



CLEVELAND HEIGHTS

Council Committee of the Whole

April 1, 2024

6:00 PM

City Hall – Executive Conference Room

Agenda

- 1) Call to Order/Roll Call**
- 2) Lee Road Merchants (15 min)**
- 3) Legislative Review/Caucus (15 min)**
- 4) Executive Session (20 min)**
 - a. To consider the terms of the sale of city-owned real property*
- 5) Potential Legislation (15 min)**
 - a. Gail Larson - Revisions*
 - b. Jim Petras*
- 6) Legislative Process (10 min)**
 - a. Summary*
 - b. Flowchart*
- 7) Council Rules (10 min)**
 - a. Previous Rules - ORD 51-2021*
- 8) Council Vacancy Update (5 min)**
- 9) Adjourn**

Proposed: 04/01/2024

RESOLUTION NO. 052-2024(COTW),
First Reading

By Councilmember Larson

A Resolution denouncing rising hate and discrimination in Cleveland Heights and around the world and calling for a peaceful solution for Palestinians and Israelis.

WHEREAS, the City of Cleveland Heights has already expressed sympathy for the Israeli people who were brutally attacked by terrorists on October 7, 2023; and

WHEREAS, the Cleveland Heights City Council also wishes to express sympathy for the innocent civilians suffering due to the war in Gaza; condemns violence of any kind; and affirms Cleveland Heights' status as an "All Are Welcome" city for those of the Jewish, Islamic, Christian, and all other communities; and

WHEREAS, this Council encourages residents to offer support and sincere condolences to the family and friends of Heights High School graduate Baraa Abu Elaish and to all other members of the Israeli and Palestinian communities of Cleveland Heights who have lost loved ones due to this tragic conflict; and

WHEREAS this body condemns all forms of hate and believes that all people—regardless of their gender, nationality, or religion—have the right to learn, work, worship, and live free from intimidation, harassment or fear of violence; and

WHEREAS violence and terrorism can never be justified as means to achieve political goals. Dialogue, negotiation, and peaceful resolutions are the only viable paths towards lasting peace and stability; and

WHEREAS the Council calls for the facilitation of humanitarian aid directly to the people of Gaza and maintenance of humanitarian corridors to protect displaced residents of Gaza and acknowledges the hardships of all internally displaced Israelis.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council expresses its unwavering support and sympathy for all; Jewish, Islamic, Christian and all other members of the Cleveland Heights community who have been impacted by the atrocities of this war.

SECTION 2. This Council supports all efforts to resolve this tragic conflict including the unconditional, immediate return of all hostages held in Gaza, a negotiated ceasefire and the delivering of humanitarian aid to all who are suffering.

SECTION 3. This Council condemns all forms of hate including racism, hatred against the Muslim community, and hatred against the Jewish community and

DRAFT RESOLUTION NO. 052-2024(COTW)

expresses its firm belief that all people have the right to learn, work, worship, gather, advocate, mourn, and celebrate free from intimidation, harassment, and fear of violence.

SECTION 4. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 6. The Clerk of Council is directed to transmit copies of this Resolution to President Joe Biden and Ohio's Senators and Congressional Representatives.

SECTION 7. This Resolution shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

DRAFT ONLY

Proposed:

ORDINANCE NO. XXX-2024(AS), *First Reading*

By Councilmember Petras

An Ordinance amending Section 111.10 of Chapter 111 of Title Three of the Administrative Code of the Codified Ordinances of the City of Cleveland Heights.

WHEREAS, the time between a person being elected to Council and being sworn in as a member of Council is critical to that person's preparation for work as a member of Council; and

WHEREAS, meetings of Council, Council Committees and other City boards and commissions, and some communications to members of Council, provide critical insight into City government and its operations that can be useful in such preparation; and

WHEREAS, it is a vital City interest that a person be as prepared as possible when they are sworn in as a member of Council.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that;

SECTION 2. Section 111.10, Clerk, of Chapter 111, Council, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to enact new Subsection 111.10(c) to read as follows:

The Council Clerk shall provide personal notification of all regular and special Council and Council Committee meetings, in a manner consistent with the requirements of Section 107.03 of the Codified Ordinances but without requirement for request form or payment of any fee, to all persons who have been elected to Council but have not yet been sworn in, together with information about how the monthly calendar of meetings and other public notification of meetings of Council, Council Committees and other City boards, commissions and other similar public bodies of the City, as described in Section 107.02 of the Codified Ordinances, may be accessed on the City's website. The Council Clerk shall also provide such further information as the Council President may direct to such persons. If two candidates for election to City Council receive votes in such

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numbers that an automatic recount would be required under Ohio law, both such candidates shall receive the notifications and information described herein.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Ordinance shall take effect and be in force at the earliest time permitted by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:
Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

SUMMARY – LEGISLATION INITIATED BY COUNCIL

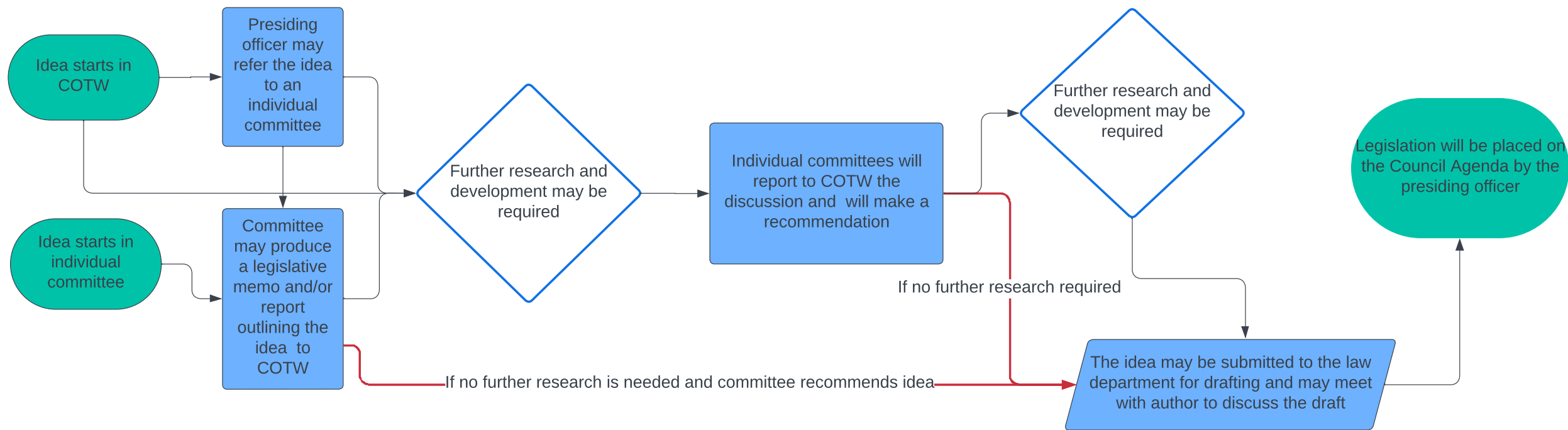
1. Ideas are discussed in committee (either the author's committee or the appropriate committee with the permission of the chair, or COTW).
 - a. Individual committees may produce a legislative memo that outlines a legislative idea to bring to COTW.
 - b. If the idea is first proposed in COTW, it may be referred by the presiding officer to the appropriate individual committee(s) for further discussion.
2. If there is at least one other member of the referred committee supporting the idea or proposed legislation, or there is consensus or in COTW, further research and development may be done by the author and any co-sponsors if applicable.
3. The committee chair shall report to COTW as to whether or not the idea is recommended by the referred committee(s).
 - a. The committee may recommend for, against, or recommend further investigation without support in either the affirmative or negative. (Preferably, any idea would have support from other members of the individual committee though not necessary to continue in the process).
 - b. If there is general support for the proposed idea in COTW via a legislative memo, the author may submit the idea to the law department for drafting.
4. The law department and author and/or co-sponsors may meet to discuss the drafting of the proposed legislation.
5. When the author is satisfied, the legislation (written to form) may be put on the agenda by the presiding officer and discussed in COTW during Legislative Review/Caucus.
 - a. Legislation may be referred back to individual council committees for further discussion **if necessary**. Otherwise, the legislation shall have at least the standard 2 readings in accordance with Chapter 111, unless council decides to do otherwise.

*Resolutions in support or opposition to State or Federal bills will be discussed only in COTW unless presiding officer refers to committee or future COTW meeting for review

*Resolutions pertaining to recognizing celebratory months/days may not be subject to committee review unless presiding officer refers to committee for review

SUMMARY - LEGISLATION INITIATED BY THE ADMINISTRATION

1. Legislation is introduced by the administration and put on the agenda by the presiding officer.
2. All legislation is discussed in COTW during legislative review/caucus.
 - a. If the administration requests passage on first reading, the reason should be provided at the COTW meeting during legislative review/caucus.
3. Presiding officer refers legislation to committee(s) during a regular council meeting if further discussion is necessary.
 - a. After the committee(s) discuss, they will make a recommendation to COTW.
4. Throughout the process, all questions are answered promptly and thoroughly by the administration.



TEMPORARY STANDING RULES OF COUNCIL

1. The President of Council shall decide all questions of order and decorum.
2. The City Manager and the President of Council shall prepare the agenda for each Council meeting, including each Committee of the Whole meeting. An ordinance or resolution that is not placed on the agenda may be added to the agenda only via a motion and second which is approved by the vote of at least five (5) members of Council. An ordinance or resolution that has been placed on the agenda may be removed from the agenda only via a motion which is approved by the vote of at least five (5) members of Council.
3. An ordinance or resolution or legislation requested by a member of the Council may be formally introduced and placed on Council's agenda only after receiving the support of at least one additional Council member, and remains subject to Temporary Standing Rule.
4. Notwithstanding the provisions of Section 111.16 of the Codified Ordinances concerning the ability of any member of Council to request legislation, the Director of Law shall draft the form of any proposed legislation requested by a member of Council, or review legislation not prepared by him for approval as to form, only after receiving an indication of support for the request by an additional Council member. The requesting Council member shall copy the President of Council and the additional supportive Council member on such request to the Law Director or shall otherwise notify them before the Director of Law begins any drafting or review. Staff input and recommendations shall be obtained on any ordinance or resolution that affects the operations of the City.
5. Council Committee meetings other than Committee of the Whole meetings shall be scheduled only after the agenda for such meeting has been approved by the President of Council, who may remove from any such agenda any items he determines to be outside of the Committee's scope as prescribed by Resolution 1-2020. An item removed from the agenda of a scheduled Council Committee meeting by the President of Council may be added back to such agenda only via a motion and second which is approved by the vote of at least five (5) members of Council within a regular or special meeting of Council.
6. All opportunities for a Council member to appear in her/his official capacity (*i.e.* as a Council member) at any event pursuant to an invitation by an outside person or group shall be announced and made available to all members of Council.
7. No member of Council shall use the City logo in campaign materials or at campaign events, or take other actions that imply that any candidate has the support of the City.
8. A point of personal privilege may apply to a member of Council when she or he feels that their integrity, motives or character have been called into question. Consistent with Roberts Rules and Temporary Standing Rule 1, the President of Council shall rule on

Exhibit A

each point of privilege, but his ruling may be appealed (requiring a second) and can be overridden by the vote of at least four (4) members of Council.