Session ended at 7:20 p.m.

The Council of the City of Cleveland Heights, Ohio, met on the above date at 7:47 p.m., Mayor Stephens presiding.

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

Excused: Dunbar, Stephens

Staff present: Anderson, Briley, Juliano, Lambdin, McRae, Mecklenburg, Niermann O'Neil, Sabin, Wong

Vice Mayor Stein stated, "Welcome to Cleveland Heights City Council July 3 meeting and we'll begin with roll call."

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

Excused: Dunbar, Stephens

Laurie Sabin stated, "Five present."

Vice Mayor Stein stated, "Okay, and we're going to excuse Mayor Stephens and Councilwoman Dunbar. We move to approval of the minutes from the Council meeting on June 19. Were there any edits?"

Councilwoman Roe stated, "Yes, I gave them, my edits, to the Clerk of Council earlier."

Vice Mayor Stein stated, "Okay, thank you. We move to personal communication from our citizens. If you'd like to address Council, raise your hand, be recognized, come to the podium and state your name and address please."

Alisa Alfaro stated, "Hi there. My name is Alisa Alfaro. I'm sure you recognize my name, Ms. Briley. I am a rape victim. I was raped on May 16 and instead of healing and beginning the process, I instead fought your system. What I've gone through with your detectives here has been very difficult. 66% of rapes are not reported. Out of those that did not report, 23% did not report because they did not trust their police to believe them or that they would or could do anything about it. I personally have felt that. While I did get an arrest, it took me over 18 days and we're still at square one with the, 'he said, she said.' I was told by your detective to be patient and though I was hangry and needed a Snickers. Really what I wanted to do was get back with my life and feel some sense of security. He brushed off a four-decade long criminal history which included a previous rape as petty crimes. I identified the rapist that night when five patrol officers showed up and looked at me like a circus exhibit, but did nothing. The rapist was my downstairs neighbor. I had to move out of my apartment for that 18 days. However, when you chose to put my name and incident report online, you failed to list Mr. Cross as my rapist on there. Furthermore, it took forever to get these tests, but I pushed BCI. Again, instead of healing, I was the one pushing BCI, to get this so I could go on and try to begin again. However, when BCI contacted your detective, your detective told him I was unable to positively identify my attacker which was a blatant lie. Furthermore, he told BCI, and I do have the Email if you'd like to see it, he told BCI they didn't have complete information. However, the detective has failed to return my last five communications. To be honest with you, if I could go back, I would not have reported it knowing what I know now. What I would have done is gotten a video surveillance system and waited for him to do it again, but at that time, I would have been as prepared and armed as I am now and we would have been investigating murder by self-defense instead of rape. Your detective reminds me of what I read about 2011 and the issues that you had with reporting and investigating rape and I fear that we're falling down that landslide again. You can build another house, but if it is still on a faulty foundation, that house is going to crack and I see that now. To be dismissed and not believed. As I was told, we don't know that it's a match. We do know. I have never faltered in my story. I was not believed. I had to fight for that. It took them two days to even go down and talk to him even though he was downstairs the whole time this happened. Now I see that you've only reported three rapes for the first quarter and it really doesn't jive with the stats that are out there. So, you've got a lot of unreported rapes. What we need to do is work on the Police Department. We need to work on how they handle this and by that, I demand that we have a citizens' review panel to make sure that we are not coming back to 2011 where the victim blaming takes place, where the fighting instead of healing. I'm the one that ran around to get the receipts that he asked me to get. I'm the one that called BCI while he told me to be patient. I've had Lynn Hammond, who told me to stop obsessing just a mere three weeks after this. The lack of response to the Emails and the phone calls are just unbelievable, that he would just blow me off like that. So again, we need to make sure that we are not going back to 2011 when you misreported and did not investigate these rapes properly. We also need additional education and training. You need to learn how

to work with victims of trauma because that is exactly what this is. I have been working with Senator Brown's office and Representative Boyd's office. Senator Brown's office is working diligently to secure the funding for additional training so that you guys can properly investigate with compassion and that you know how to work with victim of trauma, whether it be rape, whether it be a murder witness or something like that. If you treat all of them like you did me, it's no wonder that you don't get a lot of cooperation because I got to the point that I did not trust them, so we absolutely need to have this to work on that image. We also need a Victims' Bill of Rights. There's no excuse for me not to have been updated. There's no excuse for me to have been the one to continually call BCI so that I could get back into my apartment. I needed to be treated with respect and with a bit of compassion. I was not the rapist. I was not the one with the four-decade history of crime including grand theft and, like I said, a previous rape and many other issues that are beyond petty crime that he brushed it off on. I want to know that people can feel comfortable reporting rape because you guys are so busy being revenue officers with parking tickets, that you're not being protection and public peace officers. You're not helping us. You need to get that trust back with us. You need to make us feel like we can come so we don't have 2/3 of rapists walking around – free to re-offend because they know we're not going to say anything because the cops can be like, 'Well, you were drinking that night.' Because I did have some drinks with a friend. Then I went home to my own apartment, laid in bed and woke up to being raped. It had nothing to do with my drinking, but he made sure that it was in there. When you have that many rapists walking around, it does nothing to protect the public, so why don't you do your jobs to protect the public, people like me and people who don't even know that there's a rapist next door or below them? Have the detectives treat us with a little bit of compassion and respect, get some training, be it unconscious, bias training, be it some updated, I mean, Lynn is very proud of the fact that she's the one that trains my detective when he became part of the academy. Well, he's 52 years old, so I believe that was done a long time ago. I believe the mission statement of the Police Department, 'highest degree of professionalism, honesty and dedication and a commitment to continuing education.' I'd like to know what education they've had. I'd like to know what training they've had and I'd like to know that it will continue. I'd like to know that I'll be treated professionally, honestly and that you would be dedicated to my case instead of blowing me off like I was the one who did this and deserved it. Do you have any questions for me?"

Councilwoman Roe stated, "I don't have a question. I just want to say I am really sorry for your pain and I'm sure that I speak for my fellow Council people here."

Alisa Alfaro stated, "Show me by actions please. I accept the kind words, but what I want is action. I spoke with detective... or with the Chief on June 8. I gave her a list of my complaints. This is Friday after you guys printed my police report with my personal information on there online for everybody to see including a potential employee, but yet you didn't have his on there. I gave her a list of complaints that I had and do you know I've not heard from her. She said, I told her I was coming to this, she said, 'You were supposed to call me back.' Really? Let me tell you something that I'm dealing with. I go to counseling every Wednesday night. Those are the hardest freaking nights of my life. Trying to sleep – my insomnia is something else. And she's putting this on me to get back to her about the problems

and the treatment of her department. I wish she was in here, but I understand she's got a great group coming in, so I hope this group has a better attitude. How can we proceed?"

Vice Mayor Stein stated, "I'll refer to Public Health and Safety Committee to review our policies and procedures. In these situations as well, I ask the City Manager to please again look at this case and make sure that the Chief is following up."

Tanisha Briley stated, "Absolutely, and the Chief..."

Alisa Alfaro stated, "No, she's not."

Tanisha Briley stated, "... is in the back of the room, Vice Mayor Stein, and I know that she reached out to you personally both by phone..."

Alisa Alfaro stated, "And I gave her my list of complaints."

Tanisha Briley stated, "I don't know if you were able to have that conversation, but she is here to have that conversation with you today and I think you also had an exchange on Facebook, so the Chief is more than willing to sit down and spend..."

Alisa Alfaro stated, "As long as the onus is on me during my time of healing again, a time that I should be processing."

Tanisha Briley stated, "She's here now."

Vice Mayor Stein stated, "She can meet with you now."

Alisa Alfaro stated, "I'm happy to talk to her now, but I need to get this on public record as well. So, we'll present this to the Public Safe and?"

Vice Mayor Stein stated, "Public Safety."

Councilman Seren stated, "I'd like to meet with the Chief, frankly, first and if we're going to be talking about policy. If we're talking about your case in particular, I think I would not be one of the optimal people to..."

Alisa Alfaro stated, "No, this is for every victim. This is to change the attitude so that people will trust you and will want to come forward without feeling re-victimized through you."

Councilman Seren stated, "And I think that's exactly what we should be doing. You're exactly right and I appreciate you speaking out and bringing that to our attention."

Vice Mayor Stein stated, "And we are sorry as Councilwoman Roe stated. All of us, I think, are very moved right now by what you said and honestly, we don't know what to say, but we're going to review our policy in general. Your citizens' review panel – we're going to, I'm sure, take a look at that in committee. Victims of trauma, how they're treated, sensitivities – we're going to be looking at that. You have brought it to our attention. We're going to look into this."

Councilman Seren stated, "Thank you."

Alisa Alfaro stated, "All right. Thank you."

Vice Mayor Stein stated, "Is there any other personal communication? Anyone else that wants to speak to Council tonight? Please."

Brady Dindea stated, "Good evening, Council, and I'm reluctant to follow what we just heard in this room. I find myself a little bit emotional from hearing this woman's story. It puts in light perspective obviously and what we're dealing with here, what we've been talking about for several weeks, puts some perspective on it. We all know that there are much bigger, more important things going on in other people's lives and I wish that woman the best of luck in her healing process. Anyhow, my name is Brady Dindea as most of you know and I'm the Board President of ArtFul. I am here tonight on behalf of all the Coventry tenants and want to thank you guys for working with the School Board and agreeing to draw up a MOU that will definitely help the tenants of Coventry School plan whole-heartedly for their futures. We look forward to receiving the document so that all the tenants and their boards can review this and, you know, you know how to get ahold of us and get that to us when you're ready. We want to thank the residents who came out to speak on our behalf over the last several weeks and acknowledge that their support is critical to our endeavors. I will, as I'm sure you will, continue to reach out for their input and ideas. Last week, Jack Valancy and I had the opportunity to sit down with Tanisha and with Tim Boland. We really appreciate that you guys took time out of your schedules to allow us to share some ideas and thoughts. We know that we're not all exactly on the same page, but we are making tremendous strides in communication and the sharing of ideas and hope that we will continue to keep both sides, we'll continue to keep channels of communication open and I believe both sides appear to be very committed to that. Last Friday, ArtFul hosted a second open studio night. Simultaneously, the tenants of the Coventry School held a community information and input night. The weather was a bit of a factor with the downpour that we had, but turnout was strong and we were quite pleased to have the chance to talk with so many. We were thrilled to see you, Ms. Roe, and Mayor Stephens showed up. We were able to give some really good tours of not only ArtFul but all the organizations that are there and we're doing another open house this Friday. So, those of you who weren't able to make it, please it's an ArtFul open studio night. Please consider coming by."

Councilwoman Yasinow stated, "What time?"

Brandy Dindea stated, "7:00 to 9:00 p.m. If that date doesn't work, we want to bring to your attention that we are working on a Coventry Community Weekend. It just so happens that there are also a number of events that are all synching up together. ArtFul will have a large open studio night on the 28th of July. The Coventry Peace Group will be holding a clean-up and repair playground day. I believe those hours are from 9:00 to 2:00. We will have some artist demos going on throughout the weekend and everything culminates on Sunday with the Cleveland Foundation's, I want to get the name right, give me one second – it's called Common Ground. It's put on by Cleveland Foundation. This is an event that goes on, if you're not familiar, county-wide and different places are playing host to community discussions and we're lucky enough that Ensemble Theater is one of the main hosts for these events and

they will be hosting this event that will be focused on the future of the arts in the Heights. So, it's a big, exciting weekend. We're working on the details, but we want you to, I know you guys are getting ready to go on break, so we wanted to get that on your schedules now. If you're going to be here, we would really love for you to join us on all the days or any of the days. We're aware that July 17 is your last Council meeting before you go on break and September, we will have a representative. I believe Jack Valancy will be here next week to present you with some findings from our survey and we will be introducing you to a formidable group of young girls who have taken upon themselves to start a grass-roots effort to save Coventry Peace Park and Playground. Don't be surprised if you see them in your seats a few years from now. They're really quite impressive little girls. It's our hope that Council will continue to be forthcoming with this information and will be more proactive at reaching out to the tenants, the Coventry Peace Group and most importantly, the residents. We love that this process is opening up and everyone is having a chance to have a moment to express their own ideas, thoughts, opinions and that's just sort of our update from the tenants group and we hope everyone has a safe and fun-filled Fourth of July."

Councilwoman Yasinow stated, "Ms. Dindea, although I believe the form we were discussing in our Council of the Whole meeting, we were thinking of the public hearing to take place on July 27, if that, just I don't know what your schedule or Mr. Valancy's is, but that is what I believe we were considering. We want to make sure that the leaders, frankly, concerning Coventry School Building have... that that would work for your schedules."

Brady Dindea stated, "Okay, I'm more than happy to reach out to Jack and a couple other of our main people and get back to you on that."

Councilwoman Yasinow stated, "Considering Thursday, July 27 at 7:00 p.m. at the Community Center."

Brady Dindea, "All right. Okay. I will make sure one of us gets back to you as for a confirmation on that date. Thank you."

Vice Mayor Stein stated, "Thank you. All right. Anyone else? Okay, so we will move on to the report of the City Manager, Mrs. Briley."

Report of the City Manager

Tanisha Briley stated, "I have nothing to report this evening."

Vice Mayor Stein stated, "Okay, the Director of Finance, Ms. Sabin."

Report of the Director of Finance/Clerk of Council

Laurie Sabin stated, "Nothing to report."

Vice Mayor Stein stated, "Okay, we're really moving fast tonight. Okay, on the committee reports, Municipal Services Committee. Councilwoman Yasinow."

Report of the Municipal Services Committee

Councilwoman Yasinow stated, "Thank you very much, Vice Mayor Stein. I have no legislation this evening, but I would like to take a moment and to wish everybody a happy and a healthy Fourth of July weekend. Please spend it with your friends, neighbors, pets, not necessarily in that order, but always, please do remember to be safe this holiday weekend. Fireworks are a ton of fun. Sparklers are a ton of fun, but unfortunately, you see an increase in emergency services for people who think that these explosives, these projectiles are indeed toys. They are not. Please do take a moment and have fun this weekend, but please do just make sure that you take on the serious safety precautions including, with regard to young children, and other than that, I look forward to seeing various members of the community at our parades and fun events both tomorrow as well as at the Cain Park Arts Fest this weekend."

Vice Mayor Stein stated, "And do you want to mention about garbage collection?"

Councilwoman Yasinow stated, "Oh, yes. It's not happening tomorrow. Fourth of July we are closed. No city services will be available. Obviously, emergency services will be and garbage pickup will then happen on the following day, so if you would have your garbage picked up on Tuesday, July 4, it will be picked up on Wednesday, July 5 and so on and so forth through Saturday. So, if your garbage pickup is typically on Friday, you will have it on Saturday instead."

Vice Mayor Stein stated, "Thank you. Planning and Development Committee. Vice Chair, Councilman Seren."

Report of the Planning and Development Committee

Councilman Seren stated, "All right. I do have some legislation that is on the agenda. So, I'm going to just move that we pass Resolution Number 82-2017; authorizing the City Manager to enter into an agreement with the Home Repair Resource Center, a non-profit corporation, for the use of HOME Funds to administer its down payment assistance loan program; providing compensation therefor; and declaring an emergency."

Councilman Ungar and Councilwoman Roe stated, "Second."

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

 Nays: None

Laurie Sabin stated, "Five ayes."

Councilman Seren stated, "Second piece of legislation is the Memorandum of Understanding for the 'Top of the Hill' project. I move that we approve Resolution 83-2017 authorizing the City Manager to sign a non-binding Memorandum of Understanding with F&C Development, Inc. concerning the 'Top of the Hill' development; and declaring an emergency."

Councilwoman Yasinow stated, "Second."

Vice Mayor Stein stated, "Any discussion? Anyone want to say anything?"

Councilwoman Yasinow stated, "I'd be happy to just congratulate our staff, our attorneys, everyone in this long process. Really, this is an amazing achievement to see us moving forward with progress and development in the City of Cleveland Heights. Top of the Hill has been vacant for – how many decades at this point now?"

Councilman Ungar stated, "A long time."

Councilwoman Yasinow stated, "In the 60's. So, okay, so about 50 years to get to this point, not too bad. I'm just very glad to see it happen. I know that we had gone through a lengthy and detailed RFQ process to come to Flaherty & Collins. It had some stops. It had some starts, but I'm very glad to see us getting across this finish line. I congratulate just the tremendous effort of our staff and with Flaherty & Collins to get to this point and I believe all of Council shares in that pride and in seeing a beautiful new development coming to the Top of the Hill."

Vice Mayor Stein stated, "And this is an exciting piece of legislation to get to this point. The public engagement process will begin very soon. There will be public meetings, so as far as if you're interested in adding in your ideas or your concerns, there's going to be plenty of time for you to address Council and the developers and the City in general. So, there will be public meetings in the near future. Stay tuned and please call the roll."

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

 Nays: None

Laurie Sabin stated, "Five ayes."

Vice Mayor Stein stated, "Do you have anything else?"

Councilman Seren stated, "Nothing further to report."

Vice Mayor Stein stated, "Okay, on to the Public Safety and Health Committee. Councilman Seren."

Report of the Public Safety and Health Committee

Councilman Seren Stated, "All right. I have a piece of legislation related to licensing for medical marijuana entities and this is for first reading only. Please, if you have any, I encourage you all to look at the chapter that's enacted by this ordinance and if you see any issues, let us know. This is first reading only. We'll discuss it again at our next Committee of the Whole meeting and then, possibly have it back a couple weeks from now. So, first reading, Ordinance 84-2017; enacting Chapter 711, "Medical Marijuana," of the Codified Ordinances of Cleveland Heights."

Vice Mayor Stein stated, "Okay, that is on first reading."

Councilman Seren stated, "On first reading only."

Vice Mayor Stein stated, "All right. Anything else?"

Councilman Seren stated, "Yeah, I did want to say, I just wanted to... my heart goes to the loved ones of the child that was killed recently in Cleveland Heights and I wanted to thank our, I think that at least all reports are telling us we're making progress on that case and so I wanted to thank law enforcement for that, for their efforts in that. That's all."

Vice Mayor Stein stated, "Thank you. Administrative Services Committee. Councilwoman Roe."

Report of the Administrative Services Committee

Councilwoman Roe stated, "Thank you. I don't have any legislation tonight, but I just wanted to provide an update on the Charter Review applications. The deadline closed last Friday at 5:00 p.m. and as of that time we had 57 applicants for the 15-member commission to be appointed. Of the 57 applicants, 19 are women and the applicants represent all wards of the city and also represent the diversity of our community. So, that's an update in terms of that particular process. Thank you."

Report of the Community Relations and Recreation Committee

Vice Mayor Stein stated, "Great. Thank you. On to Community Relations and Recreation Committee and that is me. So, I offer Resolution Number 85-2017; a resolution proclaiming July 2017, National Parks and Recreation Month. Parks and recreation programs are an integral part of communities throughout this country, including the City of Cleveland Heights; and our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and parks and recreation areas are fundamental to the environmental well-being of our community. Parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors. Therefore, be it resolved, this Council hereby proclaims July 2017, National Parks and Recreation Month, in the City of Cleveland Heights and encourages residents to take advantage of the many opportunities to participate in parks and recreation programs and enjoy the amenities available through the City of Cleveland Heights' parks, Cumberland Outdoor Pool, and the Cleveland Heights Community Center. I offer Resolution Number 85 for passage."

Councilman Ungar stated, "Second."

Vice Mayor Stein stated, "Roll call please."

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

Nays: None

Laurie Sabin stated, "Five ayes."

Vice Mayor Stein stated, "Okay, that concludes this committee. On to Finance Committee.
Councilman Ungar.

Report of the Finance Committee

Councilman Ungar stated, "Thank you. Very briefly this evening, first is a first reading; a resolution approving the adoption of the 2018 Tax Budget. Again, first reading. And next is Ordinance Number 87-2017; an ordinance providing for the issuance and sale of \$1,285,000 of notes, in anticipation of the issuance of bonds, for the purpose of (i) reconstructing, resurfacing and otherwise improving City streets; (ii) rebuilding Monticello Boulevard and Taylor Road, including engineering and planning costs with respect to those; and iii) acquiring motorized equipment and appurtenances thereto; and (iv) acquiring computer hardware and related equipment."

Councilwoman Yasinow stated, "Second."

Vice Mayor Stein stated, "Okay, roll."

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

Nays: None

Laurie Sabin stated, "Five ayes."

Vice Mayor Stein stated, "Okay."

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

Vice Mayor's Report

Vice Mayor Stein stated, "The Vice Mayor's Report. A public hearing for the 2018 Tax Budget will be set for Monday, July 17, 2017 at 7:00 p.m. right here in Council Chambers and finally, just wishing everyone a Happy Fourth of July. And that adjourns our meeting. The next meeting of Council will be Monday, July 17, 2017. Have a good night."

The meeting adjourned at 8:16 p.m.

Respectfully submitted,

Jason Stein, Vice Mayor

Laurie Sabin, Clerk of Council

/jkw