



## CLEVELAND HEIGHTS

**Monday, March 15, 2021 Minutes**

**COMMITTEE OF THE WHOLE**

6:49 – 7:42 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Excused: None

Staff present: Boland, Butler, Clinkscale, Hanna, Himmelein, Mecklenburg, Niermann O’Neil, Smith, Trupo, Zamft

Topics discussed: Charter Amendment, Curfew (history and enforcement), Council rules regarding events, logos, etc., Other

**CITY COUNCIL**

7:52 – 9:08 p.m.

Mayor Stein presiding

Roll Call: Present: Dunbar, Hart, Russell, Seren, Stein, Ungar  
Excused: None

Staff present: Boland, Butler, Clinkscale, Hanna, Himmelein, McRae, Mecklenburg, Niermann O’Neil, Smith, Trupo, Zamft

Minutes from the City Council meeting held Monday, March 1, 2021 were approved with submitted edits.

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

Amy Himmelein read a comment from Robin Koslen regarding a petition to make Cumberland and Purvis pools available to all residents in the school district.

Amy Himmelein read a comment from Anne Billington stating that it would be difficult for senior citizens to take trash bins to the curb. Susanna Niermann O’Neil stated that Amy Jenkins from the Senior Center is working on outreach to senior citizens and disabled residents with similar issues.

Amy Himmelein read a comment from Alex Maher stating repairs are needed at the Cain Park skate park.

Amy Himmelein read a comment from Cory Farmer stating that the youth curfew should be removed. He asked that the Council finish making appointment to the Racial Justice Task Force with consideration to those with backgrounds in African American/Ethnic Studies and Critical Race Theory. Susanna Niermann O'Neil stated the Chief of Police has a report about curfew and recommendations which will be given on March 29.

Amy Himmelein read a comment from Carla Rautenberg and Len Friedson stating that it is a dangerous idea to have restaurant patrons in the curb lane of Cedar-Fairmount It was suggested to temporarily close a section of Surrey Rd. and also use the top deck of the parking garage once repaired.

Amy Himmelein read a comment from Steven Romick stating that the vacant property south of Burlington Court Condominiums needs trees cut as they are falling very near to the parking lot.

Amy Himmelein read a comment from Branden Ve regarding unmaintained rental properties in the city and lack of enforcement.

Amy Himmelein read a comment from Larry Dukes requesting lights be repaired or replaced in Lot 10 on Mayfield.

Amy Himmelein read a comment from Rosa Kovacevich requesting an update on traffic stop data provided to CSU's Diversity Institute. Susanna Niermann O'Neil stated the Chief is going to address some of this in her remarks, but we are working with Dr. Dunn and planning April meetings for the community to respond to documents.

Amy Himmelein read a comment from France Mentch requesting that a Meadowbrook Lee park be placed on the agenda for discussion.

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

Request permission for the City Manager to negotiate with Start Right Community Development Corporation, Ozanne Construction Co., Borden Design Partnership, Liberty Development Company, and Amato Homes regarding the Neighborhood Redevelopment Program, Phase One

### **Matter of Record**

**Refer to:** Planning and Development Committee

Council Member Russell requested that all three contracts have non-discrimination clauses. Council Member Hart agreed with this request.

Susanna Niermann O'Neil addressed some public comments. A crew had been dispatched to Lot 10 to repair the lights. A Housing Inspector will go out today to the rental property Mr. Ve mentioned and issue a violation to the owner.

Resolution 24-2021 will be pulled from the agenda to allow for further discussion with FutureHeights.

The inclusive special needs playground will be implemented at Forest Hill which will use some funds from Cuyahoga County and grants.

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

Chief Mecklenburg stated that on Friday of last week around 12:48, officers responded to gunshots at Beachwood and Compton. There was a disturbance between a boyfriend and girlfriend earlier that day. Threats were made to her and family members. The boyfriend arrived on at the residence and pointed a gun out of his vehicle window and a family member fired some shots at him from the house. The person who fired shots immediately surrendered to police and the boyfriend fled the scene. The boyfriend will be charged with aggravated menacing and the male from the house will face charges as well. A neighbor that was in his car did sustain an injury to his leg.

The Chief stated she is meeting with the Diversity Institute representatives tomorrow and they're in the process of finalizing four policies that will be the subject of the town hall meetings. Those subjects are vehicle pursuits, use of force, bias based policing, and recruitment and selection. CSU has until March 31 to complete their data analysis. More details are to come regarding the town hall meetings.

Council Member Ungar asked for an update on the Ring project and how video would be requested from residents. Chief Mecklenburg stated nothing had been finalized, but this would allow her to give updates to residents regarding anything that has to do with public safety. Residents would have the option to voluntarily and anonymously supply video to the police. Council Member Ungar asked the Chief to give updates as they come and provide reassurance that providing video is voluntary.

Council Member Dunbar asked the Chief for an update on the Police Academy which is paused during COVID. Chief Mecklenburg stated there were a number on reasons it is on hold. The Commander who ran the academy for years recently retired, so new instructors needed certified in certain topics. They are utilizing it for internal training for Cleveland Heights police on issues like de-escalation and legal updates.

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

No report.

### **COMMUNITY RELATIONS AND RECREATION COMMITTEE**

Council Member Russell stated she is excited for the upcoming Forest Hill Park. Denison Park court will get a new blacktop, new hoops, and new backboards this year.

On Friday of last week, 13 Council Members from different suburbs got together to discuss that suburban areas aren't getting the COVID-19 vaccinations. The Governor's Office Emailed Sunday night with 250 access codes to be able to give to Cleveland Heights residents aged 50+ interested in receiving the vaccination. If you're interested, contact her at [councilwomanrussell@gmail.com](mailto:councilwomanrussell@gmail.com).

Council Member Russell requested legislation regarding the PRO Act, DoorDash fees, and Tax Fairness

Cleveland Heights is estimated to get over \$40 million from the Biden's relief plan. She stated she would like any city employees who had to take furlough be made whole. She will also ask for funds to go to the Taylor-Noble area.

Council Member Russell stated she'd been against discussing appointees to Council because those discussions sometimes include personal and financial topics which she considers private. Council has been deliberating for a long time and the two people she chose will not get support from a majority of Council.

Council Member Russell made a motion to appoint Craig Cobb to the Council vacancy. Council Member Hart seconded the motion. Council President Stein asked if there was any discussion on the topic. Council Member Hart stated he was not her first choice, but he is a good choice and it is time to move on. Council Member Dunbar voiced her support for Craig Cobb's appointment. Council Member Ungar thanked Council Members Hart and Russell for their compromise for the good of the city and complimented their character. Council Vice President Seren stated it is generally a bad move to appoint someone twice and provide an incumbent advantage to someone in two elections. Council Vice President Seren stated Craig Cobb is an intelligent, honorable, and brave person, but he believes this is the wrong move.

Council Vice President Seren stated he had provided a compromise previously with T. Nadas who would not run in the upcoming election, but he did not get a second to that motion. Council Member Hart stated that she believed when Council was not given the opportunity to discuss it, review his interview, or discuss other candidates during that discussion, you shouldn't be surprised to not get a second. Council Vice President Seren stated that you provide a second so you can proceed to discussion as a deliberative body.

Council Member Russell stated she agrees with Council Vice President Seren that Mr. Cobb should not be appointed twice, but she knew there wouldn't be a unanimous vote for her choices. She stated there were moments from the campaign between her and Mr. Cobb that were part of the reason he was not her first choice.

Council Vice President Seren stated he understood and there will be people that agree and disagree regardless of who is appointed. Council Member Russell stated she didn't consider him an incumbent since it is done as appointment instead of election.

Council President Stein stated that Council has deliberated and spent countless hours to reach a consensus. He stated Craig is well qualified and cares deeply about Cleveland Heights.

Roll Call: Ayes: Hart, Russell, Stein, Ungar, Dunbar

Nays: Seren

### **Motion Passed**

Council Member Russell stated to the people she chose – she believes they will run a good race and they will be successful. She congratulated Mr. Cobb. It is time to move forward.

## **FINANCE COMMITTEE**

Council Member Hart asked Susanna Niermann O'Neil for an update on Top of the Hill income taxes. Susanna replied that Tim Boland is working on that and it will be provided as soon as it is complete.

Council Member Hart congratulated Mr. Cobb. She stated she hadn't chosen him because he'd been voted out, but it was an opportunity to move ahead.

## **MUNICIPAL SERVICES COMMITTEE**

Council Member Dunbar stated she was having a fence variance reviewed by ABR, so now she knows what residents go through and it is an educational experience.

Council Member Dunbar stated she knows Craig cares a lot and puts time into understanding the issues and she's looking forward to welcoming him into the Council.

## **PLANNING AND DEVELOPMENT COMMITTEE**

## **PUBLIC SAFETY AND HEALTH**

Council Member Ungar stated he had zero reservations about Craig Cobb, not because they never disagreed but because he is a class act. He served with distinction on Planning Commission and Council. There were four strong finalists and he wishes luck to them.

## ADMINISTRATIVE SERVICES COMMITTEE

**ORDINANCE NO. 20-2021 (AS), *Second Reading***. An Ordinance establishing salary schedules, position classifications and other compensation, and benefits for officers and employees of the City

Introduced by Council Vice President Seren, Seconded by Council Member Ungar

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

### **Legislation Passed**

**ORDINANCE NO. 25-2021 (AS), *First Reading***. An Ordinance amending various Sections of Chapter 749, “Fair Practices” of the Codified Ordinances of the City of Cleveland Heights to include Source of Income as a prohibited, discriminatory rationale for the purposes of fair housing practices.

Introduced by Council Vice President Seren

### **Legislation Introduced**

Council Vice President Seren spoke about the importance of supporting people in the ability to obtain safe and secure housing. Secure housing affects maintenance of a job and schooling. It is better for our schools, kids, and neighborhoods because people who have longevity in a neighborhood are more likely to be neighbors. Examples of the sources of income covered in this are housing vouchers and emergency assistance.

Council Vice President Seren congratulated Craig for his appointment. He looks forward to working with him. He reiterated that this compromise could have gone a different way – looking at all the other candidates that applied or opening up the application period again.

Council Vice President Seren moved to appoint Peggy Spaeth to the Recreation Advisory Committee which was seconded by Council Member Russell. Council Vice President Seren stated Peggy is an active, longtime resident that has been integral to a variety of initiatives in the city. Council Member Dunbar asked if she had submitted an application and Council Vice President Seren stated that was correct.

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

**Motion Passed**

**Consent Agenda**

*Note: Individual Consent Agenda items are not discussed separately during the Council meeting, unless removed from the Consent Agenda on the request of a member of Council. Once an item is removed from the Consent Agenda it will be placed on the Regular Agenda.*

**ORDINANCE NO. 26-2021 (F).** An ordinance to amend certain subparagraphs of Ordinance No. 127-2020 (F) and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2021

**RESOLUTION NO. 27-2021 (PSH).** A Resolution expressing approval and support for the Hands-Free Ohio provisions in Governor DeWine's state budget proposal

Motion to suspend rules by Council Vice President Seren, Seconded by Council Member Hart

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

**Motion Passed**

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

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

**Legislation Passed**

**Council President's Report**

No report.

**NEXT MEETING OF COUNCIL: MONDAY, APRIL 5, 2021**

Respectfully submitted,

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Jason S. Stein, Mayor

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Amy Himmelein, Clerk of Council  
/jkc