



# CLEVELAND HEIGHTS

**Monday, July 20, 2020 Minutes**

**COMMITTEE OF THE WHOLE**

6:09 – 7:28 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Seren, Stein, Ungar  
Excused: Russell

Staff present: Briley, Hanna, Himmelein

Topics discussed: Legislation and August Recess

**Executive Session**

6:46 – 7:27 p.m.

Council Member Dunbar made a motion to begin Executive Session, which was seconded by Council Member Ungar to consider the appointment of a public official and to consider the terms of a lease of City-owned real property.

Roll Call: Ayes: Dunbar, Hart, Seren, Stein, Ungar  
Nays: None

Council Member Dunbar made a motion to end Executive Session which was seconded by Council Member Ungar.

Roll Call: Ayes: Dunbar, Hart, Seren, Stein, Ungar  
Nays: None

**CITY COUNCIL**

7:53 – 9:03 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Seren, Stein, Ungar  
Excused: Russell

Staff present: Briley, Hanna, Himmelein

Minutes from the City Council meeting held Monday, July 6, 2020, were approved with submitted edits.

### **Personal communications received from citizens (via electronic mail)**

Since our last City Council meeting on July 6, 2020 we have received messages from the following individuals: Bridget Gudhe (3 emails), Craig Hoffman, Rosa Kovacevich, James O'Hare, Ralph Solonitz, and Paul Volpe

Ms. Gudhe provided a video she purchased from an educational series called the 5G Summit. This video is a discussion between Andrew Campinelli, that she has previously referred to Council, and Josh Del Sol the producer. In the video Mr. Campinelli and Mr. Del Sol discuss the powers that local governments have, but which must be codified in order to utilize legally. She does not believe these powers have been implemented in the Small Cell Ordinance that was just passed. Additionally, she doesn't believe the current Ordinance addresses the wireless installations of DAS installation or Macro (Large towers). These should also be constrained by the Ordinance as they are being placed in many locations which may not be necessary. She asks Council to watch the discussion and to work with Mr. Campinelli for the protection of Cleveland Heights' citizens.

Ms. Gudhe also commented on the mask wearing legislation. She indicated that the vast majority of people in public spaces have conformed to wearing masks and maintaining the 6 feet of social distance. She indicated that wearing masks or distancing have not proven to be of any benefit. She provided links to many studies and articles that point to their ineffectiveness and possible harm.

Mr. Hoffman would like to encourage the Council and City Manager to place a higher priority on getting bulk trash pickup re-instated as quickly as possible. He indicated that mattresses, furniture, carpeting and other bulk items are an eyesore and reflect poorly on the City. He wishes to keep our streets and neighborhoods looking clean and attractive.

Ms. Kovacevich urges the City to forgo the August recess this year. She referenced the massive cuts that need to be made to the 2020 budget, the COVID-19 pandemic, the vacant Council seat, and calls from citizens to defund the police. Council is the only elected representation that residents in the City have until 2022 and to allow an entire month without regular meetings in the midst of these conditions would leave us without a voice in how our City is being run at a crucial time.

Mr. O'Hare commented on the proposed charter amendment ballot language. He understands that protocols and tradition dictate the language. However, he ran the proposed language through a readability score evaluation to determine how 80 percent of voters will understand the proposed language. The score returned an "E" which is the lowest score. Using the Flesch scale of 0 to 100 with a 60 being the target the language rated a minus -24. He didn't know it was possible to receive a negative score. He said if the City is serious about engaging the population in local government, this type of language can't be productive.

Mr. Solonitz would like to know when he can expect rules and democratic processes to begin regarding the vacant Council seat.

Mr. Volpe indicated that it is his understanding from the April 13 meeting the developer was granted a 3-month extension to July 20 on the proposed development at Cedar Lee. There were several items the developer should provide which were supported by Council. He wanted to know if there will be a presentation of the information of the proposed project that both Council and the public will review and consider prior to passage of the Memorandum of Understanding. He commented that after two years of waiting for a full proposal on this project if the MOU doesn't contain the required information is it not more than another extension and delay in the development of our public property?

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

Tanisha Briley gave an overview of her report to Council which may be read in full at [https://www.clevelandheights.com/DocumentCenter/View/7090/cc\\_packet\\_07012020?bidId=](https://www.clevelandheights.com/DocumentCenter/View/7090/cc_packet_07012020?bidId=).

Request permission to issue a Request for Proposals for a financial consult to conduct an affordability analysis for the Integrated Overflow Control Master Plan (IOCMP)

**Matter of Record**

**Refer to:** Municipal Services Committee

Motion by Council Member Dunbar, Seconded by Council Member Ungar

Roll Call:     Ayes: Hart, Seren, Stein, Ungar, Dunbar  
                  Nays: None

**Motion Passed**

Request permission to enter into a letter of intent with the Cleveland Heights-University Heights School District regarding the Milliken school property

**Matter of Record**

**Refer to:** Planning and Development Committee

Motion by Council Member Dunbar, Seconded by Council Member Ungar

Roll Call:     Ayes: Seren, Stein, Ungar, Dunbar, Hart  
                  Nays: None

**Motion Passed**

Tanisha Briley provided an overview of her memo to Council in the Council packet which may be viewed in full at

[https://www.clevelandheights.com/DocumentCenter/View/7117/cc\\_packet\\_07152020?bidId=](https://www.clevelandheights.com/DocumentCenter/View/7117/cc_packet_07152020?bidId=).

Tanisha Briley stated that the City of Gaithersburg, Maryland officially appointed her as their next City Manager and her last day with the City of Cleveland Heights will be September 1. She stated it has been a gift to be able to work in her home where she was born and raised. She said it was an honor and a privilege to work with this gifted team of directors in this amazing city.

## **Mayor's Report**

Council Member Dunbar stated that Tanisha came to us with a lot of experience in finance and budgeting which served us well. She commented on her early recognized potential, Master's Degree, involvement in professional organizations, and the growth she had working for this city.

Council Member Ungar stated it was a pleasure to work with Tanisha and looked forward to hearing a lot of success stories coming out of Gaithersburg. He thanked her for her service to Cleveland Heights.

Council Member Hart congratulated Tanisha and wished her the best in her new endeavors.

Vice Mayor Seren stated that when he watched the Gaithersburg interviews, he had a feeling this was coming and wished her good luck.

Mayor Stein thanked Tanisha for her exceptional leadership over the last 7 years which brought a lot of change. He stated Cleveland Heights is better now than when she began as City Manager and recognized her hard work. He wished her continued success.

Mayor Stein stated the Acting City Manager for the remainder of 2020 and 2021 will be Susanna Niermann O'Neil. He stated there is no one better qualified and with more experience and knowledge of Cleveland Heights than Susanna.

Council Member Seren moved to appoint Susanna Niermann O'Neil as Acting City Manager for the City of Cleveland Heights effective September 2, 2020. Council Member Hart seconded the motion. Tanisha Briley stated that Susanna has given so much of herself to this community and the city would be in excellent hands with her. She has served the city for more than 40 years and we're fortunate for her unmatched spirit, commitment and grit.

Roll Call:     Ayes: Stein, Ungar, Dunbar, Hart, Seren  
                  Nays: None

**Motion Passed**

Mayor Stein asked for a motion to suspend Council's August meetings. There will still be a Committee of the Whole meeting in August to discuss the Council vacancy.

Council Member Dunbar moved to suspend the August meetings. Council Member Ungar seconded the motion. Vice Mayor Seren clarified that the meetings being suspended were the full formal Council meetings during which they vote on items and it does not necessarily mean that Council will be suspending committee meetings potentially. He stated he would like to have at least one Administrative Services meeting in August. Council Member Hart stated there will be a Finance Committee meeting to discuss budget during August. Mayor Stein stated that if there is a piece of legislation that becomes high priority that is time sensitive, he will call for a special meeting in August.

Roll Call: Ayes: Ungar, Dunbar, Hart, Seren, Stein  
Nays: None

**Motion Passed**

### **Report of the Chief of Police**

Chief Mecklenburg stated the work the department is doing is updated on the Police Department's website under the News. As the department continues its commitment to transparency, three additional policies have been added to the Police pages: progressive discipline policy, sexual assault policy, and our domestic violence policy. These are posted online for the public to view.

There is a Meet Your Police meeting on August 6, 6:00 – 8:00 p.m. People are welcome to attend and make comments and ask questions. A section has been added online for complaints and compliments. It was a practice to have someone come to the station to file a complaint and make a formal written complain, however, we are now providing these forms on the City's website which can be downloaded and Emailed directly to the Chief.

All officers are completing training from the Ohio Attorney General's Office regarding de-escalation techniques and interacting with the mentally ill. Training should be complete by August 1. Other available training options are being considered. Collaboration with other agencies is being considered including Downtown Cleveland Alliance and Frontline, both who have services that may assist how calls are handled.

Chief Mecklenburg is in the process of finalizing the Townhall Meet Your Police questions. It will be reviewed and posted online.

Crime statistics for the first 6 months of 2020 are available on the city's website. There is a decline in crime. Violent crime is down 21% and property crime is down 22%.

Vice Mayor Seren thanked Tanisha Briley for sending the Lexipol agreement. He requested Council have access to Lexipol materials if possible. Vice Mayor Seren and Tanisha Briley discussed the materials used to craft police policy and whether or not it is appropriate for Council to have administrative access to the data. Mayor Stein stated Council should move past this conversation for the purpose of this meeting.

### **Report of the Clerk of Council**

No report

## **PUBLIC SAFETY AND HEALTH COMMITTEE**

**RESOLUTION 82-2020 (PSH), Second Reading.** A Resolution objecting to the renewal of all current liquor permits issued by the Ohio Department of Commerce, Division of Liquor Control to Zooz Limited dba City & East Hookah Bar, 2781 Euclid Heights Blvd., Cleveland Heights, Ohio 44106 and requesting that a hearing on the issue of renewal be held in Cuyahoga County, Ohio

Introduced by Council Member Ungar, Seconded by Council Member Hart

Roll Call:     Ayes: Dunbar, Hart, Seren, Stein, Ungar  
                  Nays: None

**Legislation Passed**

Council Member Ungar asked for the Law Department's continued work on the transition to an elected Mayor to be timely and effective. Council Member Hart asked that it be updated as an agenda item to keep residents informed.

## **ADMINISTRATIVE SERVICES COMMITTEE**

**ORDINANCE NO. 86-2020 (AS).** An Ordinance approving amendments to the Charter of the City of Cleveland Heights; providing for the submission to the electors of the City of Cleveland Heights proposed amendments to the Charter of the City of Cleveland Heights for placement on the November ballot

Legislation introduced by Vice Mayor Seren, Seconded by Council Member Ungar

Vice Mayor Seren moved to amend the legislation by substituting the phrase, "a Mayoral election," with the phrase, "the Mayoral election," where it appears in Exhibit A.

Amendment introduced by Vice Mayor Seren, Seconded by Council Member Ungar

Council Member Hart asked the Law Director to give an overview. Bill Hanna stated this word revision was in reference to the possibility of having two candidates for the office of Mayor and that primary would be held on the second Tuesday in September following the first Monday in September. This amendment clarifies which election is being referenced.

Roll Call for amendment:     Ayes: Hart, Seren, Stein, Ungar, Dunbar  
                                      Nays: None

**Motion Passed**

Roll Call:     Ayes: Seren, Stein, Ungar, Dunbar, Hart  
                  Nays: None

**Legislation Passed**

## COMMUNITY RELATIONS AND RECREATION COMMITTEE

Vice Mayor Seren stated that FutureHeights is holding a Zoom forum this Thursday at 7:00 p.m. to discuss policing, police violence, police accountability, and reform. More information is available on their website.

## FINANCE COMMITTEE

Council Member Hart stated there will be a Finance Committee meeting in August with a date to be determined to discuss the budget. She stated she is working with FutureHeights to plan some community forums on the transition to an elected Mayor.

## MUNICIPAL SERVICES COMMITTEE

Council Member Dunbar stated the Municipal Service Committee met last Monday which was largely devoted to presentations by staff and consultants on some financial issues including sewers and garbage. The video is available on the city website. She made a comment about the maintenance of this city and stated resurfacing has begun including the ADA curb replacement program. The surface treatment program will soon be starting. The striping program is ongoing. Some Safe Routes to School work will be done on curb ramps and pavement markings. The Selwyn Road Waterline project continues this summer. There was some damage done to Glenwood by a sinkhole and that is being repaired.

## PLANNING AND DEVELOPMENT COMMITTEE

No report

## Consent Agenda

**RESOLUTION 84-2020 (F), *Second Reading***. A Resolution approving the adoption of the 2021 Tax Budget

**RESOLUTION 87-2020 (PSH)**. A Resolution authorizing the City Manager to enter into an agreement with Motorola Solutions, Inc. for the purchase of upgraded police-worn body cameras and associated software for the Police Department through the Ohio Department of Administrative Services Cooperative Purchasing Program

**RESOLUTION 88-2020 (F)**. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights

**RESOLUTION 89-2020 (F)**. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights

**RESOLUTION 90-2020 (PSH)**. A Resolution authorizing the City Manager to enter into an agreement with All City Management Services, Inc. for crossing guard services; providing compensation therefor

Motion to suspend rules by Council Member Dunbar, Seconded by Council Member Hart

Roll Call: Ayes: Stein, Ungar, Dunbar, Hart, Seren  
Nays: None

**Motion Passed**

Motion to adopt by Council Member Dunbar, Seconded by Council Member Hart

Roll Call: Ayes: Ungar, Dunbar, Hart, Seren, Stein  
Nays: None

**Legislation Passed**

**NEXT MEETING OF COUNCIL: TUESDAY, SEPTEMBER 8, 2020**

Respectfully submitted,

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Jason S. Stein, Mayor

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Amy Himmelein, Clerk of Council  
/jkc