



September 18, 2023
Regular Meeting
7:30 PM

Cleveland Heights City Hall
Council Chambers
40 Severance Cir
Cleveland Heights, Ohio

MEETING MINUTES

- 1) **Meeting called to order by Council President**
Start: 7:40pm
- 2) **Roll Call of Council Members**
Present: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda
Excused: None
Absent: None
- 3) **Excuse absent members**
None
- 4) **Amendments to the Agenda (if necessary)**
Motion for Vice President Cobb to be Clerk pro tem: Gail Larson
Seconded: Anthony Mattox Jr.

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda
No: None

MOTION PASSED

- 5) **Approval of minutes from previous meeting(s)**
 - a. August 21, 2023

APPROVED

- 6) **Recertification Plaque Presentation - ReadyCertify Program**
Cuyahoga County Office of Emergency Management
Certification presented to Cleveland Heights Police and Fire Departments
- 7) **Communications from the Mayor**

Thanked Chief Harry and Chief Britton and gave thanks to the office of emergency management at the County.

Notified Council that sealed bids have been received on Friday, September 8, for Project #23-07 Fairmount and Coventry SSO. Terrace Construction Co. of Cleveland Ohio bid, \$415,276.40 which was the lowest and best responsible bid. This project will be paid for using ARPA funding.

Commented on the developments for LGBTQ+ children and their families of schools that are part of the Cleveland Dieses.

8) Report of the Clerk of Council

Notify Council that notices have been received from the Ohio Division of Liquor Control advising that applications have been made by the following:

- a. Seamus Marotta Inc dba Marottas Pizza & Pasta, 2289 Lee Rd. Cleveland Heights, OH 44118 for a stock transfer of a D5/D6 permit

READ INTO THE RECORD

- b. Dolgen Midwest LLC dba Dollar General Store #25920, 3070 Mayfield Rd. Cleveland Heights, OH 44118 for a new C1/C2 permit.

READ INTO THE RECORD

REFERRED TO THE MAYOR, CHIEF OF POLICE, AND LAW DIRECTOR

9) Public Comment - Agenda Items only

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda. Comments unrelated to the agenda may be made after Committee Reports)

Ryan Kelly	Other	ORD 143-2023; Noble Station Development Agreement
CJ Nash	Citizen	ORD 143-2023; Noble Station
Walter Thompson	Citizen	ORD 143-2023; Noble Station and lack of housing code enforcement
Cindy Evans	Citizen	ORD 143-2023; Noble Station
Tonya Horn	Citizen	ORD 143-2023; Noble Station
Ruby Lyde	Citizen	ORD 143-2023; Noble Station

Towya Palmer	Citizen	ORD 143-2023; Noble Station
Maddie Williams	Citizen	ORD 143-2023; Noble Station
Diane Hallum	Citizen	ORD 143-2023; Noble Station
Wes Schaub	Citizen	ORD 143-2023; Noble Station
Karen Lash	Citizen	ORD 143-2023; Noble Station
Rev. Jimmie Hicks	Citizen	ORD 143-2023; Noble Station
Jimmie Hicks III.	Citizen	ORD 143-2023; Noble Station
Richard Brown	Citizen	ORD 143-2023; Noble Station

10) **LEGISLATION**

Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.

a. First Readings – Consideration of Adoption Requested

ORDINANCE NO. 149-2023(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 168-2022, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2023, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

LEGISLATION PASSED

b. First Readings Only

ORDINANCE NO 150-2023(PD): First Reading. An Ordinance amending various sections of Chapters 110, 311, 351, 371, 521 and 1321 of the Codified Ordinances to facilitate a permanent Shared Spaces Program within the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

c. Second Readings

RESOLUTION NO. 139-2023(F): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with the Coventry Village Special Improvement District of Cleveland Heights, Ohio, Inc. ("Coventry SID") for advancement of funds in anticipation of assessment; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to adopt: Anthony Mattox Jr.

Seconded: Janine Boyd

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

LEGISLATION PASSED

RESOLUTION NO. 140-2023(F): Second Reading. A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2023 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to adopt: Gail Larson

Seconded: Anthony Mattox Jr.

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

LEGISLATION PASSED

RESOLUTION NO. 141-2023(F): Second Reading. A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and

declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to adopt: Anthony Mattox Jr.

Seconded: Davida Russell

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

LEGISLATION PASSED

ORDINANCE NO. 142-2023(PSH): Second Reading As Amended. An Ordinance establishing and acknowledging a policy of detainee access to menstrual products and cleaning facilities in the Cleveland Heights Jail; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to adopt: Janine Boyd

Seconded: Anthony Mattox Jr.

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

LEGISLATION PASSED

ORDINANCE NO. 143-2023(PD): Second Reading. An Ordinance authorizing the Mayor to enter into a Development Agreement with TWG Development, LLC for the construction of a residential development at 2228 Noble Road (several parcels); and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to adopt: Anthony Mattox Jr.

Seconded: Janine Boyd

Discussion

Larson: It was a challenge for her to make a decision on this piece of legislation. After consideration she does not believe this proposed development is the right plan for this location as the site is too long and narrow. The proposed structure does not convey a sense of community. Concerned about increased traffic being disruptive to the neighborhood. The citizens deserve to be included in compiling a plan for their neighborhood. She will be voting no.

Hart: She is in favor of some development on this land, but does not plan to vote yes on this particular development. It was not fully vetted with the public. She received a lot of communication from those opposed to this development. The plan is oversized for the lot; and while the developer made some changes, there weren't enough design change. Council found out only a few weeks ago that a

vote was needed tonight or else the developer would lose tax credit. She does not feel comfortable voting for something that doesn't have public support. She will also be voting no. She hopes there will be future development on this land.

Cobb: There was no attempt insofar as he can see of the developer to build any consensus for this project. Under OHFA (Ohio Housing Finance Agency) requirements the proposal should include a community outreach program before they submitted their proposal to OHFA in February. He does not know when that occurred. He does not know how this project got approved without that process occurring. The fact that we are now up against this last-minute deadline is not Council's fault; we have a responsibility to the residents of this community and he will not be rushed. It is unfortunate, because we need development, but in his opinion this project was not handled appropriately. He will not be voting yes for this project.

Cuda: Affordable housing is essential, but he doesn't think this project has been properly vetted by the community it will affect the most. He was unsatisfied with the developer's progress at the most recent ABR meeting; he applauds the ABR for their diligence and professionalism. The testimony given by resident, Paul Volpe at the Planning Commission meeting was also very persuasive and made him unsure the OHFA application was completed correctly. Weighing all these factors, he will be voting no on this legislation. He would like the city's planning staff to come up with a process for engaging the public and then a development plan we can rally around.

Russell: Everybody in Cleveland Heights knows how she feels; she has been speaking out for Noble since 2019. She created legislation for ARPA funds to be dedicated to the Noble business district. Her entire family lives in the Noble neighborhood and she has been praying and asking for something to get done since she has been on council. She doesn't care who gets credit, she just wants something to be done. She doesn't want to see another apartment building. She has heard many complaints and they seem to fall on deaf ears. She is tired of asking and begging. Our staff and planning commission did a great job of telling the developer what needed to be done, but the developer came up short.

Mattox: This project has opened up conversations about the future of the Noble area. It is no secret that the conversation has gotten heated at times but that is because we are all passionate about change in that neighborhood. He was raised in the Noble neighborhood and he raised his kids in the Noble neighborhood. This conversation is just the start and a lot of other things that are affecting that area have been brought to light. Recognizing there is a huge gap in income, that renters and homeowners alike need to work together, and businesses in the area need support—they struggle partly because the people in the area don't frequent those businesses. We all need to assume everybody on this Council and in this community have the best interest of this area at heart. We need to focus on the needs of the community, and build on trust. He will be voting yes on this project because it continues the conversations that need to happen. He commends Rev. Hicks and TWG and the community for continuing to have these conversations. He hopes this engagement continues to happen.

Boyd: This was a tough decision for her. She originally was not going to vote yes for this project; however, the administration did a great job to answering the

questions she and others had. Councils, not just ours, have passed development projects before receiving ABR approval and have had to do what TWG has indicated they will do by continuing to engage the community in designs and the plans etc. When she found Start Right was a local partner, she changed her mind to a yes vote. As a minority owned and local business who already does work in this neighborhood, she believes that partnership made sense and was a value to the community. She believes people struggling to find affordable housing deserve options and we need to keep this conversation open.

Mayor Seren: When he saw that Start Right CDC was parenting with TWG on this project, he felt a great deal of hope and optimism in that partnership. This would be an opportunity to build experience and knowledge in ways that none of us are even aware of, can help to create a legacy of improving on the really great bones of a set of wonderful neighborhoods. He felt this partnership would be a great asset to the community. He doesn't understand why anybody would be so dedicated to a development unless they have the interest of that community in mind. In terms of development, he often talks about momentum, but you have to push to build momentum. He believes this project could be that push to build momentum. Development begets development. He is dedicated to continuing to push for development in every corner of our city, especially in those neighborhoods where private development has been lacking. He thanked TWG, Rev. Hicks and Start Right, and the Council for their consideration.

Yes: Anthony Mattox Jr., Janine Boyd

No: Gail Larson, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

LEGISLATION FAILED

d. 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. Action upon the Consent Agenda will require two motions: the first to suspend the rules under Chapter 11 of the Codified Ordinance of the City of Cleveland Heights, and a second for approval or adoption of the items within the Consent Agenda. A vote upon adoption of the Consent Agenda operates as to all items on the Consent Agenda at the time the motion to approve or adopt is made.

Motion to suspend rules: Anthony Mattox Jr.

Seconded: Gail Larson

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

MOTION PASSED

Motion to adopt: Anthony Mattox Jr.

Seconded: Davida Russell

Yes: Anthony Mattox Jr., Gail Larson, Janine Boyd, Craig Cobb, Davida Russell, Melody Joy Hart, Tony Cuda

No: None

LEGISLATION PASSED

RESOLUTION NO. 151-2023(CRR): First Reading. A Resolution recognizing October, 2023 as *National Breast Cancer Awareness Month*; October 13, 2023 as *Metastatic Breast Cancer Awareness Day*; and October 20, 2023, as *National Mammography Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 152-2023(CRR): First Reading. A Resolution recognizing October 2023 as *Domestic Violence Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 153-2023(CRR): First Reading. A Resolution recognizing October 22—28, 2023 as *National Lead Poisoning Prevention Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Larson, President Hart, and Councilmember Boyd

Passed on consent agenda

RESOLUTION NO. 154-2023(CRR): First Reading. A Resolution recognizing October, 2023 as *National Book Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Russell

Passed on consent agenda

11) Committee Reports

PD: Update from his PD Committee meeting on Sept. 12. Discussed legislation, the Noble Development Project, a Merchants Association for Noble and much more.

HB: The HB Committee met a few weeks ago, and there are some minor adjustments being made to the Short-Term Rental legislation that is currently in committee.

CRR: Update from her CRR Committee meeting; talked about free first aid and CPR classes; tenant/landlord Series will be Oct 14 at Church of the Heights (2706

Noble) from 10:30-12:30; Women's Health Expo is Sept. 30 downtown at the Huntington Convention Center; pathway to homeownership fair is Nov. 11

MSES: Update from the MSES Committee; got an update on the sewer repair projects from Director Clinkscale; future SSO work will affect Cedar-Glen and South Taylor. Also talked about recycling programs for apartment buildings and businesses. Next meeting is Oct. 16 at 10am.

AS: AS Committee will hold a hearing on Oct. 4 at 4:30pm on the proposed Ordinance establishing a Mayor's Art Council.

Council: Instead of using inquiry email you may email Directors directly and copy the Mayor.

12) Public Comment - General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

Blanche Valancy	Citizen	Announcement for League of Women Voters Candidate Forum
Joani Worthy	Other	ERC Specialist; Thank you/update
Tony Ramos	Other	NOPEC enrollment update for the city
Robin Koslen	Citizen	Swimming at Heights High and sidewalk repair program

13) Old Business

Cuda: Would like to discuss reinstating Council comments at the next COTW meeting.

14) New Business

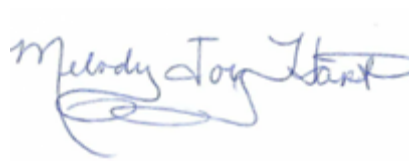
Cuda: Would like to extend legislative review to 30 minutes.

15) Adjournment

End: 9:52pm

NEXT MEETING OF COUNCIL: OCTOBER 2, 2023

APPROVED: 11/20/2023



Melody Joy Hart
President of Council



Addie Balester
Clerk of Council