



**May 6, 2024
Regular Meeting
7:30 PM**

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

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Amendments to the Agenda (if necessary)**
- 5) Approval of minutes from previous meeting(s)**
 - a. March 18, 2024
 - b. April 1, 2024
- 6) NEORSD - Lower Lake Dam Replacement Project Update**
Matt Scharver, Director of Watershed Programs
- 7) Library Update**
Nancy Levin, Director of Heights Libraries
- 8) Communications from the Mayor**
- 9) City Administrator's Report**
- 10) City Departmental Report(s)**
- 11) Report of the Clerk of Council**
 - a. Notice to Council that an application has been received from the Ohio Division of Liquor Control for the transfer of a D5/D6 liquor permit from BUTTER HOSPITALITY LLC DBA MOJO to LEEREST LLC DBA COZUMEL. This matter has been referred to the Mayor and Chief of Police.
- 12) Public Comment - Legislative Agenda Items only**
(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced)

to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda.)

13) Public Comment - General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda.)

14) 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. 065-2024(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 198-2023, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2024, repeal the prior version of Ordinance No. 198-2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 066-2024(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to design/control of SSO CH-30; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 067-2024(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Classic Ford of Madison for the acquisition of one 2024 Ford F-350 DRW Cab Chassis, one 2024 Ford F-250 Super Cab and one 2024 Ford Escape for the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 068-2024(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with MTech for the acquisition of a Global M3 Mechanical Street Sweeper for the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 069-2024(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with MTech for the acquisition of a V20 Standard Street Sweeper for the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 071-2024(MSES): First Reading. A Resolution authorizing an agreement with Ken Ganley Ford, Inc., for the purchase of ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 072-2024(MSES): First Reading. A Resolution authorizing an agreement with Hall Public Safety Upfitters for the purchase and installation of upfitting equipment for ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 073-2024(MSES): First Reading. A Resolution authorizing an agreement with Chagrin Valley Dispatch for the purchase of in-car and portable radios for ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 074-2024(PSH): First Reading. A Resolution approving the County 911 Plan as adopted by the Cuyahoga County 9-1-1 Program Review Committee; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 075-2024(PSH): First Reading. A Resolution selecting Euclid Mayor Kirsten Holzheimer-Gail to serve as a member of the Cuyahoga County 9-1-1 Program Review Committee; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 076-2024(CRR): First Reading. A Resolution recognizing May 10, 2024 as *National Provider Appreciation Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda, Vice President Russell, Councilmember Larson, Councilmember Cobb, Councilmember Mattox, Councilmember Petras, and Councilmember Posch
Move for Adoption

b. First Readings Only

ORDINANCE NO. 070-2024(CRR): First Reading. An Ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2024; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

ORDINANCE NO. 077-2024(CRR): First Reading. An Ordinance approving the application filed by the Mayor and authorizing the establishment of a Designated Outdoor Refreshment Area (“DORA”).

Introduced by President Cuda and Vice President Russell

ORDINANCE NO. 078-2024(MSES): First Reading. An Ordinance authorizing the Mayor to take all actions necessary to apply for and accept one or more Northeast Ohio Public Energy Council 2024 Energized Community Grants; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

ORDINANCE NO. 079-2024(PD): First Reading. An Ordinance authorizing the Mayor to execute a third amendment to an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

ORDINANCE NO. 080-2024(PD): First 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.

Introduced by Mayor Seren

RESOLUTION NO. 081-2024(PD): First Reading. A Resolution acknowledging receipt from the Cedar-Lee Special Improvement District of a Plan for public services and improvements, and returning said Plan to the Board of Directors without comments or recommendations for changes; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren

RESOLUTION NO. 082-2024(COTW): First Reading. A Resolution establishing supplemental processes and procedures for City Council development of legislation.

Introduced by President Cuda

c. Second Readings

RESOLUTION NO. 055-2024(COTW): Second Reading. A Resolution supporting U.S. House Bill 82 (H.R. 82), the Social Security Fairness Act, sponsored by Rep. Graves (R-LA-6), the companion bill U.S. Senate (S. 597), sponsored by Senator Sherrod Brown (D-OH), which seeks the elimination of the Government Pension Offset (“GPO”) and the Windfall Elimination Provision (“WEP”).

Introduced by Vice President Russell
Move for Adoption

15) Committee Reports

16) Old Business

17) New Business

18) Council Member Comments

(Note: Council comments should directly relate to the business of the City of Cleveland Heights, rather than personal reflection or commentary. A maximum 3-minute time limit applies, but the Council President may reduce time limit based on the volume of business on the agenda, the time of evening, or other similar factors.)

19) Council President's Report

20) Adjournment

NEXT MEETING OF COUNCIL: MAY 20, 2024



March 18, 2024
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: 7:38 pm

2) Roll Call of Council Members

Present: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

Excused: Davida Russell

Absent: None

3) Excuse absent members

Davida Russell excused

4) Amendments to the Agenda (if necessary)

Motion to amend the agenda and move First Readings-Consideration of Adoption Requested to before Communications from the Mayor: Jim Petras

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

Abstain: None

5) Approval of minutes from previous meeting(s)

a. February 20, 2024

APPROVED

6) LEGISLATION – First Readings Consideration of Adoption Requested

7) Communications from the Mayor

Expressed his sincere gratitude to the CHUH School Board for their March 7 vote to approve the financing plan for the Taylor-Tudor development project.

Encourages Council to vote yes on the project.

Invited everybody to attend a public meeting tomorrow about public safety in the Noble Rd corridor at Monticello Middle School from 7 pm-9 pm.

Addressed Councilmember Janine Boyd directly, he is glad that she has served our community and thanked her for her service and time on Council.

8) City Administrator's Report

Gave a brief update on the status of the Lennox garage which has been closed since early February. The engineer has concluded that the garage is salvageable with repairs and will NOT have to be demolished and rebuilt. The engineer is seeking specs to come back to the council to address the issue. The city is working on options to mitigate the inconvenience of the loss of parking.

Councilmember Petras interjected and shared his concerns regarding the ARPA funding and how it has been allocated and whether the city can distribute these funds by the deadline.

Council President asked that Councilmember Petras address this type of concern during New Business in the future.

9) City Departmental Report(s)

Nothing to report

10) Report of the Clerk of Council

Nothing to report

11) Public Comment – Legislative Agenda Items only

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).

Speakers

Jack Valancy	Citizen	Thanked Council for recognizing Alonzo "Ted" Wilson for his years of service
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12) Public Comment – General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).

Speakers

Matthew Habermusch	Citizen	Supports a ceasefire resolution
Declan Synnott	Business Owner	Concerned with the closure of the Lennox parking garage and how it is impacting business; also concerned with the lack of communication from the City to the business owners regarding the timeline of the repairs to the garage, and the lack of parking options available to customers. Would like clearer signage in the Cedar-Fairmount area in general.
Lynn Quintrell	Citizen	Concerned with the closure of the Lennox parking garage and how it is impacting business; also concerned with the lack of communication from the City to the business owners regarding the timeline of the repairs to the garage, and the lack of parking options
Fran Mentch	Citizen	Suggested a recall of the Mayor
Roby Picker	Citizen	Supports a ceasefire resolution
Akshai Singh	Citizen	Supports a ceasefire resolution
Graham Ball	Citizen	Supports a ceasefire resolution
Melody Joy Hart	Citizen	Wants council to follow up with the suggestions of the RJTF
Juanita Brent	Other	Gave a State of Ohio

		Commendation to Janine Boyd on her last meeting of Council
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13) LEGISLATION

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a. First Readings – Consideration of Adoption Requested*

**Read Prior to Communications from the Mayor (ITEM 6)*

RESOLUTION NO. 044-2024(COTW): First Reading. A Resolution recognizing Alfonzo Wilson Jr.'s 66 years as a mail carrier with the U.S. Postal Service in Cleveland; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Russell

Motion to adopt: Anthony Mattox Jr.

Seconded: Janine Boyd

Discussion: Council President Cuda presented Mr. Wilson with a copy of the resolution and asked him to say a few words.

Mr. Wilson thanked Council for their recognition and said what a pleasure it was to serve this community.

The Mayor presented Mr. Wilson with a Mayoral Proclamation and thanked him for his years of service.

President Cuda relayed thanks and appreciation from Vice President Russell who couldn't be here tonight.

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

LEGISLATION PASSED

b. First Readings Only

RESOLUTION NO. 037-2024(AS): First Reading. A Resolution appointing Harmony Cross, Mara Schoch, Sam Bivens, and Saralene Oakley Toombs as members of the Citizens Advisory Committee of the City of Cleveland

Heights, OH.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 038-2024(AS): First Reading. A Resolution appointing John Talley as a member of the Parks and Recreation Advisory Board of the City of Cleveland Heights, OH.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 039-2024(AS): First Reading. A Resolution appointing Elchanan Stern as a member of the Board of Zoning Appeals of the City of Cleveland Heights, OH.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 040-2024(AS): First Reading. A Resolution appointing Charlie Mosbrook, Howard Maier, Cole Ware, and Aaron Hughes-Ware as members of the Transportation and Mobility Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 041-2024(AS): First Reading. A Resolution appointing Catalina Wagers, John Barber, Tami Masuoka, and William Hanavan as members of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 042-2024(MSES): First Reading. A Resolution authorizing participation in the ODOT Cooperative Purchasing Program for road salt for the 2024-2025 winter season; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

RESOLUTION NO. 043-2024(MSES): First Reading. A Resolution

authorizing the Mayor to enter into an agreement with Knowles Municipal Forestry, LLC, to update the street tree inventory system.

Introduced by Mayor Seren

READ INTO THE RECORD

c. Second Readings

ORDINANCE NO. 029-2024(PD): Second Reading. An Ordinance declaring improvements to certain parcels within the City of Cleveland Heights to be a public purpose, exempting the improvements to such parcels from real property taxation for a period of 30 years; requiring the owners of such parcels to make service payments in lieu of taxes; establishing an Urban Redevelopment Tax Increment Equivalent Fund for the deposit of such payments; and approving a school compensation agreement with the Cleveland Heights-University Heights City School District; all pursuant to Ohio Revised Code Sections 5709.41, 5709.42 and 5709.43; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

Discussion: Mayor Seren thanked Council for considering this piece of legislation and believes it is an important move for the City. He spoke about the broader work that is being done related to this area of our city, and that the city hopes to see the same type of movement in the Noble neighborhood that we are seeing in Taylor Neighborhood now. This is one of many development projects he intends to bring forward.

Council President Cuda said that it is great to see this project happen and that this city is thriving and open for business. This is all part of the momentum that this city needs.

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 033-2024(PSH): Second Reading. A Resolution authorizing an agreement with Roper Lock Box, LLC for lock boxes to support a Senior Residential Lock Box Program which permits the Cleveland Heights Fire Department access to provide emergency services to Cleveland Heights senior residents.

Introduced by Mayor Seren

Motion to adopt: Craig Cobb

Seconded: Janine Boyd

Discussion: Councilmember Boyd said this legislation is favored by Council and that it will increase safety for our seniors and response time for our first responders. There will be a launch on the website with education about the program.

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 034-2024(MSES): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with Valley Freightliner, Inc., for the acquisition of a Freightliner 114SD Plus Tandem Axle Cab and Chassis for the Department of Public Works.

Introduced by Mayor Seren

Move for Adoption

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 035-2024(MSES): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with Valley Freightliners, Inc., for the acquisition of 2 (two) Freightliner 114SD plus Semi-Tractors for the Department of Public Works.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 036-2024(MSES): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with Gledhill Road

Machinery Company, for the acquisition of a 14-Foot Stainless Steel Dump Body with Salt Spreader and Plow Package for the Department of Public Works.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

LEGISLATION PASSED

d. Consent Agenda

Motion to suspend rules: Gail Larson

Seconded: Craig Cobb

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

MOTION PASSED

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 045-2024(CRR): First Reading. A Resolution proclaiming April 2024 to be *National Poetry Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda, Vice President Russell, Councilmember Mattox, Councilmember Boyd, Councilmember Larson, Councilmember Cobb, and Councilmember Petras

Legislation passed on consent agenda

RESOLUTION NO. 046-2024(CRR): First Reading. A Resolution joining with HUD and other communities throughout the nation in the observation of April 2024 as *Fair Housing Month*; reaffirming the City of Cleveland Heights' commitment to open housing; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda, Vice President Russell, Councilmember Mattox, Councilmember Boyd, Councilmember Larson, Councilmember Cobb, and Councilmember Petras

Legislation passed on consent agenda

RESOLUTION NO. 047-2024(CRR): First Reading. A Resolution proclaiming April 2024 to be *National Autism Acceptance Month* and April 2, 2024 to be *World Autism Awareness Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Legislation passed on consent agenda

RESOLUTION NO. 048-2024(CRR): First Reading. A Resolution proclaiming April 7-13, 2024 to be *National Library Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda, Vice President Russell, Councilmember Mattox, Councilmember Boyd, Councilmember Larson, Councilmember Cobb, and Councilmember Petras

Legislation passed on consent agenda

14) Committee Reports

MSES: Update from the committee meeting this morning. She and Vice President Russell attended the National League of Cities Conference.

Finance: Update from the committee meeting this evening.

Ad Hoc Women's Day Committee: Announced the winners of the Women's Day awards; the event will take place this Thursday at 6:30pm at the community center.

HB: Update from the previous meeting; there will be an additional special meeting April 2.

15) Old Business

None

16) New Business

Mattox: Acknowledged Councilmember Boyd's trail of good works, and made his appreciation for all her service known. Spoke about her impeccable character and her voice for good.

Boyd: She is thankful for the time she has had as a council member on this City Council. She loved the work she has accomplished over the last year. She will

1 be relocating herself and her family and that is why she must step down. She is
2 grateful for the community and her ability to serve them. She offered some parting
3 wisdom to her colleagues: she has seen an erosion in the legislative/democratic
4 process over the last several years in our federal and state governments, but she
5 has also seen it here in this chamber. The council should be working with the
6 administration and good debate should end with good policy. Thanked her
7 colleagues, the Mayor, Law Director, the Clerk and all the administration.
8

9 **Motion to accept the resignation of Councilmember Boyd:** Gail Larson

10 **Seconded:** Craig Cobb

11
12 **Discussion:** Councilmember Larson wished Janine luck on her new journey.
13 Councilmember Cobb thanked Janine for bringing her experience to this Council
14 over the past year and wished her luck. President Cuda says he knows how much
15 family means to Janine and that this decision could not have been easy, but this is
16 an exciting time for your family and that everybody wishes her the best and that
17 she is very much appreciated.
18

19 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

20 **No:** None

21 *Janine Boyd did not vote

22 **MOTION PASSED**
23

24 **17) Council President's Report**

25
26 Council members discussed the process and timeline of appointing somebody to
27 the recently vacated seat.
28

29 **Motion to authorize posting the application for Council on 3/19 and**
30 **accepting applications through 3/29:** Jim Petras

31 **Seconded:** Gail Larson

32
33 **Yes:** Janine Boyd, Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim
34 Petras

35 **No:** None

36 **MOTION PASSED**
37

38 **18) Adjournment**

39 End: 9:16 pm
40

41 **NEXT MEETING OF COUNCIL: APRIL 1, 2024**



April 1, 2024
Regular Meeting
7:30 PM

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

MEETING MINUTES

1
2
3
4 **1) Meeting called to order by Council President**

5 Start: 7:30pm
6

7 **2) Roll Call of Council Members**

8 Roll Call

9 **Present:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim
10 Petras, Tony Cuda

11 **Excused:** None

12 **Absent:** None

13 **3) Excuse absent members**

14
15 **4) Amendments to the Agenda (if necessary)**

16 **Motion to add RES 052-2024 to first readings for adoption and RES 053-**
17 **2024 to first readings only:** Gail Larson

18 **Seconded:** Jim Petras
19

20 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell,
21 Jim Petras

22 **No:** None

23 **MOTION PASSED**

24
25 **Motion to add councilmember comments to the agenda after new business,**
26 **where comments are limited to 3 minutes:** Jim Petras

27 **Seconded:** Gail Larson
28

29 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell,
30 Jim Petras

31 **No:** None
32

MOTION PASSED

33 **5) Approval of minutes from previous meeting(s)**

a. March 4, 2024

APPROVED

6) Communications from the Mayor

Requests permission to seek bids for the following projects:

1. Project #24-03 – 2024 Street Resurfacing, ADA Curb Ramp Replacement and Tree Planting Project
2. Project #24-03 – Surrey Parking Garage Rehabilitation Project
3. Project #24-04 – Clarendon Road and Edgerly Road Waterline Replacement and Road Resurfacing Project

Motion to authorize the Mayor to seek bids: Anthony Mattox Jr.

Seconded: Craig Cobb

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

MOTION PASSED

Announced that last week the Mayor attended a meeting with several neighboring cities and county executive to discuss the roll out of our mental health response program which is an expansion of Shaker Heights' CIT (Crisis Intervention Team) Program. It is expanding into Cleveland Heights, University Heights, Richmond Heights, and South Euclid thanks to various funding sources. The expected start date will be around June 1.

The Mayor has been selected along with six other US Mayors have been selected to participate in the Mayors Institute on City Design which is an initiative of the national Endowment for the Arts and the US Conference of Mayors. There is a special session hosted by Mayor Eric Adams of NYC. The Mayor was advised to selected a complex project in the realm of real estate/economic/community development and he chose the Warrensville triangle because it is a very complex set of transactions that will hopefully eventually result in the redevelopment of those parcels.

7) City Administrator's Report

Nothing to report

8) City Departmental Report(s)

Nothing to report

9) Report of the Clerk of Council

Nothing to report

10) Public Comment - Legislative Agenda Items only

(Note: Persons wishing to speak must register in advance. A 3-minute time limit

1 applies. If there are more than 15 speakers, the time will be automatically reduced
2 to 2-minutes. Council President reserves the right to reduce the time limit based
3 on the volume of business on the agenda).

4 **Speakers**

Koby Picker	Citizen	Thanked council for passing a ceasefire resolution regarding the war in Gaza
Graham Ball	Citizen	Thanked council for passing a ceasefire resolution regarding the war in Gaza
Susan Efroymsen	Citizen	Wants Hamas to surrender/call a ceasefire; is not in favor of the resolution council will be voting on tonight
Melissa Wood	Citizen	If council is serious about the earth month resolution they will be voting on tonight, they should consider the impacts that war has on the earth

5
6 **11) Public Comment - General**

7 (Note: Persons wishing to speak must register in advance. A 3-minute time limit
8 applies. If there are more than 15 speakers, the time will be automatically reduced
9 to 2-minutes. Council President reserves the right to reduce the time limit based
10 on the volume of business on the agenda).

11 **Speakers**

Maurice Rhoades	Citizen	Had a problem with Christ Cultural Church on Easter using a loud speaker that disturbed his own prayers
Bob Berger	Citizen	Grocery store at Cedar-Fairmount; doesn't think a grocery store is right for the market in that location anymore; definitely not Grocery Outlet
Susan Efroymsen	Citizen	Disturbed by what she

		considers antisemitic comments made by councilmember Mattox at a previous COTW meeting
Mike Gaynier	Citizen	Spoke as a planning commissioner regarding public safety on Warrensville Center Rd. after a pedestrian was struck recently; brought up a previous case before the planning commission regarding putting sidewalks in along Warrensville
James Williams	Citizen	Is in favor of a living wage
Lawrence Bradley	Citizen	Construction permits for Blanche/Maple (behind Bainbridge Rd); is concerned regarding the lack of communication regarding potential/upcoming construction in this area
Patricia Frost Brook	Citizen	Construction behind Bainbridge Rd; lack of communication regarding potential/upcoming construction in this area. Wants to know what is happening and if the City has any information and/or can do anything to stop construction
Melissa Wood	Citizen	Is not happy with the piece of legislation council is considering regarding the ceasefire in Gaza; thinks council should do more to condemn Israel's part in the conflict

12) **LEGISLATION**

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a. First Readings – Consideration of Adoption Requested

RESOLUTION NO. 049-2024(MSES): First Reading. A Resolution recognizing April 2024 as *Earth Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Larson

Motion to adopt: Gail Larson

Seconded: Craig Cobb

Discussion: Councilmember Larson read one of the whereas statements in the resolution. She felt this resolution was important and it elevates all the events that the administration and the Cleveland Heights Green Team has every April.

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 050-2024(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to construction administration and resident observation for the Control of Sanitary Sewer Overflow CH-9, CH-32, CH-57, and CH-58 Projects; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 052-2024(COTW): *First Reading.* A Resolution denouncing rising hate and discrimination in Cleveland Heights and around the world and calling for a peaceful solution for Palestinians and Israelis.

Introduced by Councilmember Gail Larson

Motion to adopt: Anthony Mattox Jr.

Seconded: Jim Petras

Discussion: Councilmember Larson thanked all the citizens who have come into council meetings to express their feelings on this issue. Council wants everybody to know that hate speech in any form is not acceptable in this city. Councilmember Mattox thanked Councilmember Larson for bringing this piece forward and making the edits she did. He appreciates the work that has been done with this council and that we should continue to have conversations about the impact resolutions like this has in the future. Vice President Russell thanked Councilmember Larson as well for her diligence and for looking at all people and incorporating the AFLCIO language in this version. President Cuda added that he is sorry this resolution took so long but it was difficult. This Council is a diverse group of citizens and have an obligation to make decisions by consensus and that is what we did. He thanked Councilmember Larson for providing her gentle touch to a sensitive issue and her compassion for all.

Motion to suspend rules: Davida Russell

Seconded: Anthony Mattox Jr.

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

MOTION PASSED

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

b. *First Readings Only*

RESOLUTION NO. 051-2024(COTW): *First Reading.* A Resolution supporting U.S. Senate Bill 3681 ("S. 3681"), the Preparing and Retaining All ("PARA") Educators Act.

Introduced by Vice President Russell

READ INTO THE RECORD

RESOLUTION NO. 053-2024(PD): *First Reading.* A Resolution authorizing the Mayor to enter into an agreement with Strategic Structure Investments LLC for a loan under the City's Storefront Loan Fund Program to help

renovate the storefronts at 2201 North Taylor Road; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren

READ INTO THE RECORD

c. Second Readings

RESOLUTION NO. 037-2024(AS): Second Reading. A Resolution appointing Harmony Cross, Mara Schoch, Sam Bivens, and Saralene Oakley Toombs as members of the Citizens Advisory Committee of the City of Cleveland Heights, OH.

Introduced by Councilmember Cobb

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 038-2024(AS): Second Reading. A Resolution appointing John Talley as a member of the Parks and Recreation Advisory Board of the City of Cleveland Heights, OH.

Introduced by Councilmember Cobb

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 039-2024(AS): Second Reading. A Resolution appointing Elchanan Stern as a member of the Board of Zoning Appeals of the City of Cleveland Heights, OH.

Introduced by Councilmember Cobb

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 040-2024(AS): Second Reading. A Resolution appointing Charlie Mosbrook, Howard Maier, Cole Ware, and Aaron Hughes-Ware as members of the Transportation and Mobility Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

Motion to adopt: Gail Larson

Seconded: Anthony Mattox Jr.

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 041-2024(AS): Second Reading. A Resolution appointing Catalina Wagers, John Barber, Tami Masuoka, and William Hanavan as members of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

No: None

LEGISLATION PASSED

RESOLUTION NO. 042-2024(MSES): Second Reading. A Resolution authorizing participation in the ODOT Cooperative Purchasing Program for road salt for the 2024-2025 winter season; 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

Discussion: Councilmember Larson asked that when placing their order, the administration think about the need to find a new location for the salt barn that is currently at the Warrensville Triangle.

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida

Russell, Jim Petras
No: None

LEGISLATION PASSED

RESOLUTION NO. 043-2024(MSES): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with Knowles Municipal Forestry, LLC, to update the street tree inventory system.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.
Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras
No: None

LEGISLATION PASSED

13) Committee Reports

MSES: The next MSES Meeting is April 15 at 10am. Congratulated those appointed by the council tonight to the TMC and the CESC Committees. April is Earth Month and many events are happening in the city to celebrate and can be found on the city website.

HB: A special meeting is schedule for 10am tomorrow (April 2) to continue to work on the short-term rental legislation. Regular HB Committee meetings are at 5pm on the second Tuesday of the month; the next regularly scheduled meeting is Tuesday April 9th.

PD: Gave a recap of the most recent PD Committee meeting on march 6, where they discussed having a TAG Group to help PD Committee and Department with strategies. There will be another meeting on April 3rd at 10:30am where they will be discussing council's procedure around development and the legislation on places of worship.

15) Old Business

None

16) New Business

None

14) Council Member Comments

Mattox: Encourages the community to apply for the boards and committees. It is a lot easier to fill these positions when they become available if we have plenty of applicants.

Russell: Thanked the residents of Cleveland Heights for the emails of well-being to her in her time of need concerning her family and her mother's health. Announced that the school employees of CH-UH are "adopting" Oxford Elementary School. There will be a drive for people to donate goods to the school

and the kids who attend, to give 250 students a weekend of good health and love.

17) Council President's Report

Thanked all his fellow council members, the clerk of council, and the law director for their help and time in coming up with a legislative process that the council will follow.

On April 4, ABR will review the TWG/Noble Project, and on April 10, the Planning Commission will review the TWG/Noble Project.

Update on Sal Russo and Grocery Outlet.

Update on Council vacancy applicants and the process moving forward.

ORD 031-2024 referred to PD Committee

18) Adjournment

End: 8:49pm

NEXT MEETING OF COUNCIL: APRIL 15, 2024



Date: 04-30-2024

To: Law and Council

From: Tara Schuster, Acting Finance Director

Subject: ORD 065-2024 – Budget Adjustment 2-2024 - 2024 Appropriation Increase

Purpose Statement:

To increase the 2024 Budget Ordinance by \$473,022.00. Please see attached Memo and Spreadsheet for additional details on the budget increase.

Is this legislation recurring: Yes: X* No:

*Budget adjustments in general are recurring

Is emergency language necessary: Yes: X No:

If yes, why?

Police Department have Court Orders to release seized & forfeiture funds to other Law Enforcement Agencies. ARPA Approved Project for the Surrey Garage is ready to begin.

Is passage on first reading necessary: Yes: X No:

If yes, why?

In order to maintain operations and to get the projects done in a timely fashion we are requesting this gets approved on the 1st reading.

If funding is required, is it already budgeted for? Yes: No: X

If not already budgeted for, where will funding come from?

Of the \$473,022.00 budget adjustment; \$378,276.00 will be paid with funds the City received in. The other \$94,746.00 will be paid for with unencumbered funds balance from Fund 402 and Fund 606.

Memo

To: Mayor Kahlil Seren
From: Tara Schuster, Acting Finance Director
Date: April 30, 2024
Re: May 6, 2024 Budget Adjustment

For the May 6, 2024 Council Meeting, I am requesting a total budget increase of \$473,022 to the 2024 budget. Here is a summary of the budget adjustments:

- Fund 206 – Law Enforcement Fund has a total budget increase request of \$150,000
 - The City received \$50,000 for damage to Police Cruiser and the Police Department is requesting to use the funds to repair, maintain, and upfit police cruisers.
 - Confiscated funds collected in Fund 858 and transferred to Fund 206 to disburse payment to other Law Enforcement Agencies for their share of the lawfully seized funds.
- Fund 207 – Drug Law Enforcement Fund has a total budget increase request of \$34,982
 - The Police Department is requesting to purchase a new 2024 Honda CRV Hybrid to replace a damaged police vehicle that injured a Police Officer. This budget increase will use part of confiscated funds collected for the purchase.
- Fund 241 – Local Fiscal Recovery Fund has a total budget request of \$0.
 - In the 2024 budget, Council approved spending ARPA money on the Surrey Garage of \$500,000. This budget adjustment is just reallocating the \$500,000 of ARPA money from one ARPA Account to another ARPA account. There is a net effect of \$0 of this budget adjustment. It just allows the City to properly track the ARPA money and projects.
- Fund 244 – NOPEC Fund has a total budget increase of \$3,500.
 - The City received NOPEC Sponsorship funds for the Juneteenth Celebration and requesting budget authority to spend this sponsorship.
- Fund 402 – Finance Capital Project Fund has a budget increase request of \$77,410. This increase will use unencumbered fund balance to pay for the additional cost to the Police Projects.
 - Repair and Replace Existing Targeting System was approved at \$131,155. A budget increase of \$7,946 is being requested to repair and replace the targeting system at the range from 1984 that has outlived its useful life.
 - Purchase 10 Marked Hybrid/Electric Vehicles for the Police Department was approved at \$650,000. Due to an increase in cost a budget increase of \$69,464 is being requested to purchase and outfit the 10 Police Cars.
- Fund 606 – ALS Ambulance Service Fund has a total request budget increase of \$40,014.

- Fire Department received a refund check of \$22,678 from First Due (locality Media, Inc). The services are not being contracted through CV Dispatch at a group discount rate. This adjustment will pay for the services at CV Dispatch and the remaining balance will be applied for the new product.
- The Lucas External Chest Compression was budgeted, the purchase order secured and purchased in 2023. The Vendor changed names and this canceled the Purchase Order and putting the funds back into the unencumber fund balance. Requesting a budget increase of \$17,336 to repurchase the Lucas External Chest Compression in 2024 with the new company.
- Fund 858 – Miscellaneous Agency Fund is requesting a budget increase of \$167,116
 - The City seized and confiscated funds in prior years of \$167,116. Per a Court order these seized and forfeiture funds need be released to the Ohio Organized Crime task Force. The Ohio Organized Crime Task Force will be refunding all the agencies who were part of the case for their share of the funds.

Attached to this document is more detail about this budget adjustment request.

In order to maintain operations and not delay any projects, I am requesting that this adjustment be passed as an emergency on the first reading.

2024 Budget Adjustments
Ordinance #065-2024
Cash Supplement and Inter-Departmental Transfers

Fund #	Fund Description	2024 Budget Adjustment	Fund Department	Ord. #065.2024	2024 Budget Adjustment	Budget Adjustment Notes
206	Law Enforcement Fund	\$ 150,000.00	206 7201 - Police Admin	Capital	50,000.00	Funds received for damage to police cruiser, this money will be spent to repair, maintain, and upfit the new police vehicles (funds received in 2023 and car repair was finished in 2024)
			206 7201 - Police Admin	O.T.P.S	100,000.00	Confiscated funds collected and disbursed to other Law Enforcement Agencies (Funds collected in Fund 858 and revenue transfered when payment is done)
Budget Adjustment Total		<u>\$ 150,000.00</u>	Budget Adjustment Total		<u>\$ 150,000.00</u>	
207	Drug Law Enforcement	\$ 34,982.00	207 7206 - Drug Law Enforcement	Capital	34,982.00	Purchase new 2024 Honda CRV Hybrid to replace damaged Police Vehicle that Officer was injured in. Permission to use Confiscated Funds received in 2024 from FBI.
Budget Adjustment Total		<u>\$ 34,982.00</u>	Budget Adjustment Total		<u>\$ 34,982.00</u>	
241	Local Fiscal Recovery	\$ -	241 2108 - General Operations	O.T.P.S	(500,000.00)	Transfer Funds to cover the Surrey Parking Garage, ARPA Approved Project (ORD 179-2023)
			241 7301 - Fire Admin	Capital	487,975.00	Surrey Garage Rehab Design - ARPA Approved Project (ORD 179-2023)
			241 7301 - Fire Admin	Capital	12,025.00	Surrey Garage Rehab Design - ARPA Approved Project (ORD 179-2023)
Budget Adjustment Total		<u>\$ -</u>	Budget Adjustment Total		<u>\$ -</u>	
244	NOPEC Fund	\$ 3,500.00	244 2108 - General Operations	O.T.P.S	3,500.00	Adjustment needed for Juneteenth Celebration - Sponsorship funds received from NOPEC.
Budget Adjustment Total		<u>\$ 3,500.00</u>	Budget Adjustment Total		<u>\$ 3,500.00</u>	

2024 Budget Adjustments
Ordinance #065-2024
Cash Supplement and Inter-Departmental Transfers

Fund #	Fund Description	2024 Budget Adjustment	Fund Department	Ord. #065.2024	2024 Budget Adjustment	Budget Adjustment Notes
402	Financed Capital Projects Fund	\$ 77,410.00	402 7201 - Police Admin	Capital	7,946.00	Repair & Replace Existing Targetting System came in over budget \$139,101 (Original Budget \$131,155)
			402 7201 - Police Admin	Capital	69,464.00	Additional funds needed to purchase 10, 2025 Ford Hybrid Police Utility Vehicles, increase from 2024 estimates to the actual 2025 cost.
Budget Adjustment Total		<u>\$ 77,410.00</u>	Budget Adjustment Total		<u>77,410.00</u>	
606	ALS Ambulance Services	\$ 40,014.00	606 7304 - Ambulance Services	O.T.P.S	22,678.00	First Due Refund Check for services now being contracted with CV Dispatch for a group discount rate
			606 7304 - Ambulance Services	Capital	17,336.00	Lucas External Chest Compression - Purchased and Budgeted in 2023, will be receiving 2024. Vendor Changed names in Jan 2024 and new PO Will need to be done (Closed PO2023-2555)
Budget Adjustment Total		<u>\$ 40,014.00</u>	Budget Adjustment Total		<u>\$ 40,014.00</u>	
858	Miscellaneous Agency	\$ 167,116.00	858 7201 - Police Admin	O.T.P.S	167,116.00	Seizure & Forfeiture funds, per Court Order, to be released to Ohio Organized Crime Task Force (funds received in 8588.7201.6753)
		<u>\$ 167,116.00</u>	Total		<u>\$ 167,116.00</u>	
Grand Total Budget Adjustment		<u>\$ 473,022.00</u>	Grand Total Budget Adjustment		<u>\$ 473,022.00</u>	

Proposed: 05/06/2024

ORDINANCE NO. 065-2024(F), *First Reading*

By Mayor Seren

An Ordinance to amend certain subparagraphs of Ordinance No. 198-2023, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2024, repeal the prior version of Ordinance No. 198-2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council wishes to amend certain appropriations made through Ordinance No. 198-2023, passed December 18, 2023, in the manner more fully described herein,

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

SECTION 1. Certain subparagraphs of Ordinance No. 198-2023 relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2024 be, and the same hereby are increased, decreased, and/or transferred in the amounts set forth in Exhibit 1, attached hereto.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2024, shall be made within appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the Mayor is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

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

SECTION 4. The prior version of Ordinance No. 198-2023, passed December 18, 2023, is hereby repealed in its entirety.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it 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

ORDINANCE NO. 065-2024
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE
CITY OF CLEVELAND HEIGHTS, OHIO
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
That there be appropriated from the <u>GENERAL FUND, FUND NO. 101</u>					
1101- City Council					
	Personal Services	\$ 177,941.00	\$ 177,941.00		\$ 177,941.00
	O.T.P.S	\$ 74,445.00	\$ 74,445.00		\$ 74,445.00
	Total - 1101 City Council	\$ 252,386.00	\$ 252,386.00		\$ 252,386.00
2101 - Mayor's Office					
	Personal Services	\$ 937,052.00	\$ 937,052.00		\$ 937,052.00
	O.T.P.S	\$ 119,950.00	\$ 119,950.00		\$ 119,950.00
	Total - 2101 Mayor's Office	\$ 1,057,002.00	\$ 1,057,002.00		\$ 1,057,002.00
2106- Civil Service					
	Personal Services	\$ 3,659.00	\$ 3,659.00		\$ 3,659.00
	O.T.P.S	\$ 30,000.00	\$ 30,000.00		\$ 30,000.00
	Total - 2106 Civil Service	\$ 33,659.00	\$ 33,659.00		\$ 33,659.00
2107 - Landmark Commission					
	O.T.P.S	\$ 19,850.00	\$ 19,850.00		\$ 19,850.00
	Total - 2107 Landmark Commission	\$ 19,850.00	\$ 19,850.00		\$ 19,850.00
2108- General Operations					
	Personal Services	\$ 716,000.00	\$ 716,000.00		\$ 716,000.00
	O.T.P.S	\$ 1,708,800.00	\$ 1,708,800.00		\$ 1,708,800.00
	Total - 2108 General Operations	\$ 2,424,800.00	\$ 2,424,800.00		\$ 2,424,800.00
2201 - M.I.S.					
	Personal Services	\$ 451,446.00	\$ 451,446.00		\$ 451,446.00
	O.T.P.S	\$ 282,800.00	\$ 282,800.00		\$ 282,800.00
	Capital	\$ 79,000.00	\$ 79,000.00		\$ 79,000.00
	Total - 2201 MIS	\$ 813,246.00	\$ 813,246.00		\$ 813,246.00
2501- Community Relations					
	Personal Services	\$ 594,552.00	\$ 594,552.00		\$ 594,552.00
	O.T.P.S	\$ 211,210.00	\$ 211,210.00		\$ 211,210.00
	Total - 2501 Community Relations	\$ 805,762.00	\$ 805,762.00		\$ 805,762.00
2502 - Public Relations					
	Personal Services	\$ -	\$ -		\$ -
	O.T.P.S	\$ -	\$ -		\$ -
	Total - 2502 Public Relations	\$ -	\$ -		\$ -
3101 - Finance					
	Personal Services	\$ 693,376.00	\$ 693,376.00		\$ 693,376.00
	O.T.P.S	\$ 239,610.00	\$ 239,610.00		\$ 239,610.00
	Other Financing Uses	\$ -	\$ -		\$ -
	Total - 3101 Finance	\$ 932,986.00	\$ 932,986.00		\$ 932,986.00
3103 - County Auditors Deductions					
	O.T.P.S	\$ 300,000.00	\$ 300,000.00		\$ 300,000.00
	Total - 3103 County Auditors Deductions	\$ 300,000.00	\$ 300,000.00		\$ 300,000.00
310Z - Operating Transfers					
	Other Financing Uses	\$ 575,000.00	\$ 575,000.00		\$ 575,000.00
	Total - 310Z Operating Transfers	\$ 575,000.00	\$ 575,000.00		\$ 575,000.00
3201 - Income Tax					
	O.T.P.S	\$ 1,162,750.00	\$ 1,162,750.00		\$ 1,162,750.00
	Total - 3201 Income Tax	\$ 1,162,750.00	\$ 1,162,750.00		\$ 1,162,750.00
3301 - Human Resources					
	Personal Services	\$ 224,461.00	\$ 224,461.00		\$ 224,461.00
	O.T.P.S	\$ 300,850.00	\$ 300,850.00		\$ 300,850.00
	Total - 4101 Law	\$ 525,311.00	\$ 525,311.00		\$ 525,311.00
4101 - Law					
	Personal Services	\$ 1,080,770.00	\$ 1,080,770.00		\$ 1,080,770.00
	O.T.P.S	\$ 475,050.00	\$ 475,050.00		\$ 475,050.00
	Total - 4101 Law	\$ 1,555,820.00	\$ 1,555,820.00		\$ 1,555,820.00
5101 - Planning					
	Personal Services	\$ 2,529,981.00	\$ 2,529,981.00		\$ 2,529,981.00
	O.T.P.S	\$ 319,050.00	\$ 319,050.00		\$ 319,050.00
	Total - 5101 Planning	\$ 2,849,031.00	\$ 2,849,031.00		\$ 2,849,031.00
5102- Planning Commission					

ORDINANCE NO. 065-2024
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE
CITY OF CLEVELAND HEIGHTS, OHIO
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
	Personal Services	\$ 8,226.00	\$ 8,226.00		\$ 8,226.00
	Capital	\$ -	\$ -		\$ -
	Total - 5101 Planning Commission	\$ 8,226.00	\$ 8,226.00		\$ 8,226.00
5103 - Board of Zoning Appeals					
	Personal Services	\$ 5,967.00	\$ 5,967.00		\$ 5,967.00
	Capital	\$ -	\$ -		\$ -
	Total - 5103 Bd. Of Zoning Appeals	\$ 5,967.00	\$ 5,967.00		\$ 5,967.00
5104 - Special Improvement District					
	O.T.P.S	\$ 264,970.00	\$ 264,970.00		\$ 264,970.00
	Total - 5104 SID	\$ 264,970.00	\$ 264,970.00		\$ 264,970.00
5106 - Architect Bd of Review					
	Personal Services	\$ 5,985.00	\$ 5,985.00		\$ 5,985.00
	Capital	\$ -	\$ -		\$ -
	Total - 5106 Arch Bd. Of Review	\$ 5,985.00	\$ 5,985.00		\$ 5,985.00
5602 - SBA Grants					
	O.T.P.S	\$ 164,750.00	\$ 164,750.00		\$ 164,750.00
	Total - 5602 SBA Grants	\$ 164,750.00	\$ 164,750.00		\$ 164,750.00
6201 - Service Administration					
	Personal Services	\$ 430,208.00	\$ 430,208.00		\$ 430,208.00
	O.T.P.S	\$ 7,740.00	\$ 7,740.00		\$ 7,740.00
	Capital	\$ -	\$ -		\$ -
	Total - 6201 Service Admin	\$ 437,948.00	\$ 437,948.00		\$ 437,948.00
6202 Capital Projects Admin					
	O.T.P.S	\$ 45,000.00	\$ 45,000.00		\$ 45,000.00
	Total - 6202 Cap Proj Admin	\$ 45,000.00	\$ 45,000.00		\$ 45,000.00
6207 - Vehicle Maintenance					
	Personal Services	\$ 1,294,215.00	\$ 1,294,215.00		\$ 1,294,215.00
	O.T.P.S	\$ 1,502,660.00	\$ 1,502,660.00		\$ 1,502,660.00
	Capital	\$ 20,240.00	\$ 20,240.00		\$ 20,240.00
	Total - 6207 Vehicle Maintenance	\$ 2,817,115.00	\$ 2,817,115.00		\$ 2,817,115.00
6208 - Sewer Maintenance					
	Personal Services	\$ 1,892,444.00	\$ 1,892,444.00		\$ 1,892,444.00
	O.T.P.S	\$ 394,200.00	\$ 394,200.00		\$ 394,200.00
	Capital	\$ 45,000.00	\$ 45,000.00		\$ 45,000.00
	Total - 6208 Sewer Maintenance	\$ 2,331,644.00	\$ 2,331,644.00		\$ 2,331,644.00
6211 - Traffic Signs & Signals					
	Personal Services	\$ 98,378.00	\$ 98,378.00		\$ 98,378.00
	O.T.P.S	\$ 182,315.00	\$ 182,315.00		\$ 182,315.00
	Total - 6211 Traffics Signs Signals	\$ 280,693.00	\$ 280,693.00		\$ 280,693.00
7201 - Police Administration					
	Personal Services	\$ 12,887,328.00	\$ 12,887,328.00		\$ 12,887,328.00
	O.T.P.S	\$ 812,760.00	\$ 812,760.00		\$ 812,760.00
	Capital	\$ -	\$ -		\$ -
	Other Financing Uses	\$ -	\$ -		\$ -
	Total - 3101 Finance	\$ 13,700,088.00	\$ 13,700,088.00		\$ 13,700,088.00
7202 - Police Academy					
	Personal Services	\$ 120,784.00	\$ 120,784.00		\$ 120,784.00
	O.T.P.S	\$ 68,200.00	\$ 68,200.00		\$ 68,200.00
	Total - 7202 Police Academy	\$ 188,984.00	\$ 188,984.00		\$ 188,984.00
7301 - Fire Administration					
	Personal Services	\$ 10,709,620.00	\$ 10,709,620.00		\$ 10,709,620.00
	O.T.P.S	\$ 367,191.00	\$ 367,191.00		\$ 367,191.00
	Other Financing Uses	\$ -	\$ -		\$ -
	Total - 7301 Fire Admin	\$ 11,076,811.00	\$ 11,076,811.00		\$ 11,076,811.00
7302 - Joint Dispatch					
	O.T.P.S	\$ 1,291,500.00	\$ 1,291,500.00		\$ 1,291,500.00
	Total - 7302 Joint Dispatch	\$ 1,291,500.00	\$ 1,291,500.00		\$ 1,291,500.00
7303 - Fire Prevention					
	Personal Services	\$ 149,522.00	\$ 149,522.00		\$ 149,522.00
	O.T.P.S	\$ 8,850.00	\$ 8,850.00		\$ 8,850.00
	Capital	\$ -	\$ -		\$ -
	Total - 7303 Fire Prevention	\$ 158,372.00	\$ 158,372.00		\$ 158,372.00

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Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
7401 - Building Services					
	Personal Services	\$ 7,007.00	\$ 7,007.00		\$ 7,007.00
	O.T.P.S	\$ 1,034,300.00	\$ 1,034,300.00		\$ 1,034,300.00
	Non-Government	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00
	Total - 7401 Building Services	\$ 1,046,307.00	\$ 1,046,307.00		\$ 1,046,307.00
7402 - Housing Inspections					
	Personal Services	\$ 3,800.00	\$ 3,800.00		\$ 3,800.00
	O.T.P.S	\$ 133,000.00	\$ 133,000.00		\$ 133,000.00
	Non-Governmental	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00
	Total - 7402 Housing Inspections	\$ 141,800.00	\$ 141,800.00		\$ 141,800.00
8101 - Community Services Admin					
	O.T.P.S	\$ 7,480.00	\$ 7,480.00		\$ 7,480.00
	Total - 8101 Comm Serv Admin	\$ 7,480.00	\$ 7,480.00		\$ 7,480.00
8201 - Public Prop/Park Maint					
	Personal Services	\$ 1,686,482.00	\$ 1,686,482.00		\$ 1,686,482.00
	O.T.P.S	\$ 1,342,545.00	\$ 1,342,545.00		\$ 1,342,545.00
	Total - 8201 Public Prop Maint	\$ 3,029,027.00	\$ 3,029,027.00		\$ 3,029,027.00
8401 - Parks & Rec Admin					
	Personal Services	\$ 706,761.00	\$ 706,761.00		\$ 706,761.00
	O.T.P.S	\$ 41,000.00	\$ 41,000.00		\$ 41,000.00
	Total - 8401 Parks & Rec Admin	\$ 747,761.00	\$ 747,761.00		\$ 747,761.00
8402 - General Playgrouds					
	O.T.P.S	\$ 20,700.00	\$ 20,700.00		\$ 20,700.00
	Total - 8402 General Playground	\$ 20,700.00	\$ 20,700.00		\$ 20,700.00
8403 - Swimming Pools					
	Personal Services	\$ 313,164.00	\$ 313,164.00		\$ 313,164.00
	O.T.P.S	\$ 233,500.00	\$ 233,500.00		\$ 233,500.00
	Total - 8403 Swimming Pools	\$ 546,664.00	\$ 546,664.00		\$ 546,664.00
8405 - Ice Programs					
	Personal Services	\$ 278,430.00	\$ 278,430.00		\$ 278,430.00
	O.T.P.S	\$ 36,450.00	\$ 36,450.00		\$ 36,450.00
	Total - 8405 Ice Programs	\$ 314,880.00	\$ 314,880.00		\$ 314,880.00
8406 - General Recreation Prog					
	Personal Services	\$ 167,855.00	\$ 167,855.00		\$ 167,855.00
	O.T.P.S	\$ 63,000.00	\$ 63,000.00		\$ 63,000.00
	Total - 8406 General Rec Prog	\$ 230,855.00	\$ 230,855.00		\$ 230,855.00
8409 - Sports Programs					
	Personal Services	\$ 115,450.00	\$ 115,450.00		\$ 115,450.00
	O.T.P.S	\$ 72,350.00	\$ 72,350.00		\$ 72,350.00
	Total - 8409 Sports Programs	\$ 187,800.00	\$ 187,800.00		\$ 187,800.00
8411 - Comm Center Admin					
	Personal Services	\$ 795,349.00	\$ 795,349.00		\$ 795,349.00
	O.T.P.S	\$ 440,500.00	\$ 440,500.00		\$ 440,500.00
	Other Financing Uses	\$ 1,400.00	\$ 1,400.00		\$ 1,400.00
	Total - 8411 Comm Center Admin	\$ 1,237,249.00	\$ 1,237,249.00		\$ 1,237,249.00
8501 - Office on Aging Admin					
	Personal Services	\$ 228,852.00	\$ 228,852.00		\$ 228,852.00
	O.T.P.S	\$ 15,860.00	\$ 15,860.00		\$ 15,860.00
	Total - 8501 Office on Aging	\$ 244,712.00	\$ 244,712.00		\$ 244,712.00
8601 - Public Health Admin					
	O.T.P.S	\$ 305,950.00	\$ 305,950.00		\$ 305,950.00
	Total - 8601 Public Health Admin	\$ 305,950.00	\$ 305,950.00		\$ 305,950.00
8701 - Animal Protection					
	O.T.P.S	\$ 28,500.00	\$ 28,500.00		\$ 28,500.00
	Total - 8701 Animal Protection	\$ 28,500.00	\$ 28,500.00		\$ 28,500.00
9101 - Municipal Court					
	Personal Services	\$ 1,599,148.00	\$ 1,599,148.00		\$ 1,599,148.00
	O.T.P.S	\$ 168,700.00	\$ 168,700.00		\$ 168,700.00
	Total - 9101 Municipal Court	\$ 1,767,848.00	\$ 1,767,848.00		\$ 1,767,848.00
Total Fund 101 - General Fund Budget		\$ 55,943,189.00	\$ 55,943,189.00		\$ 55,943,189.00

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Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
That there be appropriated from the <u>SCM&R FUND, FUND NO. 201</u>					
6201 - Service Administration					
	Personal Services	\$ 38,182.00	\$ 38,182.00		\$ 38,182.00
	Total - 6201 Service Admin	\$ 38,182.00	\$ 38,182.00		\$ 38,182.00
6208 - Sewer Maintenance			\$ -		\$ -
	Personal Services	\$ 106,423.00	\$ 106,423.00		\$ 106,423.00
	Total - 6208 Sewer Maintenance	\$ 106,423.00	\$ 106,423.00		\$ 106,423.00
6213 - Monticello Blvd			\$ -		\$ -
	O.T.P.S	\$ 37,802.00	\$ 37,802.00		\$ 37,802.00
	Total - 6211 Traffics Signs Signals	\$ 37,802.00	\$ 37,802.00		\$ 37,802.00
6215 - Road Repaving			\$ -		\$ -
	O.T.P.S	\$ 20,480.00	\$ 20,480.00		\$ 20,480.00
	Total - 6215 Road Repaving	\$ 20,480.00	\$ 20,480.00		\$ 20,480.00
6220 - Taylor Road			\$ -		\$ -
	O.T.P.S	\$ 63,799.00	\$ 63,799.00		\$ 63,799.00
	Total - 6220 Taylor Road	\$ 63,799.00	\$ 63,799.00		\$ 63,799.00
6236 - Annual Street Surface			\$ -		\$ -
	Capital	\$ 4,500,000.00	\$ 4,500,000.00		\$ 4,500,000.00
	Total - 6236 Street Surface	\$ 4,500,000.00	\$ 4,500,000.00		\$ 4,500,000.00
6312 - Meadowbrook Blvd. Rehab			\$ -		\$ -
	O.T.P.S	\$ 118,922.00	\$ 118,922.00		\$ 118,922.00
	Total - 6220 Taylor Road	\$ 118,922.00	\$ 118,922.00		\$ 118,922.00
Total Fund 201 - SCM&R Budget		<u>\$ 4,885,608.00</u>	<u>\$ 4,885,608.00</u>		<u>\$ 4,885,608.00</u>
That there be appropriated from the <u>PUBLIC BLDG. MAINT, FUND NO. 205</u>					
8201 - Public Building Maintenance			\$ -		\$ -
	O.T.P.S	\$ 200,000.00	\$ 200,000.00		\$ 200,000.00
	Total - 7205 Law Enforcement	\$ 200,000.00	\$ 200,000.00		\$ 200,000.00
Total Fund 205 - Public Bldg. Maintenence		<u>\$ 200,000.00</u>	<u>\$ 200,000.00</u>		<u>\$ 200,000.00</u>
That there be appropriated from the <u>LAW ENFORCEMENT FUND, FUND NO. 206</u>					
7201 - Police Admin					
	Capital	\$ -	\$ -	\$ 50,000.00	\$ 50,000.00
	Total - 7201 Police Admin	\$ -	\$ -		\$ 50,000.00
7205 - Law Enforcement			\$ -		\$ -
	O.T.P.S	\$ 78,400.00	\$ 78,400.00	\$ 100,000.00	\$ 178,400.00
	Total - 7205 Law Enforcement	\$ 78,400.00	\$ 78,400.00		\$ 178,400.00
7210 - Law Enforcement Grants					
	Personnel Services	\$ 156,787.00	\$ 156,787.00		\$ 156,787.00
	Total - 7205 Law Enforcement	\$ 156,787.00	\$ 156,787.00		\$ 156,787.00
Total Fund 206 - Law Enforcement Budget		<u>\$ 235,187.00</u>	<u>\$ 235,187.00</u>	<u>\$ 150,000.00</u>	<u>\$ 385,187.00</u>
That there be appropriated from the <u>DRUG LAW ENFORCEMENT FUND, FUND NO. 207</u>					
7206 - Drug Law Enforcement					
	Personal Services	\$ 62,123.00	\$ 62,123.00		\$ 62,123.00
	O.T.P.S	\$ 142,750.00	\$ 142,750.00		\$ 142,750.00
	Capital	\$ 50,000.00	\$ 50,000.00	\$ 34,982.00	\$ 84,982.00
	Total - 7206 Drug Law Enforcement	\$ 254,873.00	\$ 254,873.00		\$ 289,855.00
Total Fund 207 - Drug Law Enforcement Budget		<u>\$ 254,873.00</u>	<u>\$ 254,873.00</u>	<u>\$ 34,982.00</u>	<u>\$ 289,855.00</u>
That there be appropriated from the <u>C.D.B.G RESOURCES FUND, FUND NO. 208</u>					
5201 - CDBG Financial Admin					
	Personal Services	\$ 5,739.00	\$ 5,739.00		\$ 5,739.00
	Total - 5201 CDBG Financial Admin	\$ 5,739.00	\$ 5,739.00		\$ 5,739.00

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5203 - CDBG Admin Contracts					
	O.T.P.S	\$ 270,350.00	\$ 270,350.00		\$ 270,350.00
	Capital	\$ 60,000.00	\$ 60,000.00		\$ 60,000.00
	Total - 5203 CDBG Admin Contracts	\$ 330,350.00	\$ 330,350.00		\$ 330,350.00
5211 - CDBG Comm. Area Improve.					
	Capital	\$ 10,121.00	\$ 10,121.00		\$ 10,121.00
	Total - 5211 Comm. Area Improve.	\$ 10,121.00	\$ 10,121.00		\$ 10,121.00
5220 - CDBG Office on Aging					
	Personal Services	\$ 40,384.00	\$ 40,384.00		\$ 40,384.00
	Total - 5201 CDBG Admin	\$ 40,384.00	\$ 40,384.00		\$ 40,384.00
5222 - Economic Development					
	Personal Services	\$ 61,813.00	\$ 61,813.00		\$ 61,813.00
	O.T.P.S	\$ 946,287.00	\$ 946,287.00		\$ 946,287.00
	Capital	\$ -	\$ -		\$ -
	Total - 5222 Economic Development	\$ 1,008,100.00	\$ 1,008,100.00		\$ 1,008,100.00
5224- - CDBG Admin					
	Personal Services	\$ 194,281.00	\$ 194,281.00		\$ 194,281.00
	O.T.P.S	\$ 89,000.00	\$ 89,000.00		\$ 89,000.00
	Capital	\$ -	\$ -		\$ -
	Total - 5224 CDBG Admin	\$ 283,281.00	\$ 283,281.00		\$ 283,281.00
5228 - CDBG Public Works					
	Capital	\$ 197,485.00	\$ 197,485.00		\$ 197,485.00
	Total - 5228 - Public Works	\$ 197,485.00	\$ 197,485.00		\$ 197,485.00
5301 - CDBG Home Repair Resource					
	Personal Services	\$ -	\$ -		\$ -
	O.T.P.S	\$ 246,842.00	\$ 246,842.00		\$ 246,842.00
	Total - 5301 CDBG Home Repair	\$ 246,842.00	\$ 246,842.00		\$ 246,842.00
5303 - CDBG Housing Pres Office					
	Personal Services	\$ 291,681.00	\$ 291,681.00		\$ 291,681.00
	O.T.P.S	\$ 702,000.00	\$ 702,000.00		\$ 702,000.00
	Capital	\$ -	\$ -		\$ -
	Total - 5303 CDBG Housing Pres Office	\$ 993,681.00	\$ 993,681.00		\$ 993,681.00
5304 - CDBG Code Enforce					
	Personal Services	\$ 104,772.00	\$ 104,772.00		\$ 104,772.00
	O.T.P.S	\$ -	\$ -		\$ -
	Total - 5304 CDBG Code Enforce	\$ 104,772.00	\$ 104,772.00		\$ 104,772.00
5309 - GIS					
	Personal Services	\$ 42,471.00	\$ 42,471.00		\$ 42,471.00
	O.T.P.S	\$ -	\$ -		\$ -
	Capital	\$ -	\$ -		\$ -
	Total - 5309 GIS	\$ 42,471.00	\$ 42,471.00		\$ 42,471.00
8407 - Child Care					
	O.T.P.S	\$ 15,000.00	\$ 15,000.00		\$ 15,000.00
	Total - 8407 Child Care	\$ 15,000.00	\$ 15,000.00		\$ 15,000.00
Total Fund 208 - CDBG Budget		\$ 3,278,226.00	\$ 3,278,226.00		\$ 3,278,226.00

That there be appropriated from the HOME PROGRAM FUND, FUND NO. 211

5503 - Home Admin					
	O.T.P.S	\$ 435,000.00	\$ 435,000.00		\$ 435,000.00
	Total - 5503 Home Admin	\$ 435,000.00	\$ 435,000.00		\$ 435,000.00
5505 - Home Program Income					
	O.T.P.S	\$ 155,000.00	\$ 155,000.00		\$ 155,000.00
	Total - 5505 Home Program Income	\$ 155,000.00	\$ 155,000.00		\$ 155,000.00
Total Fund 211 - Home Program Budget		\$ 590,000.00	\$ 590,000.00		\$ 590,000.00

That there be appropriated from the POLICE FACILTY IMPR. FUND, FUND NO. 213

7201 - Police Admin					
	O.T.P.S	\$ 12,500.00	\$ 12,500.00		\$ 12,500.00
	Total - 7201 Police Admin	\$ 12,500.00	\$ 12,500.00		\$ 12,500.00

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Total Fund 213 - Police Facility Budget		\$ 12,500.00	\$ 12,500.00		\$ 12,500.00
That there be appropriated from the <u>LOCAL PROGRAMMING FUND, FUND NO. 214</u>					
2108 - General Operations					
	O.T.P.S	\$ 74,000.00	\$ 74,000.00		\$ 74,000.00
	Total - 2108 General Operations	\$ 74,000.00	\$ 74,000.00		\$ 74,000.00
2201 - MIS					
	Capital	\$ 37,000.00	\$ 37,000.00		\$ 37,000.00
	Total - 2201 MIS	\$ 37,000.00	\$ 37,000.00		\$ 37,000.00
2502 - Public Relations					
	Personal Services	\$ 8,314.00	\$ 8,314.00		\$ 8,314.00
	Total - 2502 Public Relations	\$ 8,314.00	\$ 8,314.00		\$ 8,314.00
2601 - Cable TV Admin					
	Personal Services	\$ -	\$ -		\$ -
	O.T.P.S	\$ 182,400.00	\$ 182,400.00		\$ 182,400.00
	Capital	\$ 70,000.00	\$ 70,000.00		\$ 70,000.00
	Total - 2601 Cable TV Admin	\$ 252,400.00	\$ 252,400.00		\$ 252,400.00
Total Fund 214 - Local Programming Budget		\$ 371,714.00	\$ 371,714.00		\$ 371,714.00
That there be appropriated from the <u>CAIN PARK OPERATING FUND, FUND NO. 215</u>					
8901 - Cain Park Admin					
	Personal Services	\$ 208,602.00	\$ 208,602.00		\$ 208,602.00
	O.T.P.S	\$ 1,414,700.00	\$ 1,414,700.00		\$ 1,414,700.00
	Total - 8901 Cain Park Admin	\$ 1,623,302.00	\$ 1,623,302.00		\$ 1,623,302.00
8905 - Arts Festival					
	O.T.P.S	\$ 29,600.00	\$ 29,600.00		\$ 29,600.00
	Total - 8905 Arts Festival	\$ 29,600.00	\$ 29,600.00		\$ 29,600.00
8906 - Theater					
	O.T.P.S	\$ 150,750.00	\$ 150,750.00		\$ 150,750.00
	Total - 8906 Theater	\$ 150,750.00	\$ 150,750.00		\$ 150,750.00
Total Fund 215 - Cain Park Budget		\$ 1,803,652.00	\$ 1,803,652.00		\$ 1,803,652.00
That there be appropriated from the <u>REC FACILITY IMPR. FUND, FUND NO. 216</u>					
8301 - Park Maint. Admin					
	O.T.P.S	\$ 223,000.00	\$ 223,000.00		\$ 223,000.00
	Capital	\$ 400,000.00	\$ 400,000.00		\$ 400,000.00
	Total - 8301 Park Maint. Admin	\$ 623,000.00	\$ 623,000.00		\$ 623,000.00
Total Fund 216 - Rec Facility Budget		\$ 623,000.00	\$ 623,000.00		\$ 623,000.00
That there be appropriated from the <u>INDIGENT DUI TREATMENT FUND, FUND NO. 221</u>					
9101 - Municipal Court					
	O.T.P.S	\$ 60,000.00	\$ 60,000.00		\$ 60,000.00
	Total - 9101 - Municipal Court	\$ 60,000.00	\$ 60,000.00		\$ 60,000.00
Total Fund 221 - Indigent DUI Treatment		\$ 60,000.00	\$ 60,000.00		\$ 60,000.00
That there be appropriated from the <u>MUNI COURT - COMPUTERIZATION FUND, FUND NO. 222</u>					
9101 - Municipal Court					
	Personal Services	\$ 9,814.00	\$ 9,814.00		\$ 9,814.00
	O.T.P.S	\$ 30,000.00	\$ 30,000.00		\$ 30,000.00
	Capital	\$ 20,000.00	\$ 20,000.00		\$ 20,000.00
	Total - 9101 - Municipal Court	\$ 59,814.00	\$ 59,814.00		\$ 59,814.00
Total Fund 222 - Muni Ct - Computerization		\$ 59,814.00	\$ 59,814.00		\$ 59,814.00
That there be appropriated from the <u>MUNI COURT SPECIAL PROJECTS FUND, FUND NO. 225</u>					
9101 - Municipal Court					
	Personal Services	\$ 24,265.00	\$ 24,265.00		\$ 24,265.00
	O.T.P.S	\$ 62,500.00	\$ 62,500.00		\$ 62,500.00
	Capital	\$ 30,000.00	\$ 30,000.00		\$ 30,000.00
	Total - 9101 - Municipal Court	\$ 116,765.00	\$ 116,765.00		\$ 116,765.00
Total Fund 225 - Muni Ct Special Projects		\$ 116,765.00	\$ 116,765.00		\$ 116,765.00

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That there be appropriated from the <u>LEAD SAFE CUYAHOGA FUND, FUND NO. 226</u>					
5303 - CDBG Pres Office					
	O.T.P.S	\$ 750,000.00	\$ 750,000.00		\$ 750,000.00
	Total - 5303 CDBG Housing Pres Office	\$ 750,000.00	\$ 750,000.00		\$ 750,000.00
5701 - Housing Program Grants					
	Personal Services	\$ -	\$ 52,600.00		\$ 52,600.00
	O.T.P.S	\$ -	\$ 945,300.00		\$ 945,300.00
	Capital	\$ -	\$ 28,100.00		\$ 28,100.00
	Total - 5303 CDBG Housing Pres Office	\$ -	\$ 1,026,000.00		\$ 1,026,000.00
Total Fund 226 - Lead Safe Cuyahoga Budget		\$ 750,000.00	\$ 1,776,000.00	\$ -	\$ 1,776,000.00
That there be appropriated from the <u>C.D.B.G. - COVID FUND, FUND NO. 228</u>					
5203- CDBG Admin Contracts					
	O.T.P.S.	\$ 15,954.00	\$ 15,954.00		\$ 15,954.00
	Total - 5203 Admin Contract	\$ 15,954.00	\$ 15,954.00		\$ 15,954.00
5220 - CDBG Office on Aging			\$ -		\$ -
	O.T.P.S.	\$ 70,639.00	\$ 70,639.00		\$ 70,639.00
	Total - 5220 CDBG Office on Aging	\$ 70,639.00	\$ 70,639.00		\$ 70,639.00
5224- - CDBG Admin					
	O.T.P.S	\$ 33,748.00	\$ 33,748.00		\$ 33,748.00
	Total - 5224 CDBG Admin	\$ 33,748.00	\$ 33,748.00		\$ 33,748.00
5224- - CDBG Public Works					
	Capital	\$ 214,879.00	\$ 214,879.00		\$ 214,879.00
	Total - 5224 CDBG Admin	\$ 214,879.00	\$ 214,879.00		\$ 214,879.00
Total Fund 228 - CDBG Covid Budget		\$ 335,220.00	\$ 335,220.00		\$ 335,220.00
That there be appropriated from the <u>STREET LIGHTING FUND, FUND NO. 230</u>					
3101 - Finance					
	O.T.P.S	\$ 11,000.00	\$ 11,000.00		\$ 11,000.00
	Total - 3101 Finance	\$ 11,000.00	\$ 11,000.00		\$ 11,000.00
6211 - Traffic Signals & Lights					
	O.T.P.S	\$ 850,000.00	\$ 850,000.00		\$ 850,000.00
	Total - 8301 Park Maint. Admin	\$ 850,000.00	\$ 850,000.00		\$ 850,000.00
Total Fund 230 - Street Lighting Budget		\$ 861,000.00	\$ 861,000.00		\$ 861,000.00
That there be appropriated from the <u>TREE FUND, FUND NO. 231</u>					
310Z - Operating Transfers					
	Other Financing Uses	\$ 17,455.00	\$ 17,455.00		\$ 17,455.00
	Total - 8301 Park Maint. Admin	\$ 17,455.00	\$ 17,455.00		\$ 17,455.00
8801 - Forestry					
	Personal Services	\$ 869,613.00	\$ 869,613.00		\$ 869,613.00
	O.T.P.S	\$ 350,558.00	\$ 350,558.00		\$ 350,558.00
	Capital	\$ 219,700.00	\$ 219,700.00		\$ 219,700.00
	Total - 8801 Forestry	\$ 1,439,871.00	\$ 1,439,871.00		\$ 1,439,871.00
Total Fund 231 - Tree Budget		\$ 1,457,326.00	\$ 1,457,326.00		\$ 1,457,326.00
That there be appropriated from the <u>POLICE PENSION FUND, FUND NO. 232</u>					
7201 - Police Pension					
	Personal Services	\$ 281,170.00	\$ 281,170.00		\$ 281,170.00
	Total 7201 - Police Pension	\$ 281,170.00	\$ 281,170.00		\$ 281,170.00
Total Fund 232 - Police Pension Budget		\$ 281,170.00	\$ 281,170.00		\$ 281,170.00
That there be appropriated from the <u>FIRE PENSION FUND, FUND NO. 233</u>					
7301 - Fire Pension					
	Personal Services	\$ 282,000.00	\$ 282,000.00		\$ 282,000.00
	Total 7301 - Fire Pension	\$ 282,000.00	\$ 282,000.00		\$ 282,000.00
Total Fund 232 - Fire Pension Budget		\$ 282,000.00	\$ 282,000.00		\$ 282,000.00

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CITY OF CLEVELAND HEIGHTS, OHIO
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024

Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
That there be appropriated from the <u>EARNED BENEFITS FUND, FUND NO. 234</u>					
2108 - General Operations					
	Personal Services	\$ 400,000.00	\$ 400,000.00		\$ 400,000.00
	Total 7301 - Fire Pension	\$ 400,000.00	\$ 400,000.00		\$ 400,000.00
Total Fund 234 - Earned Benefits Budget		\$ 400,000.00	\$ 400,000.00		\$ 400,000.00
That there be appropriated from the <u>FEDERAL MISCELLANEUOS GRANT FUND, FUND NO. 240</u>					
5101 - Planning					
	O.T.P.S.	\$ 200,000.00	\$ 200,000.00		\$ 200,000.00
	Total - 5101 Planning	\$ 200,000.00	\$ 200,000.00		\$ 200,000.00
7201 - Police					
	Personnel	\$ 43,216.00	\$ 43,216.00		\$ 43,216.00
	Total - 7201 Police	\$ 43,216.00	\$ 43,216.00		\$ 43,216.00
Total Fund 240 - Fed Misc Grants		\$ 243,216.00	\$ 243,216.00		\$ 243,216.00
That there be appropriated from the <u>LOCAL FISCAL RECOVERY FUND, FUND NO. 241</u>					
2108 - General Operations					
	O.T.P.S	\$ 15,050,000.00	\$ 14,953,000.00	\$ (500,000.00)	\$ 14,453,000.00
	Total - 2108 - General Operations	\$ 15,050,000.00	\$ 14,953,000.00		\$ 14,453,000.00
5101- Planning					
	Capital	\$ 1,500,000.00	\$ 1,500,000.00		\$ 1,500,000.00
	Total - 5101 Planning	\$ 1,500,000.00	\$ 1,500,000.00		\$ 1,500,000.00
6205 - Sewer Maint					
	Capital	\$ 13,014,645.00	\$ 13,014,645.00		\$ 13,014,645.00
	Total - 6205 Sewer Maint	\$ 13,014,645.00	\$ 13,014,645.00		\$ 13,014,645.00
6210 - Parking Department					
	Capital	\$ -	\$ -	\$ 500,000.00	\$ 500,000.00
	Total - 6210 Parking Department	\$ -	\$ -		\$ 500,000.00
7201 - Police Admin					
	Capital	\$ -	\$ 97,000.00		\$ 97,000.00
	Total - 7201 Police Admin	\$ -	\$ 97,000.00		\$ 97,000.00
Total Fund 241 - Local Fiscal Recovery Budget		\$ 29,564,645.00	\$ 29,564,645.00	\$ -	\$ 29,564,645.00
That there be appropriated from the <u>NOPEC FUND, FUND NO. 244</u>					
8201 - Public Property					
	O.T.P.S	\$ -	\$ -	\$ 3,500.00	\$ 3,500.00
	Capital	\$ 200,000.00	\$ 200,000.00		\$ 200,000.00
	Total - 2108 - General Operations	\$ 200,000.00	\$ 200,000.00		\$ 203,500.00
Total Fund 244 - NOPEC Budget		\$ 200,000.00	\$ 200,000.00	\$ 3,500.00	\$ 203,500.00
That there be appropriated from the <u>CEDAR LEE & MEADOWBROOK TIF FUND, FUND NO. 261</u>					
3101 - Finance					
	O.T.P.S.	\$ -	\$ -		\$ -
	Total - 3101 Finance	\$ -	\$ -		\$ -
Total Fund 261 - Cedar Lee & Meadowbrook TIF Budget		\$ -	\$ -		\$ -
That there be appropriated from the <u>G.O. BOND RETIREMENT FUND, FUND NO. 301</u>					
3101 - Finance					
	O.T.P.S.	\$ 1,256,425.00	\$ 1,256,425.00		\$ 1,256,425.00
	Total - 3101 Finance	\$ 1,256,425.00	\$ 1,256,425.00		\$ 1,256,425.00
Total Fund 301 - GO Bond Retirement Budget		\$ 1,256,425.00	\$ 1,256,425.00		\$ 1,256,425.00
That there be appropriated from the <u>FINANCED CAPITAL PROJECTS FUND, FUND NO. 402</u>					
1101 - Council					
	Capital	\$ 10,500.00	\$ 10,500.00		\$ 10,500.00

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Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
	Total - 1101 Mayor	\$ 10,500.00	\$ 10,500.00		\$ 10,500.00
2101 - Mayor					
	Capital	\$ 575,000.00	\$ 575,000.00		\$ 575,000.00
	Total - 1101 Mayor	\$ 575,000.00	\$ 575,000.00		\$ 575,000.00
2201 - Management Info Serv.					
	Capital	\$ 302,000.00	\$ 302,000.00		\$ 302,000.00
	Total - 2201 Management Info Services	\$ 302,000.00	\$ 302,000.00		\$ 302,000.00
5101 - Planning					
	Capital	\$ 314,000.00	\$ 314,000.00		\$ 314,000.00
	Total 5101 Planning	\$ 314,000.00	\$ 314,000.00		\$ 314,000.00
6201 - DPW					
	Capital	\$ 500,000.00	\$ 500,000.00		\$ 500,000.00
	Total - 6201 DPW	\$ 500,000.00	\$ 500,000.00		\$ 500,000.00
6203 - Refuse Collection					
	Capital	\$ 230,000.00	\$ 230,000.00		\$ 230,000.00
	Total 6203 Refuse Collection	\$ 230,000.00	\$ 230,000.00		\$ 230,000.00
6207 - Vehicle Maint					
	O.T.P.S	\$ 230,000.00	\$ 230,000.00		\$ 230,000.00
	Total 6207 Vehicle Maint	\$ 230,000.00	\$ 230,000.00		\$ 230,000.00
6208 - Street Maint					
	Capital	\$ 875,000.00	\$ 875,000.00		\$ 875,000.00
	Total 6207 Street Maint	\$ 875,000.00	\$ 875,000.00		\$ 875,000.00
7201 - Police Admin					
	Capital	\$ 1,154,155.00	\$ 1,254,155.00	\$ 77,410.00	\$ 1,331,565.00
	Total 7201 Police Admin	\$ 1,154,155.00	\$ 1,254,155.00		\$ 1,331,565.00
7301 - Fire Admin					
	Capital	\$ 1,190,000.00	\$ 1,190,000.00		\$ 1,190,000.00
	Total 7301 Fire Admin	\$ 1,190,000.00	\$ 1,190,000.00		\$ 1,190,000.00
8201 - Public Property					
	Capital	\$ 330,000.00	\$ 330,000.00		\$ 330,000.00
	Total - 8201 Public Property	\$ 330,000.00	\$ 330,000.00		\$ 330,000.00
Total Fund 402 - Finance Capital Projects Budget		\$ 5,710,655.00	\$ 5,810,655.00	\$ 77,410.00	\$ 5,888,065.00
That there be appropriated from the <u>ECONOMIC DEVELOPMENT FUND, FUND NO. 411</u>					
5101 - Planning					
	O.T.P.S.	\$ 172,000.00	\$ 172,000.00		\$ 172,000.00
	Capital	\$ -	\$ -		\$ -
	Total - 5101 Planning	\$ 172,000.00	\$ 172,000.00		\$ 172,000.00
Total Fund 411 - Economic Development Budget		\$ 172,000.00	\$ 172,000.00		\$ 172,000.00
That there be appropriated from the <u>CITY HALL MAINT. & REPAIR FUND, FUND NO. 412</u>					
2102 - City Hall Maint Repair					
	O.T.P.S.	\$ 20,000.00	\$ 20,000.00		\$ 20,000.00
	Total - 2102 City Hall Maint	\$ 20,000.00	\$ 20,000.00		\$ 20,000.00
Total Fund 412 - City Hall Maint & Repair Budget		\$ 20,000.00	\$ 20,000.00		\$ 20,000.00
That there be appropriated from the <u>REFUSE CAPITAL FUND, FUND NO. 416</u>					
6203 - Refuse Collect					
	Capital	\$ 2,145,000.00	\$ 2,145,000.00		\$ 2,145,000.00
	Total - 6203 Refuse Collect	\$ 2,145,000.00	\$ 2,145,000.00		\$ 2,145,000.00
Total Fund 416 - Refuse Capital Budget		\$ 2,145,000.00	\$ 2,145,000.00		\$ 2,145,000.00
That there be appropriated from the <u>WATER ADMINISTRATION FUND, FUND NO. 601</u>					
6301 - Water Admin					
	O.T.P.S.	\$ 500.00	\$ 500.00		\$ 500.00
	Total - 6301 - Water Admin	\$ 500.00	\$ 500.00		\$ 500.00
6302 - Water Distribution					
	O.T.P.S.	\$ -	\$ -		\$ -
	Capital	\$ 1,252,000.00	\$ 1,252,000.00		\$ 1,252,000.00
	Total - 6302 - Water Distrib	\$ 1,252,000.00	\$ 1,252,000.00		\$ 1,252,000.00

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6314 - Runnymede					
	O.T.P.S.	\$ 20,207.00	\$ 20,207.00		\$ 20,207.00
	Total - 6314 - Runnmede	\$ 20,207.00	\$ 20,207.00		\$ 20,207.00
6326 - Cedar Water					
	O.T.P.S.	\$ -	\$ -		\$ -
	Total - 6326 Cedar Water	\$ -	\$ -		\$ -
Total Fund 601 - Water Administration Budget		\$ 1,272,707.00	\$ 1,272,707.00		\$ 1,272,707.00
That there be appropriated from the <u>SEWERAGE FUND, FUND NO. 602</u>					
6205 - Sewer Maint					
	Personal Services	\$ 1,549,405.00	\$ 1,549,405.00		\$ 1,549,405.00
	O.T.P.S.	\$ 772,300.00	\$ 772,300.00		\$ 772,300.00
	Capital	\$ 3,711,725.00	\$ 3,711,725.00		\$ 3,711,725.00
	Other Financing Sources	\$ 12,000.00	\$ 12,000.00		\$ 12,000.00
	Total - 6205 - Sewer Maint	\$ 6,045,430.00	\$ 6,045,430.00		\$ 6,045,430.00
6301 - Water Admin					
	O.T.P.S.	\$ 8,000.00	\$ 8,000.00		\$ 8,000.00
	Total - 6301 - Water Admin	\$ 8,000.00	\$ 8,000.00		\$ 8,000.00
6326 - Cedar Water					
	O.T.P.S.	\$ 4,267.00	\$ 4,267.00		\$ 4,267.00
	Total - 6326 Cedar Water	\$ 4,267.00	\$ 4,267.00		\$ 4,267.00
Total Fund 602 - Sewer Budget		\$ 6,057,697.00	\$ 6,057,697.00		\$ 6,057,697.00
That there be appropriated from the <u>PARKING FUND, FUND NO. 603</u>					
6210 - Parking Dept					
	O.T.P.S.	\$ 823,900.00	\$ 823,900.00		\$ 823,900.00
	Non-Government	\$ 2,000.00	\$ 2,000.00		\$ 2,000.00
	Total - 6210 Parking Dept	\$ 825,900.00	\$ 825,900.00		\$ 825,900.00
Total Fund 603 - Parking Budget		\$ 825,900.00	\$ 825,900.00		\$ 825,900.00
That there be appropriated from the <u>REFUSE FUND, FUND NO. 605</u>					
6203 - Refuse Collect					
	Personal Services	\$ 2,863,526.00	\$ 2,863,526.00		\$ 2,863,526.00
	O.T.P.S.	\$ 1,311,974.00	\$ 1,311,974.00		\$ 1,311,974.00
	Capital	\$ 33,000.00	\$ 33,000.00		\$ 33,000.00
	Total - 6203 Refuse Collect	\$ 4,208,500.00	\$ 4,208,500.00		\$ 4,208,500.00
Total Fund 605 - Refuse Budget		\$ 4,208,500.00	\$ 4,208,500.00		\$ 4,208,500.00
That there be appropriated from the <u>ALS AMBULANCE SERVICES FUND, FUND NO. 606</u>					
7304 - Ambulance Services					
	Personal Services	\$ 536,696.00	\$ 536,696.00		\$ 536,696.00
	O.T.P.S.	\$ 397,350.00	\$ 397,350.00	\$ 22,678.00	\$ 420,028.00
	Capital	\$ 270,791.00	\$ 270,791.00	\$ 17,336.00	\$ 288,127.00
	Total - 7304 Ambulance Services	\$ 1,204,837.00	\$ 1,204,837.00		\$ 1,244,851.00
Total Fund 606 - ALS Ambulance Services Budget		\$ 1,204,837.00	\$ 1,204,837.00	\$ 40,014.00	\$ 1,244,851.00
That there be appropriated from the <u>HOSPITALIZATION SELF-INS FUND, FUND NO. 701</u>					
3101 - Finance					
	Personal Services	\$ 7,548,162.00	\$ 7,548,162.00		\$ 7,548,162.00
	Total - 3101 Finance	\$ 7,548,162.00	\$ 7,548,162.00		\$ 7,548,162.00
Total Fund 701 Hospitalization Budget		\$ 7,548,162.00	\$ 7,548,162.00		\$ 7,548,162.00
That there be appropriated from the <u>OFFICE ON AGING FUND, FUND NO. 804</u>					
8501 - Off On Aging Admin					
	O.T.P.S.	\$ 1,750.00	\$ 1,750.00		\$ 1,750.00
	Total - 8501 - Off On Agin Admin	\$ 1,750.00	\$ 1,750.00		\$ 1,750.00
Total Fund 804 Office on Aging Budget		\$ 1,750.00	\$ 1,750.00		\$ 1,750.00

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Department	Object	Original Budget ORD#198-2023	Budget Adjustment Ord. # 025-2024	May's Budget Adjustment Ord. #065-2024	Amended Budget
That there be appropriated from the YOUTH RECREATION FUND, FUND NO. 808					
8101 - Community Services Admin					
	Other Financing Uses	\$ 40,000.00	\$ 40,000.00		\$ 40,000.00
	Total - 89101 Community Services Admin	\$ 40,000.00	\$ 40,000.00		\$ 40,000.00
Total Fund 808 Youth RecreationsBudget		\$ 40,000.00	\$ 40,000.00		\$ 40,000.00
That there be appropriated from the JUVENILE DIVERSION PROG FUND, FUND NO. 811					
7209 - Junenile Diversion					
	O.T.P.S.	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00
	Total - 7209 Juvenile Diversion	\$ 5,000.00	\$ 5,000.00		\$ 5,000.00
Total Fund 811 Juvenile Diversion		\$ 5,000.00	\$ 5,000.00		\$ 5,000.00
That there be appropriated from the FLEXIBLE SPENDING , FUND NO. 850					
3101 - Finance					
	Other Financing Uses	\$ 110,000.00	\$ 110,000.00		\$ 110,000.00
	Total - 3101 Finance	\$ 110,000.00	\$ 110,000.00		\$ 110,000.00
Total Fund 850 Flexible Spending		\$ 110,000.00	\$ 110,000.00		\$ 110,000.00
That there be appropriated from the SALES TAX FUND, FUND NO. 857					
3101 - Finance					
	Other Financing Uses	\$ 50.00	\$ 50.00		\$ 50.00
	Total - 3101 Finance	\$ 50.00	\$ 50.00		\$ 50.00
Total Fund 857 Sales Tax Budget		\$ 50.00	\$ 50.00		\$ 50.00
That there be appropriated from the MISCELLANEOUS AGENCY FUND, FUND NO. 858					
3105 - Unclaimed Mone `					
	Other Financing Uses	\$ 15,000.00	\$ 15,000.00		\$ 15,000.00
	Total - 3105 Unclaimed Money	\$ 15,000.00	\$ 15,000.00		\$ 15,000.00
7201 - Police Admin					
	O.T.P.S.	\$ 40,000.00	\$ 40,000.00	\$ 167,116.00	\$ 207,116.00
	Total - 7201 Police Admin	\$ 40,000.00	\$ 40,000.00		\$ 207,116.00
7401 - Building Services					
	Other Financing Uses	\$ 45,600.00	\$ 45,600.00		\$ 45,600.00
	Total - 7401 Building Services	\$ 45,600.00	\$ 45,600.00		\$ 45,600.00
Total Fund 858 Misc. Agency Budget		\$ 100,600.00	\$ 100,600.00	\$ 167,116.00	\$ 267,716.00
Total 2024 Budget		\$ 133,488,388.00	\$ 134,614,388.00	\$ 473,022.00	\$ 135,087,410.00



Date: April 23, 2024

To: Addie Balester, Clerk of Council
Laure Wagner, Assistant Law Director

Cc: Kahlil Seren, Mayor; Danny Williams, CAO

From: Collette Clinkscale, Director of Public Works

Subject: RES 066-2024(MSES) - Global Professional Design Services with Wade Trim, Inc.

Purpose Statement: To authorize the Mayor to enter into an agreement for engineering design services in the amount of \$150,200 to control SSO CH-30.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why?

To start design of CH-30 so that we are able to bid the construction work earmarked using ARPA Funding.

Is passage on first reading necessary: Yes: X No: _____

If yes, why?

See above

If funding is required, is it already budgeted for? Yes: X No: _____

50% is using ARPA

50% is using NEORSD MCIP Grant Funding

If not already budgeted for, where will funding come from?



Professional Services Agreement (Short Form)

Agreement

To engage the Services of Wade Trim of Ohio as a Design, Planning, Testing and/or Land Survey Professional.

This Agreement, entitled Design Services for Control of SSO CH-30 between The City of Cleveland Heights, 40 Severance Circle, Cleveland Heights, OH, 44118 hereinafter called "Owner," and Wade Trim 1621 Euclid Ave, Suite 900, Cleveland, OH, 44115 hereinafter called "Professional," is as follows:

The Owner and Professional, for mutual consideration hereinafter set forth, agree as follows:

A. Professional agrees to perform certain professional services for Owner as follows:

See attached proposal scope dated 4-19-2024

B. Owner agrees to pay Professional as compensation for Professional's services as follows:

Compensation for the proposed scope of services is summarized in attached proposal scope. Compensation shall be a not to exceed fee of \$150,200.

C. Owner agrees to establish an allowance of \$0 for additional services on this Project (not less than 10% of the compensation amount specified in Item B.)

D. The Owner and Professional agree to conditions as set forth on the reverse side in the General Provisions of this Agreement.

E. The Owner and Professional agree to the following schedule:

Design will be completed to allow for bidding and award to be completed in 2024 to encumber American Rescue Plan Act (ARPA) funding in 2024. Construction is expected to be completed in 2025.

F. Professional has the option to render this Agreement null and void, if it is not executed within 60 days.

Owner:

Professional:

By: Collette Clinkscale
(Print Name)

By: Tim Coleman
(Print Name)

Title: Director of Public Works

Title: Senior Vice President

Date Signed: _____

Date Signed: _____

General Provisions

1.01 Basic Agreement

A. Professional shall provide, or cause to be provided, the services set forth in this Agreement, and Owner shall pay Professional for such Services as set forth herein.

2.01 Payment Procedures

A. *Preparation of Invoices.* Professional will prepare a monthly invoice in accordance with Professional's standard invoicing practices and submit the invoice to Owner.

B. *Payment of Invoices.* Invoices are due and payable within 30 days of receipt. If Owner fails to make any payment due Professional for services and expenses within 30 days after receipt of Professional's invoice, the amounts due Professional will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. In addition, Professional may, without liability, after giving seven days written notice to Owner, suspend services under this Agreement until Professional has been paid in full all amounts due for services, expenses, and other related charges. Payments will be credited first to interest and then to principal.

3.01 Additional Services

A. If authorized by Owner, or if required because of changes in the Project, Professional shall furnish services in addition to those set forth above.

B. Owner shall pay Professional for such additional services as follows: For additional services of Professional's employees engaged directly on the Project an amount equal to the cumulative hours charged to the Project by each class of Professional's employees times standard hourly rates for each applicable billing class; plus reimbursable expenses and Professional's consultants' charges with a 15% mark-up, if any.

4.01 Termination

A. The obligation to provide further services under this Agreement may be terminated:

1. For cause,

a. By either party upon 30 days written notice in the event of substantial failure by the other party to perform in accordance with the Agreement's terms through no fault of the terminating party.

b. By Professional:

1) upon seven days written notice if Professional believes that Professional is being requested by Owner to furnish or perform services which are outside of the agreed upon scope of services without compensation, which are contrary to Professional's responsibilities as a licensed professional; or

2) upon seven days written notice if the Professional's services for the Project are delayed or suspended for more than 90 days for reasons beyond Professional's control.

3) Professional shall have no liability to Owner on account of such termination.

c. Notwithstanding the foregoing, this Agreement will not terminate as a result of a substantial failure under paragraph 4.01.A.1.a if the party receiving such notice begins, within seven days of receipt of such notice, to correct its failure and proceeds diligently to cure such failure within no more than 30 days of receipt of notice; provided, however, that if and to the extent such substantial failure cannot be reasonably cured within such 30 day period, and if such party has diligently attempted to cure the same and thereafter continues diligently to cure the same, then the cure period provided for herein shall extend up to, but in no case more than, 60 days after the date of receipt of the notice.

2. For convenience, by Owner effective upon the receipt of notice by Professional.

B. The terminating party under paragraphs 4.01.A.1 or 4.01.A.2 may set the effective date of termination at a time up to 30 days later than otherwise provided to allow Professional to demobilize personnel and equipment from the Project site, to complete tasks whose value would otherwise be lost, to prepare notes as to the status of completed and uncompleted tasks, and to assemble Project materials in orderly files. Professional shall be compensated for Basic Services performed through the date of termination as set forth herein and for work performed per 4.01.B in the manner set forth in 3.01.

5.01 Controlling Law

A. This Agreement is to be governed by the law of the state in which the Project is located.

6.01 Successors, Assigns, and Beneficiaries

A. Owner and Professional each is hereby bound and the partners, successors, executors, administrators, employees and legal representatives of Owner and Professional (and to the extent permitted by paragraph 6.01.B the assigns of Owner and Professional) are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

B. Neither Owner nor Professional may assign, sublet, or transfer any rights under or interest (including, but without limitation, moneys that are due or may become due) in this Agreement without the written consent of the other, except to the extent that any assignment, subletting, or transfer is mandated or restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement.

7.01 General Considerations

A. The standard of care for all professional engineering and related services performed or furnished by Professional under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. Professional makes no warranties, express or implied, under this Agreement or otherwise, in connection with Professional's services. Professional and its consultants may use or rely upon the design services of others, including, but not limited to, contractors, manufacturers, and suppliers and Professional shall not be responsible for design services provided by others.

B. Professional shall not at any time supervise, direct, or have control over any contractor's work, nor shall Professional have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any contractor, for safety precautions and programs incident to a contractor's work progress, nor for any failure of any contractor to comply with laws and regulations applicable to contractor's work.

C. Professional neither guarantees the performance of any contractor nor assumes responsibility for any contractor's failure to furnish and perform its work in accordance with the contract between Owner and such contractor.

D. Professional shall not be responsible for the acts or omissions of any contractor, subcontractor, or supplier, or of any contractor's agents or employees or any other persons (except Professional's own employees) at the Project site or otherwise furnishing or performing any of construction work; or for any decision made on interpretations or clarifications of the construction contract given by Owner without consultation and advice of Professional.

E. The provisions in this Agreement supersede and render null and void any contrary provisions in the contract documents between Owner and Contractor.

F. All design documents prepared or furnished by Professional are instruments of service, and Professional retains an ownership and property interest (including the copyright and the right of reuse) in such documents, whether or not the Project is completed.

G. To the fullest extent permitted by law, Owner and Professional (1) waive against each other, and the other's employees, officers, directors, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) agree that Professional's total liability to Owner under this Agreement shall be limited to \$50,000 or the total amount of compensation received by Professional, whichever is less.

H. The parties acknowledge that Professional's scope of services does not include any services related to a Hazardous Environmental Condition (including but not limited to the presence of asbestos, PCBs, petroleum, hazardous substances or waste, and radioactive materials). If Professional or any other party encounters a Hazardous Environmental Condition, Professional may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Project affected thereby until Owner: (i) retains appropriate specialist consultants or contractors to identify and, as appropriate, abate, remediate, or remove the Hazardous Environmental Condition; and (ii) warrants that the Site is in full compliance with applicable Laws and Regulations.

8.01 Dispute Resolution

Except for debt collection cases for less than \$25,000, and except as otherwise provided herein, all claims, counterclaims, disputes and other matters in question between the parties hereto arising out of or relating to this Agreement or the breach thereof will be decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association then obtaining, subject to the limitations and restrictions stated below. This agreement to arbitrate and any other agreement or consent to arbitrate entered into in accordance herewith as provided in this paragraph will be specifically enforceable under the prevailing arbitration law of any court having jurisdiction. Notice of demand for arbitration must be filed in writing with the other parties to this Agreement and with the American Arbitration Association. The demand must be made within a reasonable time after the claim, dispute, or other matter in question has arisen. In no event may the demand for arbitration be made after the expiration of one year from the date the cause of action accrued. The cause of action whether based in tort, contract, indemnity, contribution, or any other form of action, legal or equitable, shall be deemed to have accrued at the time the party asserting the claim either knew or, by the exercise of reasonable diligence, should have known of the existence of the facts underlying such claim, dispute or other matter in question regardless of when damages occur. After the expiration of said one year, any claim between the parties hereto shall be barred. No arbitration arising out of, or relating to this Agreement may include, by consolidation, joinder or in any other manner, any person or entity who is not a party to this Agreement.

The award rendered by the arbitrators will be final, not subject to appeal and judgment may be entered upon it in any court having jurisdiction thereof.

9.01 Total Agreement

A. This Agreement (together with any expressly incorporated appendix), constitutes the entire agreement between Owner and Professional, supersedes all prior written or oral understandings, and becomes binding as if fully executed at the time Professional commences work. To the extent that the terms of any appendices or documents referenced in this Agreement conflict with the terms of this Agreement, the terms of this Agreement shall govern. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

***CH-30 SSO Control
Scope of Services
April 19, 2024***

PROJECT OBJECTIVES

SSO CH-30 is proposed to be controlled by diverting local sewer flow from South Taylor Road and Washington Boulevard to the District's Lee Superior Relief Sewer. These flows are upstream of SSO CH-30 and the diversion is projected to result in SSO CH-30 being controlled for the 10-year, 1-hour rainfall. Flow monitoring conducted under the Cleveland Heights Real-time Monitoring Program is proposed to be used in model update and calibration to confirm the proposed solution. **Figures 1 and 2** included below show the SSO and project locations and proposed design alternatives for SSO control. Task descriptions follow the figures.

Figure 1. SSO CH-30 - S Taylor Rd, North of Superior Rd

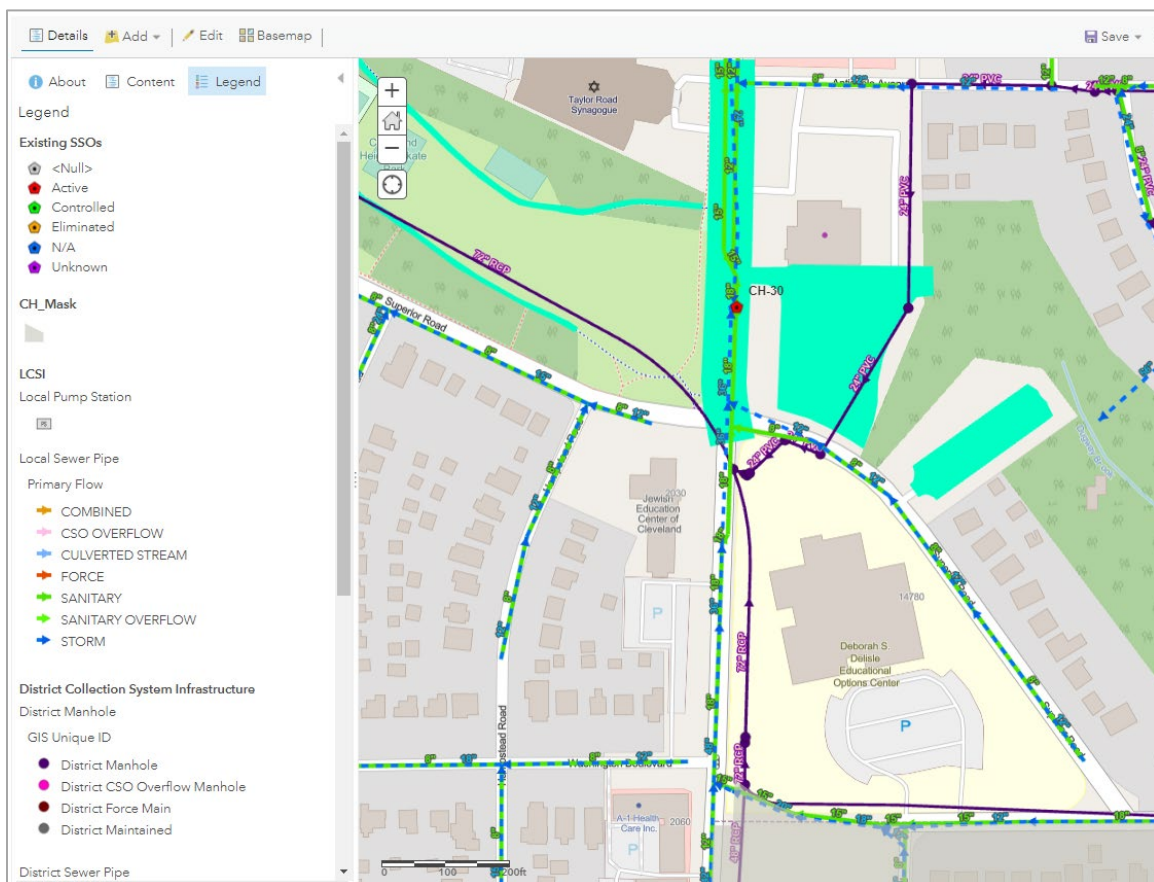
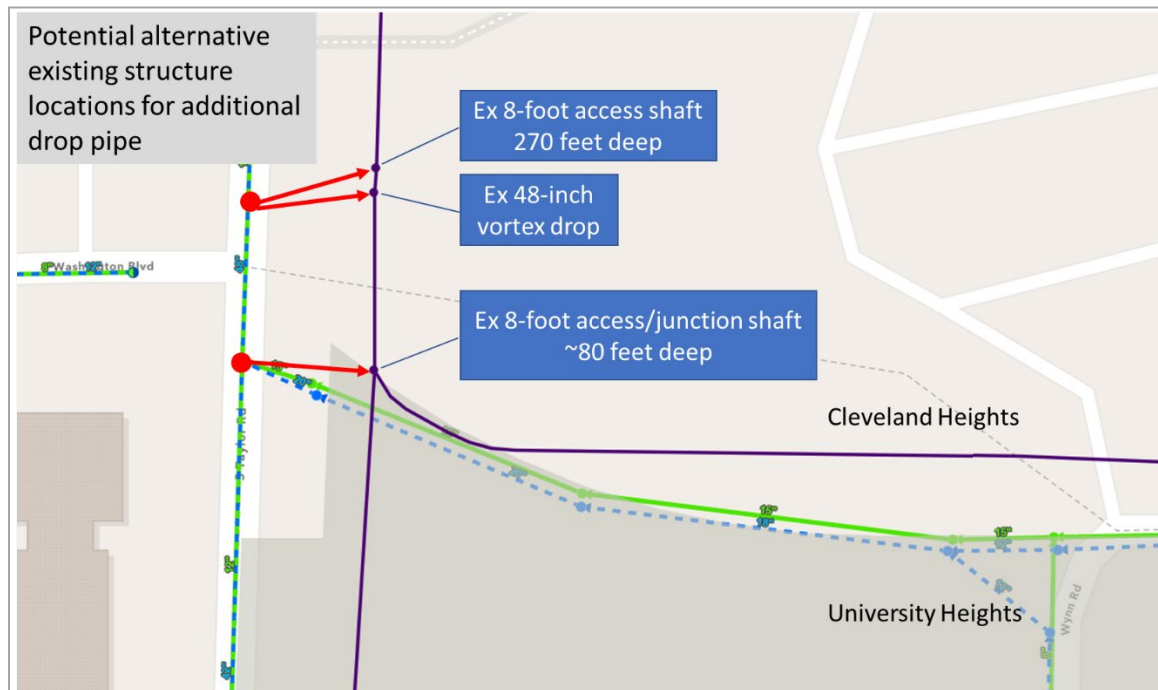


Figure 2. Potential Locations for Discharge of Local Sanitary Sewer to Control SSO CH-30



PROJECT TASKS

TASK 1 - PROJECT MANAGEMENT - \$15,000

The Consultant will provide monthly invoices. Monthly project meetings will be held to review progress of the project, discuss outstanding issues, and provide schedule updates. Quarterly progress reports will be submitted to the District.

TASK 2 – PRE-DESIGN - \$35,200

The pre-design task will develop and evaluate the project alignments, identify risks, and establish design parameters. The consultant will conduct a Project Kickoff Meeting to discuss the proposed project schedule and scope of work.

Task 2A. Surveying - \$10,000

The consultant will obtain a topographical survey showing relevant physical features, utilities, elevations, etc. This task will be completed through a subconsultant.

Task 2B. Geotechnical Investigation

NEORS's GIS includes a bore sample near the projected work site. This will be included in the reference documents of the complete bid package and used in the final design.

TASK 3 – DESIGN - \$80,000

The Consultant will develop drawings and technical specifications to integrate with the Client's standard specifications for the Project to produce construction bid documents suitable for competitive bidding purposes to produce a quality, cost-effective project. The drawings will indicate the layout, plans, sections, and details of the Project.

Anticipated drawings are as follows:

- Title/cover w/sheet index 1
- Survey Control & Existing Conditions: 2
- Detailed plan and section views: Plan and Profiles: 4
- Civil: 4
- Maintenance of Traffic: 2
- Erosion and Sediment Control: 1
- Details: 4

The Consultant will coordinate the design with existing utility owners and will coordinate design review with the Northeast Ohio Regional Sewer District and Ohio EPA.

The Consultant will prepare two (2) submittals, 60% and 90% design, for Cleveland Heights to review. Both submittals will include a cost estimate and construction schedule. Task 3 deliverables will include a 11x17 hard copy of drawings and technical specifications (as needed), and electronic upload of all submittal documents.

Construction drawings will be prepared on 22-inch x 34-inch sheets consisting of plan and profile sheets (1-inch = 20-feet horizontal scale, 1-inch = 5-feet vertical scale) and miscellaneous details. Preparation of technical specifications is to be included as a component of the construction documents.

Task 3A: 60% Design

The 60% design submittal is a detailed presentation of the design configurations and parameters established in the Pre-Design phase. The 60% submittal shall include:

- Drawings: Drawings shall depict the design, be suitable for submission to permitting agencies, and shall, at a minimum, include the following:
 - Cover sheet
 - General notes, location plan, legend and drawing index sheet(s)
 - Plan and profile sheets
 - Site plans and preliminary restoration plans
 - Detail sheets
 - Erosion and sediment control plan
 - Maintenance of Traffic plan to be submitted to local municipality
- Specifications
 - Draft technical specifications
 - Any draft special specifications
- Construction estimate and schedule
- EOPCC
- Permit applications
- Utility coordination
- Design review meeting

Task 3B: 90% Design

The 90% design submittal serves as the pre-final design submittal and incorporates comments and decisions made during previous submittal reviews and meetings. The 90% submittal shall include:

- Complete or near complete drawings
- Specifications
 - Final technical specifications
 - Final special specifications
 - Draft bid items
 - Draft measurement and payment section
- Updated construction estimate and schedule
- Updated EOPCC
- Final permit applications
- Final utility coordination
- Design review meeting

Task 3C: Final Design

The final design will be represented in the documents to be used for bidding purposes. This includes final drawings, specifications, cost estimates and project schedules. The final design submittal will incorporate all corrections and shall be complete and suitable for bid purposes. The final design submittal shall include:

- Final contract documents
 - All drawings
 - All technical specifications
 - All front end documents
 - Bid booklet
 - Final geotechnical data report
- Final EOPCC
- Final construction estimate and schedule
- Summary of all permits and approvals

TASK 4: BID AND AWARD - \$10,000

The Consultant shall assist with the bidding and award process.

Task 4A. Pre-Bid Meeting

The consultant will prepare for and attend the pre-bid meeting and be available to answer questions during the bid period.

Task 4B. Addenda

The Consultant shall assist the Client's Project Manager in the preparation of up to three (3) addenda during the bid phase. Questions from bidders and answers to those questions, as well as any necessary revisions to bid documents shall be included in the addenda.

Task 4C. Bid Evaluation & Recommendation

The Consultant shall assist the Client's PM in analyzing bids and provide a letter of recommendation for award of the construction contract. The Consultant shall review any minimum qualifications or requirements specified in the Contract Bid Documents.

Proposed: 05/06/2024

RESOLUTION NO. 066-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to design/control of SSO CH-30; and declaring the necessity that this legislation become immediately effective as an emergency.

WHEREAS, the City requires professional services of an engineering consultant relating to design/control of City's SSO CH-30; and

WHEREAS, the Mayor has recommended that the services offered by Wade Trim, Inc., best meets the City's needs; and

WHEREAS, such services are professional services for which no bidding is necessary;

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

SECTION 1. The Mayor shall be and is hereby authorized to execute a contract with Wade Trim, Inc., to provide professional engineering services relating to design/control of SSO CH-30. The contract shall provide for services as set forth in the Scope of Services dated April 19, 2024 submitted by Wade Trim, Inc., a copy of which is attached hereto as Exhibit "A" and incorporated herein. Compensation for the services detailed therein shall not exceed One Hundred-Fifty Thousand Two Hundred Dollars (\$150,200.00). All agreements hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely meet project deadlines. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it 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

CH-30 SSO Control
Scope of Services
April 19, 2024

PROJECT OBJECTIVES

SSO CH-30 is proposed to be controlled by diverting local sewer flow from South Taylor Road and Washington Boulevard to the District's Lee Superior Relief Sewer. These flows are upstream of SSO CH-30 and the diversion is projected to result in SSO CH-30 being controlled for the 10-year, 1-hr rainfall. Flow monitoring conducted under the Cleveland Heights Real-time Monitoring Program is proposed to be used in model update and calibration to confirm the proposed solution. **Figures 1 and 2** included below show the SSO and project locations and proposed design alternatives for SSO control. Task descriptions follow the figures.

Figure 1. SSO CH-30 - S Taylor Rd, North of Superior Rd

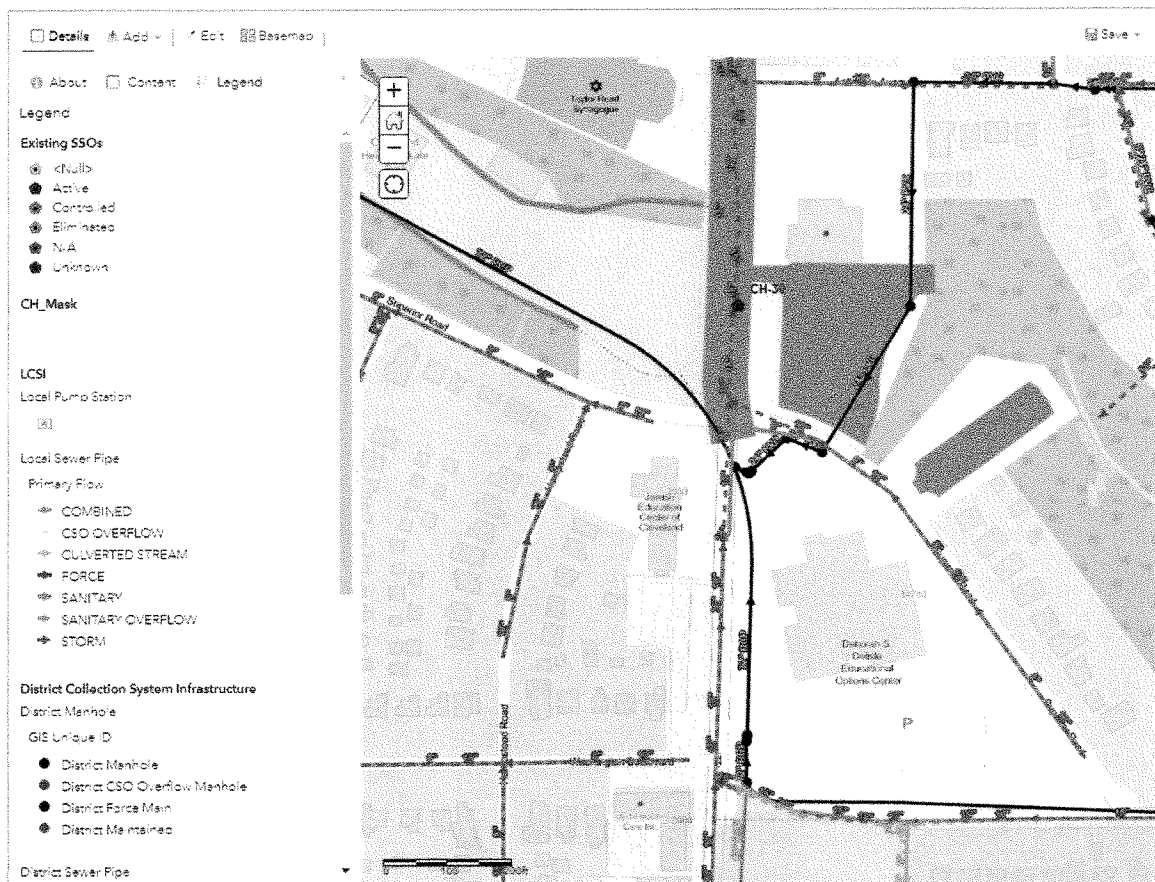
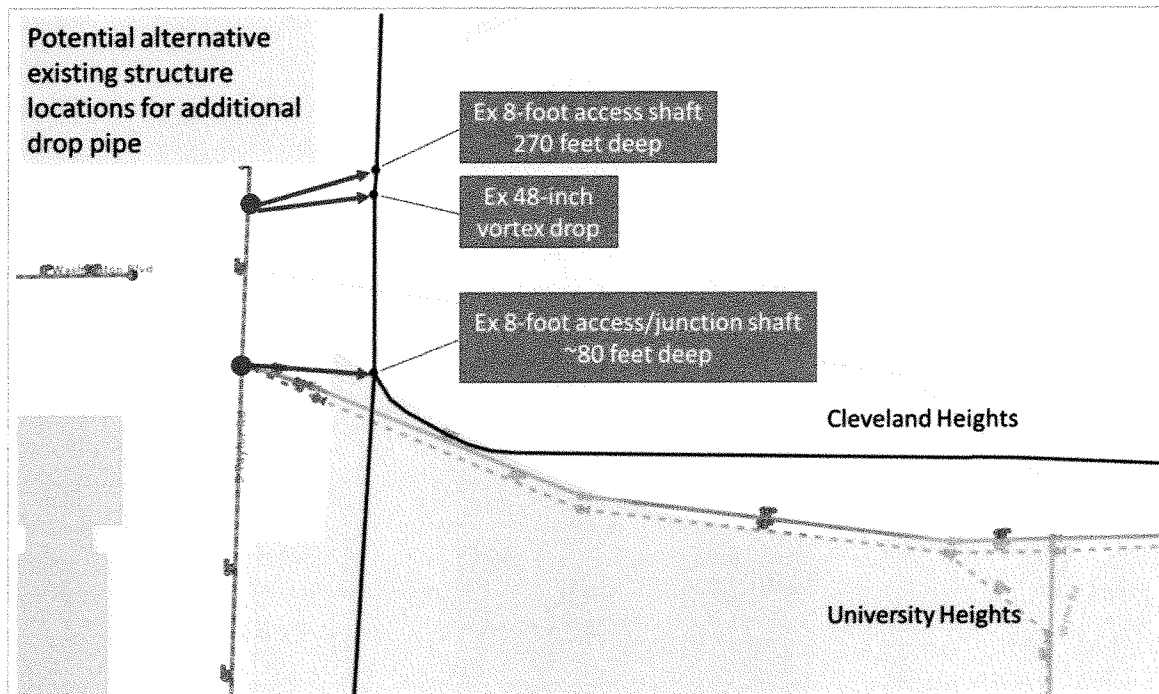


Figure 2. Potential Locations for Discharge of Local Sanitary Sewer to Control SSO CH-30



PROJECT TASKS

TASK 1 - PROJECT MANAGEMENT - \$15,000

The Consultant will provide monthly invoices. Monthly project meetings will be held to review progress of the project, discuss outstanding issues, and provide schedule updates. Quarterly progress reports will be submitted to the District.

TASK 2 – PRE-DESIGN - \$35,200

The pre-design task will develop and evaluate the project alignments, identify risks, and establish design parameters. The consultant will conduct a Project Kickoff Meeting to discuss the proposed project schedule and scope of work.

Task 2A. Surveying - \$10,000

The consultant will obtain a topographical survey showing relevant physical features, utilities, elevations, etc. This task will be completed through a subconsultant.

Task 2B. Geotechnical Investigation

NEORSD's GIS includes a bore sample near the projected work site. This will be included in the reference documents of the complete bid package and used in the final design.

TASK 3 – DESIGN - \$80,000

The Consultant will develop drawings and technical specifications to integrate with the Client's standard specifications for the Project to produce construction bid documents suitable for competitive bidding purposes to produce a quality, cost-effective project. The drawings will indicate the layout, plans, sections, and details of the Project.

Anticipated drawings are as follows:

- Title/cover w/sheet index 1
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- Civil: 4
- Maintenance of Traffic: 2
- Erosion and Sediment Control: 1
- Details: 4

The Consultant will coordinate the design with existing utility owners and will coordinate design review with the Northeast Ohio Regional Sewer District and Ohio EPA.

The Consultant will prepare two (2) submittals, 60% and 90% design, for Cleveland Heights to review. Both submittals will include a cost estimate and construction schedule. Task 3 deliverables will include a 11x17 hard copy of drawings and technical specifications (as needed), and electronic upload of all submittal documents.

Construction drawings will be prepared on 22-inch x 34-inch sheets consisting of plan and profile sheets (1-inch = 20-feet horizontal scale, 1-inch = 5-feet vertical scale) and miscellaneous details. Preparation of technical specifications is to be included as a component of the construction documents.

Task 3A: 60% Design

The 60% design submittal is a detailed presentation of the design configurations and parameters established in the Pre-Design phase. The 60% submittal shall include:

- Drawings: Drawings shall depict the design, be suitable for submission to permitting agencies, and shall, at a minimum, include the following:
 - Cover sheet
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 - Site plans and preliminary restoration plans
 - Detail sheets
 - Erosion and sediment control plan
 - Maintenance of Traffic plan to be submitted to local municipality
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 - Draft technical specifications
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- Construction estimate and schedule
- EOPCC
- Permit applications
- Utility coordination
- Design review meeting

Task 3B: 90% Design

The 90% design submittal serves as the pre-final design submittal and incorporates comments and decisions made during previous submittal reviews and meetings. The 90% submittal shall include:

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- Specifications
 - Final technical specifications
 - Final special specifications
 - Draft bid items
 - Draft measurement and payment section
- Updated construction estimate and schedule
- Updated EOPCC
- Final permit applications
- Final utility coordination
- Design review meeting

Task 3C: Final Design

The final design will be represented in the documents to be used for bidding purposes. This includes final drawings, specifications, cost estimates and project schedules. The final design submittal will incorporate all corrections and shall be complete and suitable for bid purposes. The final design submittal shall include:

- Final contract documents
 - All drawings
 - All technical specifications
 - All front end documents
 - Bid booklet
 - Final geotechnical data report
- Final EOPCC
- Final construction estimate and schedule
- Summary of all permits and approvals

TASK 4: BID AND AWARD - \$10,000

The Consultant shall assist with the bidding and award process.

Task 4A. Pre-Bid Meeting

The consultant will prepare for and attend the pre-bid meeting and be available to answer questions during the bid period.

Task 4B. Addenda

The Consultant shall assist the Client's Project Manager in the preparation of up to three (3) addenda during the bid phase. Questions from bidders and answers to those questions, as well as any necessary revisions to bid documents shall be included in the addenda.

Task 4C. Bid Evaluation & Recommendation

The Consultant shall assist the Client's PM in analyzing bids and provide a letter of recommendation for award of the construction contract. The Consultant shall review any minimum qualifications or requirements specified in the Contract Bid Documents.



Date: April 16, 2024

To: Addie Balester, Clerk of Council
Laure Wagner, Assistant Law Director

Cc: Kahlil Seren, Mayor; Danny Williams, CAO

From: Collette Clinkscale, Director of Public Works

Subject: RES 067-2024 - Legislation for Three Trucks totaling \$175,265.00 from Classic Ford of Madison

Purpose Statement: To authorize the purchase of a F350 truck, a F250 truck, and a small SUV for the Public Works Department.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To allow the equipment to be ordered asap to avoid increased costs.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To allow the equipment to be ordered asap to avoid increased costs.

If funding is required, is it already budgeted for? Yes: X No: _____

231.8801.3004 - \$ 130,265

402.6203.3004. - \$ 45,000

Proposed: 05/06/2024

RESOLUTION NO. 067-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Classic Ford of Madison for the acquisition of one 2024 Ford F-350 DRW Cab Chassis, one 2024 Ford F-250 Super Cab and one 2024 Ford Escape for the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase these vehicles for the Department of Public Works; and

WHEREAS, Section 171.10 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the State of Ohio Cooperative Purchasing Program, without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected equipment may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said equipment by this means.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of one F-350 Ford Truck, State Contract ID #RSI018632, for Eighty Two Thousand Seven Hundred Twenty Five dollars (\$82,725.00); one Ford F250 Truck, State Contract ID #RSI018692 for Fifty Seven Thousand Nine Hundred Eighty Five dollars (\$57,985.00); and one 2024 Ford Escape for Thirty Four Thousand Five Hundred and Fifty Five dollars (\$34,555.00) from Classic Ford of Madison through the State of Ohio Cooperative Purchasing Program, pursuant to Section 171.10 of the Cleveland Heights Codified Ordinances. The purchase price for said equipment shall not exceed the sum of One Hundred Seventy Five Thousand Two Hundred Sixty Five dollars (\$175,265.00). All contracts hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the meet

RESOLUTION NO. 067-2024(MSES)

vendor deadlines in order to avoid prices increases Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it 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



Date: April 23, 2024

To: Addie Balester, Clerk of Council
Laure Wagner, Assistant Law Director

Cc: Kahlil Seren, Mayor; Danny Williams, CAO

From: Collette Clinkscale, Director of Public Works

Subject: RES 068-2024 - Global M3 Mechanical Street Sweeper – Mtech

Purpose Statement: To authorize the purchase of a Global M3 Mechanical Street Sweeper in amount of \$308,372 for the Public Works Department.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To order the sweeper as soon as possible to avoid price increases

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To order the sweeper as soon as possible to avoid price increases.

If funding is required, is it already budgeted for? Yes: X No: _____

402.6208.3004 - \$ 308,372

If not already budgeted for, where will funding come from?

PROPOSED: 05/06/2024

RESOLUTION NO. 068-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with MTech, for the acquisition of a Global M3 Mechanical Street Sweeper for the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a Street Sweeper for the Department of Public Works; and

WHEREAS, Section 171.10 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through Sourcewell Cooperative Purchasing Program, without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected equipment may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said equipment by this means.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of a Global M3 Mechanical Street Sweeper from MTech through the Sourcewell Cooperative Purchasing Program, pursuant to Section 171.10 of the Cleveland Heights Codified Ordinances. The purchase price for said equipment shall not exceed the sum of Three Hundred and Eight Thousand Three Hundred Seventy-Two dollars (\$308,372). All contracts hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the meet vendor deadlines in order to avoid prices increases Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 068-2024(MSES)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor



Date: April 16, 2024

To: Addie Balester, Clerk of Council

Cc: Kahlil Seren, Mayor; Danny Williams, CAO

From: Collette Clinkscale, Director of Public Works

Subject: RES 069-2024 - Legislation for V20 Standard Street Sweeper for \$207,087.00 from MTech

Purpose Statement: To authorize the purchase of a smaller standard street sweeper that will also allow sweeping in parking garages and parking lots for the Public Works Department.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To allow the equipment to be ordered asap to avoid price increases.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To allow the equipment to be ordered asap to avoid price increases.

If funding is required, is it already budgeted for? Yes: X No: _____

602.6205.3004 - \$200,000.00

402.6208.3004 - \$ 7,087.00

If not already budgeted for, where will funding come from?

Proposed: 05/06/2024

RESOLUTION NO. 069-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with MTech for the acquisition of a V20 Standard Street Sweeper for the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a V20 Standard Street Sweeper for the Department of Public Works to sweep garages, parking lots and similar areas; and

WHEREAS, Section 171.10 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the State of Ohio Cooperative Purchasing Program, without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected equipment may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said equipment by this means.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of a V20 Standard Street Sweeper from MTech, through the Ohio Department of Transportation Cooperative Purchasing Program, pursuant to Section 171.10 of the Cleveland Heights Codified Ordinances. The purchase price for said equipment shall not exceed the sum of Two Hundred Seven Thousand Eighty-Seven Dollars (\$207,087.00). All contracts hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the meet vendor deadlines in order to avoid prices increases Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise,

RESOLUTION NO. 069-2024(MSES)

it 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



Date: 4/18/2024

To: City Council

From: Christopher M. Britton, Chief of Police

Subject: Resolution No. _____ – Purchase of ten 2025 Ford Hybrid Police Vehicles

Purpose Statement: A resolution authorizing the Mayor to enter into an agreement with Ganley Ford Inc. to purchase ten (10) 2025 Ford Hybrid Police Utility Vehicles. The cost of these vehicles is \$475,408.80. See Attached memo dated April 18, 2024.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? A purchase order increase is needed immediately to secure the ordered vehicles and prevent this order from being canceled again by Ford Motor Company.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To allow for acceptance of quotes and encumbrance of approved funds.

If funding is required, is it already budgeted for? Yes: X No: _____

This is an approved and budgeted FY24 Police Capital Improvement Project Line item 402.7201.3004.0. However, due to pricing increases for 2025 model year, original budget needs adjusted to \$475,408.80

If not already budgeted for, where will funding come from?

Proposed: 05/06/2024

RESOLUTION NO. 071-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing an agreement with Ken Ganley Ford, Inc., for the purchase of ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Chief of Police has determined there is a need to purchase ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and

WHEREAS, the selected vehicles are available through Ken Ganley Ford, Inc. for Forty-seven Thousand Five Hundred Forty and 88//100 Dollars (\$47,540.88) each, which is below the state bid price (ref #03-1155, bid date 2/07/24); and

WHEREAS, Section 171.02(bb) of the Cleveland Heights Codified Ordinances authorizes the purchase or lease of goods and services without obtaining competitive bids where the price for such goods or services is less than the price that would be obtained through one of the specified cooperative purchasing programs.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of ten (10) 2025 Ford Utility Hybrid Police Interceptors, in accordance with the requirements set forth in Section 171.02(bb) of the Cleveland Heights Codified Ordinances. The purchase price for said vehicles shall not exceed the sum of Four Hundred Seventy-five Thousand Four Hundred Eight and 80/100 Dollars (\$475,408.80). All agreements and related documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the meet vendor deadlines in order to avoid prices increases Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 071-2024(MSES)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Date: 4/18/2024

To: City Council

From: Christopher M. Britton, Chief of Police

A handwritten signature in dark ink, appearing to read "Ch. Britton".

Subject: Resolution No. _____ – Purchase of upfitting equipment for new Police vehicles

Purpose Statement: A resolution authorizing the Mayor to enter into an agreement with Hall Public Safety Upfitters to purchase and install certain police equipment on the ten (10) 2025 Ford Hybrid Police Utility Vehicles. The cost of this police equipment is \$131,775.60. See also the attached memo dated April 18, 2024.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? A purchase order is needed so that lights, sirens, controllers, inmate transfer enclosures, computer mounting hardware, wiring for electronics can be ordered. Vendor reports some items could take up to 16 weeks to receive.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To allow for the acceptance of quotes and encumbrance of approved funds and to allow the vendor to order items needed to not add additional time to upfitting build and to lock in pricing that has continued to increase.

If funding is required, is it already budgeted for? Yes: X No: _____

This is an approved and budgeted FY24 Police Capital Improvement Project
Line item 402.7201.3004.0.

If not already budgeted for, where will funding come from?

Proposed: 05/06/2024

RESOLUTION NO. 072-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing an agreement with Hall Public Safety Upfitters for the purchase and installation of upfitting equipment for ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City intends to purchase and equip ten (10) new Ford Utility Hybrid Police Interceptors for the Police Department; and

WHEREAS, Hall Public Safety Upfitters has submitted a quote for the upfitting of the new vehicles which will include the purchase and/or installation of lights, sirens, controllers, center consoles, prisoner transport enclosures, computed mounting hardware, wiring for electronics and in-car radios and dashcam install; and

WHEREAS, the quote from Hall Public Safety Upfitters is at or below comparable purchases through the Ohio Cooperative and/or ODOT Purchasing programs; and

WHEREAS, Section 171.02(bb) of the Cleveland Heights Codified Ordinances authorizes the purchase or lease of goods and services without obtaining competitive bids where the price for such goods or services is less than the price that would be obtained through one of the specified cooperative purchasing programs.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary with Hall Public Safety Upfitters for the upfitting of the ten new police vehicles to be purchased. The price for the purchase and installation of the upfitting equipment shall total One Hundred Thirty-one Thousand Seven Hundred Seventy-five and 60/100 Dollars (\$131,775.60) as stated in the quote from Hall Public Safety Upfitters dated April 2, 2024, a copy of which is attached to this Resolution as Exhibit "A". All agreements and related documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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.

RESOLUTION NO. 072-2024(MSES)

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the meet vendor deadlines in order to avoid prices increases Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it 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



Date: 4/18/2024

To: City Council

From: Christopher M. Britton, Chief of Police

Subject: Resolution No. _____ – Purchase of upfitting radio equipment for new Police vehicles from Chagrin Valley Dispatch

Purpose Statement: A resolution authorizing the Mayor to enter into an agreement with Chagrin Valley Dispatch (CVD) to purchase police radio equipment for the ten (10) 2025 Ford Hybrid Police Utility Vehicles. The cost of this police radio equipment is \$73,312.50. See also the attached memo dated April 18, 2024.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? A purchase order is needed so that CVD can order the police radio equipment so it can be available to be installed at the time of initial upfitting.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To allow for the acceptance of quotes and encumbrance of approved funds and to allow the vendor to order items needed to not add additional time to upfitting build and to lock in pricing that has continued to increase.

If funding is required, is it already budgeted for? Yes: X No: _____

This is an approved and budgeted FY24 Police Capital Improvement Project Line item 402.7201.3004.0. However, budget increase is needed to complete total upfitting.

If not already budgeted for, where will funding come from?

Unknown, total capital vehicle purchase to include upfitting was \$650,000.00. With delays and added costs the total budget to complete this project needs adjusted to \$719,463.70 an increase of \$69,463.70.

Proposed: 05/06/2024

RESOLUTION NO. 073-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing an agreement with Chagrin Valley Dispatch for the purchase of in-car and portable radios for ten (10) 2025 Ford Utility Hybrid Police Interceptors for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City intends to purchase and equip ten (10) new Ford Utility Hybrid Police Interceptors for the Police Department; and

WHEREAS, each vehicle requires an in-car and portable radio, which can be purchased through Chagrin Valley Dispatchers, a regional Council of Governments ("COG") at a price less than retail utilizing the enhanced buying power of the COG; and

WHEREAS, it would be in the best interests of the City to purchase the radios by such means.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary with Chagrin Valley Dispatch for the purchase of in-car and portable radios for the ten new Ford Utility Hybrid Police Interceptors to be purchased for the Department. The total cost of the radios shall not exceed the sum of Seventy three Thousand Three Hundred Twelve and 50/100 Dollars (\$73,312.50). All agreements and related documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the meet vendor deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 073-2024(MSES)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Date: May 1, 2024

To: City Council

From: City Administration

Subject: RES 074-2024 and RES 075-2024 – County 911 Plan and Program Review Committee

Purpose Statement: To approve the County 911 Plan as adopted by the Cuyahoga County 9-1-1 Program Review Committee and approve the selection of Euclid Mayor, Kristen Holzheimer-Gail to serve as a member of the Cuyahoga County 9-1-1 Program Review Committee.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why?

The approval of the County 911 Plan and selection of Euclid Mayor as member of the Program Review Committee must be done through individual legislative action, and approved legislation is due to the County by May 17, 2024.

See attached email from Euclid Mayor, Kristen Holzheimer-Gail for additional details.

Is passage on first reading necessary: Yes: X No: _____

If yes, why?

In order to meet the deadline stated above.

If funding is required, is it already budgeted for? Yes: _____ No: X

If not already budgeted for, where will funding come from?

No funding required

Please see the letter below from Mayor Holzheimer-Gail regarding the 911 Program Review Committee:

Dear Mayors, I am writing to request your support to be named the “City” representative on the Cuyahoga County 911 Program Review Committee. It is extremely frustrating and unfortunate that we are in the position of having to select our representative through our individual legislative action, as spelled out by Brandy Carney in an email sent to everyone recently. We were assured by county staff that they were working on a solution, but now have put us in the position of having to fill this position through individual legislative action, quickly and with poor communication. Resolutions are due to the County by May 17, 2024.

In years past, the Cuyahoga County Mayors and City Managers has **ALWAYS** appointed this position. Mayor Hruby has held this position prior to his retirement and in the past 18-months he along with Lisa Zver, Olmsted Township Trustee, have made great headway on this committee on behalf of all the Cities, Villages and Townships of our great County.

During the last 6-months of Mayor Hruby’s term, I have attended these meetings with Mayor Hruby in an effort to get up to speed with all the new legislation that has been presented. I have attached the letter Mayor Hruby provided recommending my selection.

This is a non-compensated position. It is fairly technical in nature. The Committee meets a minimum of 4 times per year at Cuyahoga County office and has been meeting Wednesdays at 10:00am.

We will have this issue on our next Mayors and Managers meeting agenda to provide additional info and answer any questions that you have, but we know the legislative process takes time, so I wanted to reach out now.

If there are other Mayors who would like to be considered, please let us know, but given the quick timing and background required, I am requesting your consideration at this time due to my involvement, knowledge and background with this important issue.

Please know, we will address the selection of the seat going forward and can make a change in the future.

I am happy to answer any questions if you have them and can provide sample resolutions for all who would like them.

I look forward to seeing you at the 4/25 CCM&CMA meeting at Cuyahoga County Public Library Parma-Snow Branch (2111 Snow Road, Parma Ohio 44134).

Thank you,
Kirsten

Kirsten Holzheimer Gail
Mayor, City of Euclid
Cell- 216-630-0215

Proposed: 05/06/2024

RESOLUTION NO. 074-2024(PSH), *First Reading*

By Mayor Seren

A Resolution approving the County 911 Plan as adopted by the Cuyahoga County 9-1-1 Program Review Committee; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights is located within the County of Cuyahoga and is therefore part of Cuyahoga County's 9-1-1 service network; and

WHEREAS, pursuant to Ohio Revised Code ("ORC") 128.06(D), each county shall maintain and amend a final plan for implementing and operating a countywide 9-1-1 system with specific provisions included therein; and

WHEREAS, the Cuyahoga County 9-1-1 Program Review Committee has adopted and has provided a copy of the 9-1-1 Plan dated March 6, 2024 to the City of Cleveland Heights and other member communities in accordance with the Ohio Revised Code, Section 128.07; and

WHEREAS, pursuant to ORC 128.08(A), within sixty days after receipt of the final plan, the legislative authority of each municipal corporation in the county and of each township whose territory is proposed to be included in a countywide 9-1-1 system shall act by resolution to approve or disapprove the Plan.

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

SECTION 1. This Council hereby approves the Cuyahoga County 911 Plan dated March 6, 2024 as adopted by the Cuyahoga County 9-1-1 Program Review Committee, such Plan being attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to be in compliance with ORC 128.08(A). Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take immediate effect upon its passage and approval by the Mayor;

otherwise it 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

Proposed: 05/06/2024

RESOLUTION NO. 075-2024(PSH), *First Reading*

By Mayor Seren

A Resolution selecting Euclid Mayor Kirsten Holzheimer-Gail to serve as a member of the Cuyahoga County 9-1-1 Program Review Committee; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights is located within the County of Cuyahoga and is therefore part of Cuyahoga County's 9-1-1 service network; and

WHEREAS, Cuyahoga County convenes a 9-1-1 Program Review Committee in accordance with Ohio Revised Code, Section 128.06(B), and

WHEREAS, Ohio Revised Code, Section 128.06(B)(4) specifies that all municipal corporations within Cuyahoga County are entitled to one vote to select chief executive officer of one municipal corporation to represent all municipal corporations on the Cuyahoga County 9-1-1 Program Review Committee; and

WHEREAS, said chief executive officer representative shall be selected by the majority of the legislative authorities of municipal corporations in Cuyahoga County; and

WHEREAS, Euclid Mayor Kirsten Holzheimer-Gail currently serves as the President of Chagrin Valley Dispatch, and based on her service as Mayor and President of Chagrin Valley Dispatch she is familiar with the issues that the Cuyahoga County 9-1-1 Program Review Committee will review, address, and implement; and

WHEREAS, this Council desires to select Mayor Holzheimer-Gail to serve on the Cuyahoga County 9-1-1 Program Review Committee.

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

SECTION 1. The Council hereby selects Kirsten Holzheimer-Gail, the Mayor of the City of Euclid in Cuyahoga County, to serve on the Cuyahoga County 9-1-1 Program Review Committee as the representative of all chief executive officers of all municipal corporations within Cuyahoga County. The selection of Mayor Holzheimer-Gail shall be effective upon the effective date of this Resolution.

SECTION 2. Notice of passage of this Resolution shall be given by publishing the title and abstract of its contents, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the immediate preservation of the public peace,

RESOLUTION NO. 075-2024(PSH)

health, safety and welfare, such emergency being the need to comply with County and State deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Resolution shall take effect upon its passage and approval by the Mayor; otherwise, it 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

Proposed: 05/06/2024

RESOLUTION NO. 076-2024(CRR), *First Reading*

By President Cuda, Vice President Russell, Councilmember Larson, Councilmember Cobb, Councilmember Mattox, Councilmember Petras, and Councilmember Posch

A Resolution recognizing May 10, 2024 as *National Provider Appreciation Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, child care providers offer a safe, nurturing place for the enrichment and development of millions of children nationwide; and

WHEREAS, the pandemic illuminated how indispensable child care providers are for the well-being and economic security of our young children, families, and communities; and

WHEREAS, child care programs, which are mostly small businesses, run and are staffed predominantly by women, continue to recover from the health and financial hardships stemming from the pandemic to meet the needs of more families; and

WHEREAS, the City of Cleveland Heights recognizes that child care has been and continues to be a lifeline for families, communities, and the economy; and

WHEREAS, the future depends on the quality of the early childhood experiences provided to young children today such that support for high-quality child care represents a worthy commitment to our children's future.

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

SECTION 1. This Council hereby proclaims May 10, 2024 as *National Provider Appreciation Day* to honor child care providers who give back to our community.

SECTION 2. 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 the general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public health and safety of the public of the city of Cleveland Heights, such emergency being the need to recognize *National Provider Appreciation Day* in a timely matter. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage;

RESOLUTION NO. 076-2024(CRR)

otherwise, it 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



Date: 4/30/2024

To: City Council

From: Kelly Ledbetter, Parks & Recreation Director

Subject: ORD 070-2024 – Parks Legislation for Cain Park 2024 Season

Purpose Statement: To approve an annual schedule of entertainment through the spring and summer of 2024 at Cain Park coordinated and managed by the Cain Park General Manager and staff. Such programs will require admission rates for stage productions, musical concerts and plays/musicals.

Ticket prices should not exceed \$200 for stage productions and special benefit performances, but special arrangements may be made for musical concerts to exceed this amount, under specified circumstances. Expenditures for plays and/or musicals should not exceed \$80,000 per production.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why? To have rates in place before the start of the season on May 30, 2024.

Is passage on first reading necessary: Yes: ☐ No: ☒

If yes, why?

If funding is required, is it already budgeted for? Yes: ☒ No: ☐

If not already budgeted for, where will funding come from?

Proposed: 05/06/2024

ORDINANCE NO. 070-2024(CRR), *First Reading*

By Mayor Seren

An Ordinance authorizing and approving the presentation of entertainment programs in Cain Park for the year 2024; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council annually reviews its use and rentals of the theatres in Cain Park; and

WHEREAS, the Mayor recommends the use and rentals set forth herein.

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

SECTION 1. The City of Cleveland Heights shall sponsor and present in Cain Park and other locations to determined, through the spring and summer of 2024; a program of entertainment in general accordance with plans therefore previously adopted by the Mayor.

SECTION 2. Stage productions will be presented in Cain Park. Admission charges for these productions will not exceed Two Hundred Dollars (\$200.00). Rates will be gradated according to seat location, with the designations subject to approval by the Mayor. Groups of twenty (20) or more may purchase tickets at a discount rate subject to the approval of the Mayor.

SECTION 3. Musical concerts will be presented at time scheduled by the Mayor. Such programs may or may not be co-produced with an outside agency as deemed fit by the Mayor. Special arrangements may be made for ticket prices to exceed Two Hundred Dollars (\$200.00), with the proceeds of the box office split per an agreement approved by the Director of Law to accommodate costs of the concert.

SECTION 4. One or more plays (musicals) may be presented at times scheduled and at the theaters designated by the Mayor. The City's share in the cost of such programs is hereby approved and such expenditure is authorized in a total amount not to exceed Eighty Thousand Dollars (\$80,000.00) per production.

SECTION 5. The Mayor is hereby authorized and directed to enter into any and all agreements necessary for the presentation of summer concert and other non-theatrical programs at Cain Park and this council approves all currently executed contracts. All agreements shall be in a form approved by the Director of Law.

SECTION 6. To the extent possible, monies to pay for the aforesaid contracts shall be taken from the Cain Park Operating Fund and monies derived from Cain Park activities shall be placed in the Cain Park Operating Fund.

SECTION 7.

(a) Such other programs and activities shall be presented as are approved by the Mayor. Fees may be established by the Mayor to defray the cost of these new programs. Special promotions which reduce or eliminate ticket prices in exchange for media time, print advertising or other publicity may be arranged as approved by the Mayor.

(b) Except as otherwise provided herein, when any class or activity is offered which requires the use of materials to be furnished to the participant, the Mayor is authorized to establish a fee based upon actual costs, which shall be paid by each person at the time of registering for such activity.

(c) Special benefit performances either at Cain Park or elsewhere may be presented for the purpose of offsetting programs deemed appropriate by the Mayor with ticket prices not to exceed the sum of Two Hundred Dollars (\$200.00). These arrangements will be made as deemed appropriate by the Mayor.

SECTION 8.

(a) In the event that it should become necessary, in the judgement of the Mayor, at any time to limit the number of persons in attendance at any concert, dance, or other activity to which the public would otherwise be generally admitted, the Mayor is hereby authorized to establish and place in effect such regulations and restrictions as he may deem necessary for such activities to protect the safety and welfare of the public grounds, the community in general, and members of the public at large.

(b) Such regulations may include, but are not limited to, advance or on-the-spot limitation of admissions, including closing-off of admission, and may also include a requirement that admission be limited to persons who are bona fide residents of Cleveland Heights and are authorized holders of a proper Recreation I.D. Card issued by the City of Cleveland Heights, and such number of guests accompanied by such Cardholder as the Mayor shall establish.

(c) In the event that the Mayor shall determine, in his sole discretion, that the conduct of a given program, or portion of the program, would endanger the safety and welfare of the public, then he shall have the authority to cancel any program and at the earliest time possible, to give, by appropriate means, notice to persons wishing to participate in such activity of the fact that the program or activity has been canceled.

(d) Notwithstanding any other provision, the Mayor is hereby vested with authority to transfer the conduct of any portion of the summer program for

ORDINANCE NO. 070-2024(CRR)

the year 2024 to another facility in order to ensure the safety and/or convenience of the general public. At such time, the Mayor shall, by appropriate means, advise persons wishing to participate in such activities of the change of location.

SECTION 9. 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 20. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet seasonal deadlines. Therefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it 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



Date: May 1, 2024

To: City Council

From: Addie Balester, Clerk of Council

Subject: ORD 077-2024 – Cedar-Lee DORA

Purpose Statement: To authorize the creation of a Designated Outdoor Refreshment Area in the Cedar-Lee Business District.

Section 4301.82 of the Ohio Revised Code authorizes municipalities with populations under 50,000 to create up to three (3) Designated Outdoor Refreshment Areas. Mayor Seren filed the application with City Council at the 4/15 regular council meeting. The application must be advertised in a newspaper of general circulation and if council elects to hold a public hearing, the date and time of the hearing shall be provided in the public notice of the receipt of the application by Council. Not earlier than 30 days, but no later than 60 days after the initial publication of the notice, the City Council must approve or disapprove the application by Ordinance or Resolution.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: _____ No: X

If yes, why?

Is passage on first reading necessary: Yes: _____ No: X

If yes, why?

If funding is required, is it already budgeted for? Yes: _____ No: X*

If not already budgeted for, where will funding come from?

*No budgeting required.

Proposed: 05/06/2024

ORDINANCE NO. 077-2024(CRR), *First Reading*

By President Cuda and Vice President Russell

An Ordinance approving the application filed by the Mayor and authorizing the establishment of a Designated Outdoor Refreshment Area ("DORA").

WHEREAS, Council is committed to furthering economic development throughout the City of Cleveland Heights and creating a welcoming atmosphere for residents and visitors; and

WHEREAS, Ohio Revised Code, Section 4301.82 provides for the creation of DORA's, within which businesses with liquor permits may sell beer, wine, and intoxicating liquor for on-premises consumption **and** for consumption off-premises but within the DORA; and

WHEREAS, on April 15, 2024, Mayor Seren submitted an application to City Council in accordance with R.C. Section 4301.82 (B), seeking to have specified property within the City of Cleveland Heights designated as a DORA; and

WHEREAS, the creation of a DORA within the City of Cleveland Heights will generally strengthen economic development in the affected area of the city, not only within, but also in the vicinity of the DORA; and

WHEREAS, pursuant to R.C. 4301-82(F)(1), it is necessary for City Council to establish requirements of the DORA to ensure public health and safety within the area; and

WHEREAS, Council finds that the application meets the requirements of R.C. 4301.82(F); and

WHEREAS, Council has fulfilled the requirements contained in R.C. 4301.82(C) and R.C. 4301.82(F).

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

SECTION 1. City Council accepts the application as submitted, attached hereto, and hereby approves the creation of the Designated Outdoor Refreshment Area within the boundary area as described in the application, and specified by street addresses as described in the attached Application (Exhibit A), incorporated herein by reference.

SECTION 2. The Cleveland Heights Cedar-Lee Designated Outdoor Refreshment Area will encompass no fewer than two qualified permit holders, as identified in Section VI of the Application.

ORDINANCE NO. 077-2024(CRR)

SECTION 3. To ensure public health and safety, and pursuant to R.C. 4301.82(F)(1), Sections III through VIII of the Application, incorporated herein by reference, include the following: the number of personnel needed to ensure public safety; the sanitation plan to help maintain the appearance and public health of the area; the number, spacing, and type of signage designating the area; and the hours of operation for the area.

SECTION 4. All alcohol served in the DORA shall be served solely in plastic cups as detailed in Section III of the Application to readily identify such alcoholic beverages as being permitted in the DORA during the times specified hereunder.

SECTION 5. Pursuant to R.C. 4301.82(H)(1), in five years Council shall conduct a review of the Cleveland Heights Cedar-Lee DORA and either approve the continued operation of the DORA or dissolve the area.

SECTION 6. Council may, at any time, amend or dissolve all or part of the Cedar-Lee DORA. The Mayor reserves the right to temporarily suspend the operation of the DORA at his or her discretion.

SECTION 7. This Council determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 8. 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 9. This Ordinance 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

ORDINANCE NO. 077-2024(CRR)

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

April 15, 2024

APPLICATION TO THE CLEVELAND HEIGHTS CITY COUNCIL
for the establishment of a
CEDAR-LEE DESIGNATED OUTDOOR REFRESHMENT AREA (DORA)

The Mayor of Cleveland Heights respectfully submits the following application to the Cleveland Heights City Council to approve and enact the Cedar-Lee Designated Outdoor Refreshment Area in accordance with Ohio Revised Code 4301.82.



Mayor Kahlil Seren

I. INTRODUCTION

Section 4301.82 of the Ohio Revised Code (ORC) authorizes municipalities under 50,000 in population to create up to three (3) Designated Outdoor Refreshment Areas (DORAs) up to 320 acres in size. The City of Cleveland Heights is a chartered Ohio municipal corporation with a population of 44,652 (2021). To consider the creation of a DORA, the Mayor of the City of Cleveland Heights is filing this application with the Cleveland Heights City Council, which meets certain statutory requirements. The application filing must be advertised in a newspaper of general circulation. If Council elects to hold a public hearing regarding the application, the date and time of the hearing shall be provided in the public notice of the receipt of the application by Council. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, the City Council may approve or disapprove of the application by ordinance or resolution.

In summary, this application for a Cedar-Lee DORA would provide the following:

- a. The DORA would ease or make more accessible outdoor dining in front of liquor permit holding establishments. It would allow such establishments to serve alcoholic beverages in a plastic cup pursuant to the law within a designated area during certain hours. Signage, sanitation, and safety requirements would be established by permits issued by the City as described in subsequent sections below.
- b. The DORA would provide the ability for individuals to walk within the DORA boundaries with an alcoholic beverage purchased from a liquor permit holding establishment during permitted periods. Creation of the DORA would enable residents and visitors to Cedar-Lee to enjoy alcoholic beverages at designated indoor and outdoor spots throughout the business district in a safe and regulated manner.

Many cities throughout Ohio have realized measurable benefits with the implementation of DORAs. Cedar-Lee, as the largest business district in Cleveland Heights, is uniquely positioned as a hub of community activity to capitalize on this opportunity. The Office of the Mayor is confident that the DORA will not only enhance the entertainment and cultural appeal of the Cedar-Lee District as a destination, but it will also serve to enhance the economic appeal of Cleveland Heights. This is particularly true with the advent of The Marquee, a \$60M mixed-use development underway within the District, which will be complete in 2025 bringing hundreds of new residents, retail offerings and a public green space to Cedar-Lee.

II. BOUNDARIES

The boundaries of the Cedar-Lee DORA are depicted in Attachment A.

The proposed boundary is outlined in a solid red line. This area is approximately 17.78 acres in size and includes all sidewalks within or abutting the boundary lines. The boundary would include all alleys and streets not listed as having establishments located on them.

III. SIGNAGE AND OFFICIAL CUP

The City of Cleveland Heights will supply Entrance/Exit signs to the DORA at the major district access points. The number, spacing and type of signage designating the DORA are indicated in Attachment B.

CedarLee Hill DORA Option 1



The signage on the left side of this graphic will be prominently displayed at these designated access points, with additional language that no alcoholic beverages are permitted beyond those points, as well as the designated days and hour permitted.

The signage on the right side of the graphic will be displayed at the district establishments to indicate their level of participation. Only approved establishments with appropriate licenses (see Section IV) who choose to participate in the program will be permitted to display the “Purchase DORA Beverages Here” signage.

In accordance with ORC 4301.82(F)(1)(g), beer, wine and intoxicating liquor shall only be consumed within the DORA as follows:

Beer, wine and intoxicating liquor shall be served and consumed in the DORA in specifically designated cups produced and provided by FutureHeights (the “Official Cup”). No other container will be permitted. All DORA beverages must be served in a new, unused, Official Cup. Only one (1) Official Cup per person will be permitted in the DORA. Used Official Cups must be disposed of before entering any establishment in the DORA. Official Cups shall hold no more than sixteen (16) fluid ounces and shall be composed of recyclable materials. FutureHeights shall supply the Official Cups and offer them to qualifying permit holders for purchase at cost. Each qualifying permit holder shall attach a fee of one dollar (\$1.00) on every DORA beverage sold and accompanied by an Official Cup to help cover costs incurred.

IV. HOURS OF OPERATION

In accordance with ORC 4301.82(F)(1)(c), the hours of operation for the DORA will be as follows:

Monday-Thursday, 4-9pm
Friday, 4-11pm
Saturday, 12-11pm
Sunday, 12-8pm

V. NATURE OF ESTABLISHMENTS

In accordance with ORC 4301.82(B)(2), the nature and types of establishments that will be located within the DORA are listed below. The types of establishments located within the DORA are in primarily dining, retail, service, or office sectors.

Establishment Name	Address	Operating Hours
Retail		
Cedar Lee Bikes	2309 Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tues-Sat 11am-7pm
CVS Drug Store	2160 Lee Road, Cleveland Heights, OH 44118	24 Hours
Twisted Minds	2150 Lee Road, Cleveland Heights, OH 44118	Sun 10am-10pm Mon-Wed 9am-10pm Thu-Sat 9am-11pm
All Makes Vacuum	2291 Lee Road, Cleveland Heights, OH 44118	Sun Closed Mon-Fri 10am-6pm Sat 10am-5pm
Kandy Doll Closet	2180 Lee Road, Cleveland Heights, OH 44118	Sun 12pm-3pm Mon-Thu Closed Fri-Sat 10am-7pm
Marchant Manor Cheese	2211 Lee Road, Cleveland Heights, OH 44118	Sun 11am-5pm Mon-Tue Closed Wed-Sat 11am-7pm
Mitchell's Fine Chocolates	2285 Lee Road, Cleveland Heights, OH 44118	Sun Closed Mon-Thu 10am-7pm Fri-Sat 10am-8pm
Dining and Beverage		
Anatolia	2270 Lee Road, Cleveland Heights, OH 44118	Sun 11am-10pm Mon Closed Tue-Thu 3pm-10pm Fri-Sat 11am-10pm
Best Gyros	2245 Lee Road, Cleveland Heights, OH 44118	Sun-Thu 10am-12am Fri-Sat 10am-3am
Boss Dog Brewing Company	2179 Lee Road, Cleveland Heights, OH 44118	Sun 11am-10pm Mon-Thu 4pm-12am Fri 4pm-2am Sat 11am-2am
Callaloo Café	2134 Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tue-Sat 1pm-1am
CLE Urban Winery	2180B Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tue-Fri 4pm-10pm Sat 12pm-10pm
Dewey's Pizza	2194 Lee Road, Cleveland Heights, OH 44118	Sun 4pm-9pm Mon-Thu 11am-9pm Fri-Sat 11am-10pm

Kensington Pub	2250 Lee Road, Cleveland Heights, OH 44118	Sun-Sat 5pm-2am
Lee's Seafood Boil	2201 Lee Road, Cleveland Heights, OH 44118	Sun 12pm-9pm Mon-Wed 4pm-9pm Thu 12pm-9pm Fri-Sat 12pm-10pm
Market on Lee	2256 Lee Road, Cleveland Heights, OH 44118	Sun-Mon 11am-5pm Tue-Sat 11am-8pm
Marotta's	2289 Lee Road, Cleveland Heights, OH 44118	Sun-Sat 4pm-9pm
Meraki Cocktail Cafe	2195 Lee Road, Cleveland Heights, OH 44118	Sun Closed Mon-Thu 4pm-12am Fri-Sat 4pm-1am
Cozumel	2196 Lee Road, Cleveland Heights, OH 44118	Sun-Mon TBD Tue-Sat TBD
Momo's Kebabs	2199 Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tue 5pm-9pm Wed-Sat 12pm-9pm
New Heights Grill	2209 Lee Road, Cleveland Heights, OH 44118	Sun 12pm-10pm Mon-Sat 11am-11pm
Nubeigel	2254 Lee Road, Cleveland Heights, OH 44118	Sun 8am-1:30pm Mon-Fri 7:30am-1:30pm Sat Closed
Phoenix Coffee	2287 Lee Road, Cleveland Heights, OH 44118	Sun 8am-5pm Mon-Fri 7am-6pm Sat 8am-6pm
Rudy's Pub	2191 Lee Road, Cleveland Heights, OH 44118	Sun-Sat 12pm-10pm
Social Room	2261 Lee Road, Cleveland Heights, OH 44118	Sun-Sat 4pm-2am
Sophia La Gourmande	2275 Lee Road, Cleveland Heights, OH 44118	Sun-Tue Closed Wed-Sat 9am-4pm
Stone Oven	2257 Lee Road, Cleveland Heights, OH 44118	Sat-Sun 8am-5pm Mon-Fri 7am-5pm
Taste	2317 Lee Road, Cleveland Heights, OH 44118	Sun 5pm-9pm Mon-Thu 5pm-10pm Fri-Sat 5pm-11pm
The Sweet Fix	2307 Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tue-Thu 9am-4:30pm Fri 9am-7:30pm Sat 12pm-5pm
The Tavern Company	2299 Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tue-Thu 5pm-12am Fri-Sat 5pm-2am
The Wine Spot	2271 Lee Road, Cleveland Heights, OH 44118	Sun 12pm-8pm Mon 1pm-8pm

		Tue-11am-8pm Wed-Sat 11am-10pm
Voodoo Brewery CLE	2279 Lee Road, Cleveland Heights, OH 44118	Sun 11am-5pm Mon-Tue Closed Wed-Thu 4pm-10pm Fri 4pm-11pm Sat 11am-11pm
Zoma Ethiopian Restaurant	2240 Lee Road, Cleveland Heights, OH 44118	Sun 3-8pm Mon Closed Tue-Fri 12-2pm, 4-9pm Sat 12pm-9pm
Services		
Cedar-Lee Theater	2163 Lee Road, Cleveland Heights, OH 44118	Sun-Mon 1:45pm-9pm Tue-Wed Closed Thu-Sat 1:45pm-9pm
Bryan's Marathon	2294 Lee Road, Cleveland Heights, OH 44118	24 Hours
Truenorth Shell Gas Station	2310 Lee Road, Cleveland Heights, OH 44118	Sub-Sat 6am-12am
Westwork Architectural Studio	2169 Lee Road, Cleveland Heights, OH 44118	By Appointment
Heights Uptown Barbershop	2244 Lee Road, Cleveland Heights, OH 44118	Mon Closed Sun, Tue-Sat 7am-7pm
Lee Road Dog Grooming	2246 Lee Road, Cleveland Heights, OH 44118	By Appointment
Lotus Flower Yoga	2319 Lee Road, Cleveland Heights, OH 44118	Sun Closed Mon-Sat 11:30am-4:30pm
Modern Edge Salon	2255 Lee Road, Cleveland Heights, OH 44118	Sun-Mon Closed Tue-Fri 10am-6pm Sat 8am-3pm
Two Brothers Beauty Supply	2203 Lee Road, Cleveland Heights, OH 44118	Sun Closed Mon-Fri 11am-7pm Sat 11am-6pm
Office/Other		
Heights Arts Gallery	2175 Lee Road, Cleveland Heights, OH 44118	Sun 12om-5pm Mon-Thu 1pm-7pm Fri-Sat 12pm-8pm
Christian Science Reading Room	2252 Lee Road, Cleveland Heights, OH 44118	Sat-Sun Closed Mon-Fri 10am-4pm
Funny Times	2176 Lee Road, Cleveland Heights, OH 44118	Sat-Sun Closed Mon-Fri 9am-5pm
SGI-USA Cleveland Buddhist Center	2255 Lee Road, Cleveland Heights, OH 44118	Sun 9am-4pm Mon 9am-2pm, 4pm-9pm Tue-Wed 9am-2pm Thu 9am-2pm, 6pm-9pm Fri 9am-2pm

	Sat 9am-4pm
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In accordance with ORC 4301.82(b)(4), the uses of land within the DORA is fall within the City's C2-X Multiple-Use zoning and is in accordance with Future Land Use Map contained in the 2017 adopted City of Cleveland Heights Master Plan. No properties within the DORA are zoned "Residential" as defined by Codified Ordinances of City of Cleveland Heights.

VI. QUALIFYING PERMIT HOLDERS

In accordance with ORC 4301.82(D(2), the DORA will encompass the following (not fewer than two) qualified permit holders as defined by ORC 4301.82(A), further identified as follows:

	Business Name	DBA	Address	Permit Type(s)	Permit #
1	Primo Vino LLC	CLE Urban Winery	2180B Lee Rd, Cleveland Heights, OH 44118	A2, A1A, B2A, S1, D6	7085874
2	AED Enterprises	Dewey's Pizza	2194 Lee Rd, Cleveland Heights, OH 44118	D1, D2, D6	0066124-004D
3	TRICAT LLC	Voodoo Brewery CLE	2279 Lee Rd, Cleveland Heights, OH 44118	D5, D6	9046447
4	Boss Dog Brewing Company LLC	Boss Dog Brewing Co.	2179 Lee Rd, Cleveland Heights, OH 44118	A1C, A1A, D6	852022
5	Heights Arts Collaborative LLC	Heights Arts	2175 Lee Rd, Cleveland Heights, OH 44118	D5H	3716845
6	AEF Healthcare Consultants Inc.	The Wine Spot	2271 Lee Rd, Cleveland Heights, OH 44118	D5, D6	0003527-001D
7	TBD	Cozumel	2196 Lee Rd, Cleveland Heights, OH 44118	TBD	TBD
8	Armington Tavern LLC	Tavern Company	2299 Lee Rd, Cleveland Heights, OH 44118	D2, D2X, D3, D3A, D6	270615

9	Anatolia on Cedar Ltd	Anatolia Café	2270 Lee Rd, Cleveland Heights, OH 44118	D5, D6	0186009-0005
10	Seamus Marotta Inc	Marotta's	2289 Lee Rd, Cleveland Heights, OH 44118	D5, D6	7939372
11	Kathmandu Inc	Taste	2317 Lee Rd, Cleveland Heights, OH 44118	D5, D6	4509591-0010
12	Playa Inc	The Social Room	2261 Lee Rd, Cleveland Heights, OH 44118	D1, D2, D3, D3A, D6	6959296
13	POE KING LLC	Kensington Pub	2250 Lee Rd, Cleveland Heights, OH 44118	D1, D2, D3, D3A, D6	7008855
14	Big Greek	Best Gyros	2245 Lee Rd, Cleveland Heights, OH 44118		
15	Marchant Manor LLC	Marchant Manor Cheese	2211 Lee Rd, Cleveland Heights, OH 44118	D1, D2, D6	5528726
16	Kral and Faller LLC	New Heights Grill	2209 Lee Rd, Cleveland Heights, OH 44118	D2, D2X, D3, D3A, D6	4845441
17	Market on Lee LLC	Market on Lee	2256 Lee Rd, Cleveland Heights, OH 44118	C1, C2	5442256
18	Rudy's Pub LLC	Rudy's Pub	2191 Lee Rd, Cleveland Heights, OH 44118	D5, D6	7583540
19	Boiling Seafood LLC	Lee's Seafood Boil	2201 Lee Road, Cleveland Heights, OH 44118	D1, D2, D3	0790564-0005

VII. PUBLIC HEALTH & SAFETY PLAN

In accordance with ORC 4301.82(B)(5) and (F)(1) (d), the proposed requirements for the purpose of ensuring public health and safety within the DORA shall include the following:

City of Cleveland Heights DORA Safety Plan:

The Safety Plan will help maintain public safety within the DORA and designate the number of personnel needed to execute the Safety Plan. This will be accomplished in the following manner:

Current Public Safety personnel are adequate to maintain public safety within the DORA district. The City of Cleveland Heights Police Department (CHPD) currently has scheduled shifts which will enable it to maintain public safety within the DORA. CHPD has flexibility when deploying resources and has years of experience dealing with Cleveland Heights and Cedar-Lee events, such as Music Hop and Candy Crawl/Halloween Festival and other individual bar/venue events which draw large crowds throughout the year.

Public Safety staffing for the DORA would consist of the following:

1. Use of currently scheduled shifts of CHPD, giving them the ability to actively patrol the DORA and have a visible presence in the assigned area.
2. During pre-planned or known special events that will increase the activity in the DORA area, the CHPD will seek organizations involved with the events to help supplement the manning needed to effectively police the DORA area. CHPD will seek payment from such organizations for extra duty officer(s) as needed. The officer(s) primary responsibility would be the core business district where the DORA is located.
3. All Supervisors of Officers in Charge have the flexibility to call in additional staffing for emergency situations or if large crowds start to get out of control.

Beginning with the commencement of the DORA and continuing for a period of three (3) consecutive months, the Mayor of Cleveland Heights and the CHPD Chief of Police shall meet monthly to review the Safety Plan herein. The purpose of this meeting will be to determine whether updates, modifications, or supplementation may be advisable or required; and, in said event, such changes shall be presented to the Cleveland Heights City Council for consideration and implementation. At the end of the three-month pilot phase, Cleveland Heights City Council will have the option to continue or discontinue the DORA.

Ensuring Compliance with Liquor Laws:

As consumers purchase their first drink on a given day at a qualified permit holder within the DORA, they will be required to provide proof of age for themselves and anyone for whom they are purchasing an alcoholic beverage. The qualified permit holder will provide wristbands for each person and ensure they are placed on their wrists prior to leaving the establishment. FutureHeights will produce and provide wristbands to permit holders for purchase at cost. The wristbands must be worn until leaving the DORA for the day. The presence of the wristbands will assist CHPD in determining that no minors are carrying or consuming alcoholic beverages. Official Cups used for

DORA beverages will also display a logo (see Section II). These cups will only be used by those of legal age eligible to wear wristbands that will provide additional visual confirmation for law enforcement.

In accordance with 4301.82(B)(5), additional rules and requirements for the purpose of ensuring public health and safety within the DORA are as follows:

1. Beer, wine, and intoxicating liquor may only be served and consumed in an Official Cup.
2. A person may have in the person's possession one (1) Official Cup of beer, wine or intoxicating liquor at a designated indoor or outdoor location within the DORA, purchased only from a qualified permit holder within the DORA.
3. No person shall enter the premises of an establishment within the DORA while possessing an Official Cup of beer, wine or intoxicating liquor acquired elsewhere.
4. No person shall possess an opened container of beer, wine or intoxicating liquor while being in or on a motor vehicle within the DORA.
5. In addition to all other rights and remedies pursuant to law, qualified permit holders are required to enforce all applicable rules, standards and requirements set forth in this application will constitute a failure to satisfy the public health and safety requirements of the DORA, and shall constitute adequate grounds for the permit holder will lose the privilege to participate as a qualified permit holder.

Special Events:

The City of Cleveland Heights requires that each special event using City property receive a permit from the City. As in the City's practice, each event will be reviewed as required in the Codified Ordinances of the City of Cleveland Heights. Permit requirements may differ between events depending on their size, layout, use of right of way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire, and emergency medical ingress and egress, crowds control DORA boundary management and trash management (dumpsters, cans, pickup, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers in necessary, to ensure adequate health, public and safety requirements. If the special event includes the sale of alcoholic beverages, the event organizers can require that the City suspend the DORA for the duration of the special event.

Amendments and Possible Revocation:

The Mayor, City Staff, and Business District stakeholders will regularly meet to discuss the impacts of the DORA and recommend potential changes to Council including hours and days of operation up to and including the possible revocation of the DORA if its negatives are considered to outweigh its benefits or if it is no longer considered to be an economic benefit to the City. Cleveland Heights City Council will have the final say in enacting any changes to the DORA.

VIII. SANITATION PLAN

In accordance with ORC 4301.82(B)(5), (F)(1)(e) and (F)(1)(f), the following Sanitation Plan will help maintain the appearance and public health of the DORA as follows:

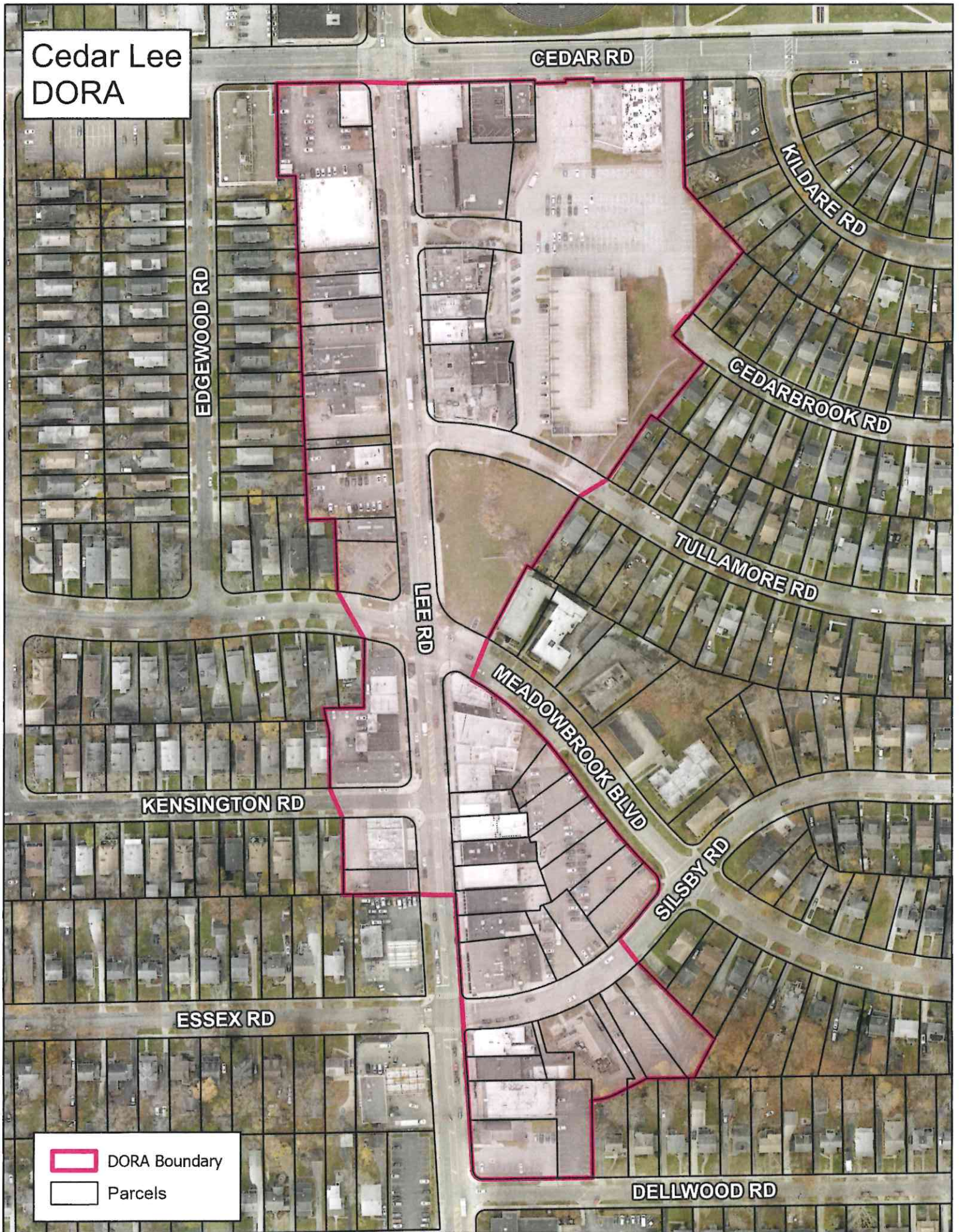
City of Cleveland Heights Department of Public Works staff would augment as needed the commercial trash collection contracted by the City. Additional permanent trash cans would be installed to collect the DORA cups. Staffing levels, trash cans and recyclable bins would be monitored and adjusted as needed.

The Director of Public Works for the City of Cleveland Heights has determined that the Sanitation Plan described herein is sufficient to help maintain the appearance and public health of the DORA. Attachment B shows the current location of City trash receptacles.

Attachment A

Map of Boundaries of the DORA

Cedar Lee
DORA



 DORA Boundary
 Parcels

Attachment B

**Map of Locations of Proposed DORA Signage
and Current Location of City Trash Receptacles**

Cedar Lee DORA





Date: April 11, 2024

To: City Council

From: Tara Schuster, Acting Finance Director

Subject: ORD 078- 2024 - 2024 Northeast Ohio Public Energy Council (NOPEC) Grant

Purpose Statement:

To authorize the Mayor to enter into all agreements necessary to accept the 2024 NOPEC Energized Community Grant.

The City of Cleveland Heights is eligible to receive 2024 Grant funds from Northeast Ohio Public Energy Council (NOPEC) that can be used for energy related projects in the City.

Grant Award Acceptance deadline is June 30, 2024

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: _____ No: X

If yes, why?

Is passage on first reading necessary: Yes: _____ No: X

If yes, why?

If funding is required, is it already budgeted for? Yes: _____ No: X

If not already budgeted for, where will funding come from?

No additional City funds are required. 2024 Budget will increase for Grant Funding when Projects are identified and the 2024 NOPEC Energized Community Grant Agreement is executed.

Proposed: 05/06/2024

ORDINANCE NO. 078-2024(MSES), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to take all actions necessary to apply for and accept one or more Northeast Ohio Public Energy Council 2024 Energized Community Grants; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights, Ohio (the "CITY") is a member of the Northeast Ohio Public Energy Council ("NOPEC") and is eligible for one or more NOPEC Energized Community Grant(s) for 2024 ("NEC Grant(s)") as provided for in the NEC Grant Program Guidelines; and

WHEREAS, it would be in the best interest of the CITY and its residents to enter into an agreement with NOPEC, Inc. upon terms substantially similar to those contained in the draft agreement on file with the Clerk of Council to receive one or more NEC Grant(s).

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council of the CITY of Cleveland Heights (the "Council") finds and determines that it is in the best interest of the CITY to enter into a Grant Agreement with NOPEC to accept any available NEC Grant funds for 2024, and authorizes the Mayor to apply for and execute a Grant Agreement upon terms substantially similar to those contained in the draft agreement attached hereto as Exhibit "A" to accept all NEC Grant funds awarded.

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being meeting the grant deadlines. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from

ORDINANCE NO. 078-2024(MSES)

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

EXHIBIT “A”

NOPEC 2024 ENERGIZED COMMUNITY

GRANT AGREEMENT

This Grant Agreement (the “Agreement”) is made and entered into by and between NOPEC, Inc. (“Grantor”), and _____, _____ County, Ohio (“Grantee”; “Grantor” and “Grantee,” the “Parties”) regarding a grant by Grantor to Grantee to be used primarily for energy efficiency or energy infrastructure updates in accordance with NOPEC Energized 2024 Community Grant criteria, guidelines and requirements (“NOPEC Policy”).

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter set forth, the Parties hereby agree as follows:

1. **Grant of Funds.** Grantor hereby grants a NOPEC Energized 2024 Community Grant (“NEC Grant”) to Grantee in the amount calculated by Grantor based on the number of natural gas and/or electric accounts served by Grantor in Grantee in accordance with NOPEC Policy in the amount determined by Grantor (“Funds”), for the purposes set forth in Grantee’s Grant Disbursement Request, as amended, and incorporated by reference into this Agreement.

2. **Use of Funds.** Grantee shall use the Funds granted by Grantor for qualified use as outlined in the program policies. Funds shall be paid in accordance with NOPEC Policy. NEC Grant disbursements shall be accompanied by a completed Disbursement Request Form with the expenditures supported by contracts, invoices, vouchers, and other data as appropriate as supporting documents. All completed disbursement request form for qualified use in accordance with the program policies must be submitted by November 30, 2026. If Grantee does not request disbursements by Grantor on or before such date, Grantee shall forfeit any unused Funds for the NOPEC 2024 Grant year.

3. **Accounting of Funds.** Grantee shall keep all Funds and make all disbursements and expenditures consistent with the manner in which all public funds are kept by Grantee in accordance with applicable law.

4. **Term.** The Parties agree that this Agreement shall begin on January 1, 2024, and shall expire on December 31, 2024, and shall be automatically renewed annually unless Grantor discontinues the NEC Grant program for any subsequent year or Grantee is no longer a NOPEC member in good standing, as defined herein, or Grantor requires a new Grant Agreement from Grantee.

5. **Renewable Energy Credits.** Grantee shall be entitled to claim Renewable Energy Credits, carbon credits, or NOx allowances and/or allowances arising under other trading programs that may be established in the future for the work completed using grant funding. Grantor reserves the right to claim/apply for such allowances if Grantee does not claim such allowances or this Agreement terminates. Grantee must notify Grantor if Grantee does not wish to trade or sell any such credits or assets.

6. **Records, Access and Maintenance.** Grantee shall establish and maintain all records associated with the Funds in accordance with the Ohio Public Records Act and shall promptly make available to Grantor all of its records with respect to matters covered by this Agreement, and for Grantor to audit, examine and make copies from such records. Grantee agrees

to share and release all of its utility and other data with NOPEC, Inc. and Northeast Ohio Public Energy Council and its consultant(s) in order to measure, verify and otherwise track savings from energy efficiency and for such other related uses as Grantor shall require.

7. **Property and Equipment Purchases.** All items purchased by Grantee from the Funds granted herein are and shall remain the property of Grantee.

8. **Inability to Perform.** In the event that Grantee does not or cannot complete or perform its obligations under this Agreement, Grantee shall immediately notify Grantor in writing. Grantor, with the approval of the Committee formed to award NEC Grants (the “Committee”), and Grantee shall jointly identify amendments or suitable uses that meet NOPEC Policy.

9. **Dispute Resolution.** In the event Grantee desires clarification or explanation of, or disagrees with, any matter concerning the Agreement, or the interpretation or application of any and all federal or state statutes, rules, regulations, laws or ordinances, the matter must be submitted in writing to Grantor, which shall convene the Committee to review and decide the matter. All decisions of the Committee shall be final and binding upon Grantee, and non-appealable.

10. **Termination.**

(a) If Grantor determines that Grantee has failed to perform any requirements of this Agreement, or if Grantee is in default under any provision of this Agreement, or upon just cause, as shall be determined by the Committee, Grantor, upon approval by the Committee, may terminate the Agreement at any time after providing Grantee with written notice and a period of at least thirty (30) days to cure any and all defaults under this Agreement. During such thirty-day cure period, Grantee shall incur only those obligations or expenditures which are necessary to enable Grantee to continue to achieve compliance with the terms of this Agreement.

(b) This Agreement shall automatically terminate if Grantee is not a NOPEC member in good standing. A NOPEC member in good standing means a Northeast Ohio Public Energy Council (“NOPEC” or “Northeast Ohio Public Energy Council”) member whose residents are receiving service from Northeast Ohio Public Energy Council’s natural gas or electric aggregation program, and which has not provided written notice to withdraw from such Northeast Ohio Public Energy Council’s natural gas or electric aggregation program.

11. **Effects of Termination.**

(a) Within sixty (60) days after termination of this Agreement, Grantee shall surrender all reports, data, documents, and other materials assembled and prepared pursuant to this Agreement which shall become the property of Grantor.

(b) The Committee also may withhold any payment of the Funds or require Grantee to return all or any part of the Funds awarded if Grantee is found to have violated the provisions of this Agreement. Notwithstanding any other provision in this Agreement, if Grantee either withdraws from membership in the Northeast Ohio Public Energy Council or from its electric or natural gas aggregation program(s) or is otherwise not a member in good standing of the Northeast Ohio Public Energy Council, Grantee shall no longer be eligible for any NEC Grants. The provisions of this paragraph are in addition to the termination provisions of this Agreement and to any payments required under the Northeast Ohio Public Energy Council Bylaws and the

Northeast Ohio Public Energy Council of Governments Agreement with its member communities in connection with any such withdrawal.

12. **Liability.** Grantee shall maintain, or cause any vendors or subcontractors to maintain, all required liability and property insurance to cover actionable legal claims for liability or loss which are the result of injury to or death of any person, damage to property caused by the negligent acts or omissions, or negligent conduct of the Grantee. To the extent permitted by law, in connection with activities conducted in connection with this Agreement, Grantee agrees to defend Grantor and pay any judgments and costs arising out of such negligent acts or omissions, and nothing in this Agreement shall impute or transfer any liability of any nature whatsoever from Grantee to NOPEC, Inc. or the Northeast Ohio Public Energy Council.

13. **Compliance with Laws.** Grantee agrees to comply with all applicable federal, state, and local laws in the performance of the funding. Grantee is solely responsible for payments of all unemployment compensation, insurance premiums, workers' compensation premiums, all income tax deductions, social security deductions, and any and all other taxes or payroll deductions required for all employees engaged by Grantee on the performance of the work authorized by this Agreement.

14. **Miscellaneous.**

(a) **Governing Law.** The laws of the State of Ohio shall govern this Agreement. All actions regarding this Agreement shall be venued in a court of competent subject matter jurisdiction in Cuyahoga County, Ohio.

(b) **Entire Agreement.** This Agreement and any documents referred to herein constitute the complete understanding of the Parties and merge and supersede any and all other discussions, agreements and understandings, either oral or written, between the Parties with respect to the subject matter hereof.

(c) **Severability.** Whenever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Agreement is held to be prohibited by or invalid under applicable law, such provision shall be ineffective only to the extent of such prohibition or invalidity, without invalidating the remainder of such provisions of this Agreement.

(d) **Notices.** All notices, consents, demands, requests and other communications which may, or are required to be, given hereunder shall be in writing and delivered to the addresses set forth hereunder or to such other address as the other party hereto may designate from time to time:

In case of Grantor, to:
Charles W. Keiper, II
President
NOPEC, Inc.
31360 Solon Road
Suite 33
Solon, OH 44139

In case of Grantee, to:

(This individual will be the designated grant representative working in the grant website)

Title: _____

Name: _____

_____, Ohio _____

(e) Amendments or Modifications. Either party may at any time during the term of this Agreement request amendments or modifications. Requests for amendment or modification of this Agreement shall be in writing and shall specify the requested changes and justification therefor. The Parties shall review the request for modification in terms of the funding uses and NOPEC Policy. Should the Parties consent to modification of the Agreement, then an amendment shall be drawn, approved, and executed in the same manner as the original Agreement.

(f) Headings. Section headings contained in this Agreement are inserted for convenience only and shall not be deemed to be a part of this Agreement.

(g) Assignment. Neither this Agreement nor any rights, duties or obligations described herein, shall be assigned or subcontracted by Grantee without the prior express written consent of Grantor.

(h) Authority. The undersigned represents and warrants to the other that each has all the necessary legal power and authority to enter into this Agreement.

(i) Determinations by Grantor Final. All determinations as to eligibility of any uses of an award of any NEC Grant, and the amount and payment schedule of a NEC Grant, will be made by Grantor and its Committee, which shall be final, conclusive and binding upon Grantee.

(j) Designation of Grantee Representative. Grantee hereby designates its [Fiscal Officer or other position] to take all actions with respect to the NEC Grant and this Agreement as may be required and Grantor shall be entitled to rely on the authority of such designated representative of Grantee in connection with this Agreement.

(k) Marketing Consent. Grantee hereby authorizes NOPEC, Inc. and Northeast Ohio Public Energy Council to use information about Grantee's grant(s) and work funded in any marketing they may conduct, and agrees to cooperate with Grantor in connection with such marketing.

[Signature Page to Follow.]

IN WITNESS WHEREOF, the Parties hereto have executed this Grant Agreement on the last date set forth below.

GRANTEE:

_____, Ohio

GRANTOR:

NOPEC, INC.

Individual Authorized by Grantee's
Legislation to accept- see Section I:

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

[Signature page to NOPEC 2023 Energized Community Grant Agreement.]

Proposed: 05/06/2024

ORDINANCE NO. 079-2024(PD), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to execute a third amendment to an agreement for the sale of certain real property located at 2228 Noble Road (primary address) consisting of several contiguous parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City is the owner of approximately 2.08 acres of property located at or in the vicinity of 2228 Noble Road (Primary Address), Permanent Parcel Nos. 681-38-080, 681-38-012, 681-38-008, 681-06-004, and 681-06-121 in the City of Cleveland Heights (the "Property"); and

WHEREAS, TWG Development, LLC ("TWG"), an Indiana limited liability company, is interested in the purchase of said property for the construction of an affordable-housing residential development; and

WHEREAS, by Ordinance No. 180-2022, this Council indicated its desire to grant an interest in the Property to TWG sufficient to allow TWG to submit applications and/or otherwise explore tax credits and other funding sources for its desired project; with the understanding that no property transfer will occur until the City and TWG enter into a development agreement satisfactory to both parties; and

WHEREAS, the parties subsequently entered into a purchase agreement and amendment for the sale of the Property, contingent upon the execution of a development agreement satisfactory to both parties; and

WHEREAS, TWG was subsequently awarded tax credits for a low/moderate-income housing project on the Property; and

WHEREAS, when the City and TWG could not agree on a development plan satisfactory to both parties, this Council authorized the Mayor to execute a second amendment to the purchase agreement to extend the deadline for entering into the Development Agreement to June 1, 2024, and provide for a further extension of that deadline by another 90 days, if necessary to provide TWG the opportunity to explore further options for development on the Property; and

WHEREAS, a subsequent survey of Permanent Parcel Nos. 631-38-009, 631-38-010, and 631-38-008 revealed a Third Amendment to the Purchase and Sale Agreement is necessary to redefine the Property, adjust the sale price accordingly, and extend the Closing Date to 10 days after the execution of the Development Agreement and City and County approval of a lot split and consolidation plat to be recorded, and remaining permits to be obtained; and

ORDINANCE NO. 079-2024(PD)

WHEREAS, this Council has determined that it is in the best interest of the City to proceed with the execution of a Third Amendment to the Purchase and Sale Agreement, with closing still contingent upon approval of the Development Agreement reached by the parties, and approve the Development Agreement reached by the parties;

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

SECTION 1. The Mayor is hereby authorized to execute a Third Amendment to the Purchase and Sale Agreement with TWG Development, LLC, originally authorized by Ordinance No. 180-2022, in order to redefine the Property subject to the transaction, adjust the sale price accordingly, and extend the Closing Date to 60 days after the execution of a mutually acceptable Development Agreement, and City and County approval of a lot split and consolidation plat to be recorded, and for remaining permits to be obtained.

SECTION 2. That the documents implementing the above transaction shall be approved as to form by, and subject to the final approval of, the Director of Law.

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. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public health, safety, and welfare by securing affordable housing opportunities for the City's residents in a timely and equitable manner. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take immediate effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

ORDINANCE NO. 079-2024(PD)

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

**THIRD AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE OF REAL
PROPERTY**

THIS THIRD AMENDMENT TO AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY (the “Third Amendment”) is entered into by and between THE CITY OF CLEVELAND HEIGHTS, an Ohio municipal corporation (the “Seller”) and TWG DEVELOPMENT, LLC, an Indiana limited liability company (the “Purchaser”). Each party to this Third Amendment is individually referred to as a “Party” and collectively referred to as the “Parties.”

RECITALS

WHEREAS, on or about January 20, 2023, the Parties entered into that certain Agreement for Purchase and Sale of Real Property (the “Agreement”) relative to the real property described therein.

WHEREAS, pursuant to the terms of the Agreement, Purchaser deposited the sum of Ten Thousand Dollars (\$10,000.00) with the Title Company (the “Earnest Money”) to be applied to the Purchase Price at Closing or otherwise distributed in accordance with the terms of the Agreement.

WHEREAS, pursuant to the terms of the Agreement, the Parties had one hundred eighty (180) days from the Tax Credit Notification Date to negotiate and execute a mutually satisfactory Development Agreement, the execution of which being a condition precedent to Closing.

WHEREAS, on or about May 19, 2023, the Parties entered into that certain First Amendment to Agreement for Purchase and Sale of Real Property (the “First Amendment”) wherein the Tax Credit Notification Date was agreed to be May 19, 2023.

WHEREAS, pursuant to the terms of the First Amendment, the Parties had one hundred eighty (180) days from the May 19, 2023 Tax Credit Notification Date (i.e., November 15, 2023) in which to execute a mutually satisfactory Development Agreement and proceed to Closing.

WHEREAS, on or about November 15, 2023, the Parties entered into that certain Second Amendment to Agreement for Purchase and Sale of Real Property (the “Second Amendment”) wherein the Parties had until June 1, 2024 to execute a mutually satisfactory Development Agreement, subject to Developer’s right to extend the Closing Date as provided in Section 11(a) of the Agreement and further subject to the right of the City to further extend the June 1, 2024 deadline for a further period of ninety (90) days without additional action by City Council (to be evidenced in a writing signed by the Mayor in a form approved by the Director of Law.

WHEREAS, the Parties are desirous of entering into this Third Amendment to: (a) clarify the Property that is subject to the Agreement will no longer include PPNs 631-38-009, 631-38-010 and/or a portion of 631-38-008; (b) memorialize a reduction of the Purchase Price as a result thereof; and (c) amend the Closing Date.

NOW, THEREFORE, based upon the recitals, representations, and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by each Party, the Parties hereto agree to the following:

1. That Exhibit A of the Agreement is hereby amended and restated to read as follows:

The tract or tracts of land situated in Cuyahoga County, Ohio, and described as Fiscal Officer Permanent Parcel Numbers:

681-06-004

681-06-121

681-38-008 (a portion of same per to be approved Lot Split and Consolidation Plat)

681-38-012

681-38-080

2. That Section 2 of the Agreement is hereby amended to reflect a reduction in the Purchase Price in the amount of Twenty-Nine Thousand Dollars (\$29,000.00). Accordingly, the total Purchase Price for the Property shall be Two Hundred Sixteen Thousand Dollars (\$216,000.00).
3. That Section 11(a) of the Agreement shall be amended to read as follows:
 - a. References in this Agreement to the “Closing” shall refer to the actual consummation of the transactions contemplated hereby. References in this Agreement to the “Closing Date” shall refer to the actual date upon which Closing occurs. The Closing shall take place at the office of the Title Company or such other place as may be mutually designated by Seller and Purchaser on the date that is sixty (60) days (or such other earlier or later date as reasonably agreed upon by the Parties hereto) after the execution by both Parties of a Development Agreement and the receipt of all necessary City and/or County approvals of the Lot Split and Consolidation Plat (splitting a portion of PPN 681-38-008 to be conveyed to Purchaser, which will be recorded at Closing). Notwithstanding the foregoing, Purchaser shall have the option to extend the Closing Date for a period of sixty (60) days by giving written notice to Seller and the Title Company not later than five (5) business days prior to the Closing Date, and in consideration therefor and as a condition to such extension, Purchaser shall deposit concurrently with the giving of the written notice an additional, non-refundable Earnest Money Deposit of Twenty-Five Thousand Dollars (\$25,000.00).
4. Representations. The Parties represent and warrant that each Party to this Third Amendment has full and unrestricted power, right, and authority to enter into this Third Amendment and perform its respective obligations hereunder.
5. Recitals. The recitals set forth herein are incorporated in this Third Amendment by reference.
6. Headings. The headings preceding each Section are intended for the convenience of the Parties to this Third Amendment and have no legal significance.

7. Capitalized Terms. Capitalized terms not defined herein shall have the meaning as ascribed in the Agreement, First Amendment and/or Second Amendment as applicable.
8. Execution in Counterparts. This Third Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same document. Signatures delivered by electronic means (facsimile, pdf scan, etc.) shall be deemed binding originals thereof.
9. Binding Effect. This Third Amendment shall bind and inure to the benefit of the Parties hereto, their respective heirs, beneficiaries, members, partners, shareholders, subsidiaries, affiliates, agents, officers, directors, employees, insurers, successors, assigns, and all other representatives acting on the Parties' respective behalves.
10. Amendment. The Agreement, as amended by the First Amendment, the Second Amendment and this Third Amendment, shall not be amended, changed, or modified except by written instrument signed by all Parties hereto.
11. Incorporation/Conflict. The terms and conditions of the Agreement, as amended by the First Amendment and Second Amendment, are incorporated herein by reference. In the event of a conflict between the terms and conditions of the Agreement, as amended by the First Amendment and Second Amendment, and this Third Amendment, the terms and conditions of this Third Amendment shall control.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Parties have executed this Third Amendment to Agreement for Purchase and Sale of Real Property as of the dates indicated below.

PURCHASER:

SELLER:

TWG DEVELOPMENT, LLC

THE CITY OF CLEVELAND HEIGHTS

Alex Frazier, Development Director

Kahlil Seren, Mayor

Date: _____

Date: _____

Approved as to legal form:

William R. Hanna, Law Director

Proposed: 05/06/2024

ORDINANCE NO. 080-2024(PD), *First Reading*

By Mayor Seren

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.

WHEREAS, the City is the owner of approximately two (2) acres of real property located at or in the vicinity of 2228 Noble Road, 890 Woodview Road, 870 Woodview Road, 868 Woodview Road and 860 Woodview Road, further identified as Permanent Parcels No. 681-38-080, 681-38-012, 681-38-009, 681-38-008, 681-06-004 and 681-06-121 (hereafter the 'Property'); and

WHEREAS, TWG Development, LLC ("TWG") desires to purchase the Property for the construction of an affordable housing residential development (the "Development"); and

WHEREAS, pursuant to Resolution No. 180-2022, this Council authorized the Mayor to enter into a purchase agreement with TWG to allow TWG to explore tax credits and other funding sources for the potential construction of the Development, with said purchase agreement being subject to the negotiation and execution of a development agreement ("Development Agreement") satisfactory to both parties and approved by this Council; and

WHEREAS, on or about January 20, 2023, TWG and the City entered into an Agreement for the Purchase and Sale of Real Property, as amended by a First Amendment to Agreement for Purchase and Sale of Real Property dated May 19, 2023 (collectively the "Purchase Agreement" or "PSA"), whereby the City agreed to sell, and TWG agreed to purchase, the Property, the closing of which transaction is contingent upon the parties first entering into a Development Agreement for the development of the Property; further amended in November 2023 to extend the time for the parties to negotiate a Development Agreement; with a Third Amendment authorized on May __, 2024, to redefine the Property and adjust the price for the same; and

WHEREAS, the parties have negotiated a Development Agreement, with the proposed Development having obtained design approval by the City's Architectural Board of Review and approval by the Planning Commission and other review bodies, and approval of construction documents and Site Improvements, including streets, drives, walks, storm and sanitary sewers, and landscape plantings, by the City's Engineer and Building Officials; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to move forward with the sale of the Property and the Development Agreement.

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

SECTION 1. It is hereby determined that the property owned by the City located on land situated in the vicinity of 2228 Noble Road, 890 Woodview Road, 870 Woodview Road, 868 Woodview Road, and 860 Woodview Road, further identified as Permanent Parcels No. 681-38-080, 681-38-012, 681-38-008, 681-06-004, and 681-06-121 is not needed for municipal/public purposes and it is in the best interest of the City and its residents to sell said property to TWG Development, LLC ("TWFG") for the construction and development of a fifty-two (52) unit affordable residential building to be known as the "Nobility Court Apartments" substantially in accordance with the terms and conditions of a draft Development Agreement attached hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. This Council hereby authorizes the Mayor to execute a Development Agreement with TWG and to sign any other related documents concerning the development of Nobility Court Apartments. The Development Agreement shall be substantially in accordance with the Development Agreement attached hereto as Exhibit "A".

SECTION 3. That the Development Agreement and any related documents shall be approved as to form by, and subject to the final approval of, the Director of Law.

SECTION 4. 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 5. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public health, safety, and welfare by securing affordable housing opportunities for the City's residents in a timely and equitable manner. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take immediate effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from the earliest time allowed by law.

TONY CUDA
President of Council

ORDINANCE NO. 080-2024(PD)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the “Agreement”), is entered into, as of the last date written below, by and between TWG Development, LLC, an Indiana limited liability company, duly registered with the Ohio Secretary of State to conduct business in the State of Ohio (the “Developer”), and the City of Cleveland Heights, Ohio, a municipal corporation, organized and existing under the Constitution and laws of the State of Ohio (the “State”) and a duly adopted Charter and Codified Ordinances (the “City”).

WHEREAS, the City is the record owner of vacant and contiguous real property located within the City and further identified as Cuyahoga County Permanent Parcel Nos. 681-06-004, 681-06-121, 631-38-008, 681-38-012 and 681-38-080 (collectively the “Property”), which are located in the S-2 Mixed Use District and A Single Family District.

WHEREAS, on or about January 20, 2023, the Developer and City entered into an Agreement for Purchase and Sale of Real Property, as amended by that certain First Amendment to Agreement for Purchase and Sale of Real Property dated May 19, 2023, as further amended by that certain Second Amendment to Agreement for Purchase and Sale of Real Property dated November 15, 2023 and as further amended by that certain Third Amendment to Agreement for Purchase and Sale of Real Property dated May ___, 2024 (collectively the “PSA”), wherein Developer agreed to purchase, and the City agreed to sell, the Property.

WHEREAS, the transaction contemplated by the PSA is contingent upon, without limitation, the Developer and City entering into a Development Agreement for the development of the Property.

WHEREAS, the Developer plans to develop the Property with a four (4) story, fifty-two (52) unit multi-family affordable housing facility with appurtenances thereto, including without

limitation, a community lease premises, community room, enclosed bike storage area, internet café and outdoor recreation areas, as generally depicted on the Development Plan attached hereto as Exhibit “A” and incorporated herein by reference, the final form of which remains subject to the approval of the City as set forth herein (the “Project”); and

WHEREAS, the City desires to ensure the complete and proper construction and installation of all streets, drives, walks, walls, storm and sanitary sewers, landscape plantings, ornamental features not located on a building, and terraces (the “Site Improvements”) as a component of the Project and the Development Plan, each of which are itemized and set forth in Exhibit B, which is incorporated herein by reference.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants, agreements and conditions as set forth herein, the Developer and the City hereby covenant and agree as follows:

1. AGREEMENT TO CONSTRUCT

Subject to the terms and conditions of this Agreement, Developer agrees to construct the Project, including the Site Improvements, at no cost to the City, in accordance with the final Development Plan, which is subject to approval by the City’s Planning Commission, including all applicable construction documents as approved by the City Engineer (collectively the “Construction Documents”). Developer shall comply with all applicable federal, state and local laws and regulations relative to construction of the Project and Site Improvements, and shall obtain all necessary zoning, design (via the City’s Architectural Board of Review), building, and other approvals and permits necessary prior to the commencement of construction from the City and any other entity with jurisdiction to provide a requisite permit or approval.

Developer shall complete construction of the Project, including all Site Improvements, within twenty-four (24) months from the date of approval of the final Development Plan by the City and receipt of all necessary permits from the City.

2. CONSULTING ENGINEER

The Developer shall, at its own cost and expense, engage the services of a duly accredited and qualified civil engineer to act as a consulting engineer during the course of construction of all Site Improvements.

The consulting engineer shall be physically present at the job site at all times as may be required by the City Engineer during construction of all Site Improvements. The consulting engineer shall supervise and monitor the construction of all Site Improvements for the Project to ensure that the Site Improvements are constructed as detailed on the Construction Documents and in accordance with the final approved Development Plan.

The consulting engineer shall, upon completion of the Site Improvements, or at any time at the reasonable request of the City Engineer, provide the City Engineer with written certification that all Site Improvements were properly constructed and installed in accordance with the specifications and requirements set forth in the Construction Documents. It is further agreed that the City is not obligated to provide a final inspection, nor is the City Engineer required to provide written acknowledgment that the Site Improvements have passed final inspection, until receipt of such written certification of the consulting engineer and delivery of a set of “as-built” drawings. Upon receipt of such written certification and as-built drawings, passage of all final inspections, and satisfaction of the City Engineer that the same is adequate, accurate and sufficient, the City Engineer will certify the Site Improvements as being completed.

Contemporaneously with the filing of the written certification by the consulting engineer provided for in the preceding paragraph, the consulting engineer shall file with the City Engineer a set of reproducible drawings on reproduction media such as mylar, showing the "as-built" Site Improvements.

3. PROJECT PLANS/COSTS

(a) Revisions. Developer agrees that any material modifications to the final approved Development Plan for the Project, including the Site Improvements, through change orders or otherwise shall require approval by the City.

(b) Building Permits. Building Permits necessary for commencement of construction of the Project, including the Site Improvements, shall be issued by the City upon written request by the Developer, proper registration of contractors, payment of all applicable permit fees, engineering, and/or plan review fees as provided in the Codified Ordinances, approval of all necessary plans, including the Construction Documents, and compliance with all other requirements of the City's Codified Ordinances.

(c) Construction Deposit. Developer shall provide the construction deposit provided for in Section 1311.04 of the City's Codified Ordinances and shall further comply with all provisions of that Section.

(d) Security for Performance. As and for security for the Developer's performance and completion of the obligations for the Site Improvements as set forth in this Agreement, the Developer shall, upon the execution of this Agreement, provide the City with a financial guarantee consistent with the requirements of Section 1145.07 of the City's Codified Ordinances and otherwise in a form and upon such terms and provisions deemed necessary by the Law Director to ensure the Developer's faithful performance

and completion of the obligations of the Developer for the Site Improvements as set forth in this Agreement, in such amount equal to the estimated costs of construction of the Site Improvements as certified by Developer's consulting engineer and the City Engineer.

The City shall retain the financial guarantee until such time as the Developer has requested final inspection of the Site Improvements, the same have passed final inspection, and the same are unconditionally certified by the City as being completed. Upon receipt of final certification from the City that the Site Improvements are completed, the financial guarantee shall be returned to Developer or otherwise terminated in writing by the City in a form reasonably acceptable to Developer.

It is specifically agreed that the Developer's obligation to completely and correctly construct and install the Site Improvements is not limited to the amount of the financial guarantee. Rather, the Developer's obligation to completely and correctly install the Site Improvements is contractual in nature and the statute of limitations governing contracts is applicable. By execution of this Agreement, the Developer hereby assigns, transfers and subrogates to the City any contractual rights that it may have against its general contractors, sub-contractors, subtrades, agents, employees or independent contractors for incomplete or incorrect installation of any of the Site Improvements. Developer agrees to promptly notify the City regarding information of which the Developer actually becomes aware regarding any actual or reasonably suspected breach of contract by those against whom the City acquires a subrogated right under this subsection.

4. QUALITY OF WORK; WARRANTY

All work done in connection with the construction or placement of the Project, including the Site Improvements, or repair thereto shall be done in a good and workmanlike manner, free from faults and defects and in compliance with the applicable laws, ordinances, orders and requirements of all governmental authorities, subject to the Developer's right to contest or appeal the same.

5. EMPLOYMENT AND WORKER SAFETY LAWS

Developer shall, at all times, while constructing, installing or repairing the Project, including the Site Improvements, comply with Workers' Compensation laws and regulations of the State of Ohio, Social Security laws and regulations, and all rules and regulations of the Occupational Safety and Health Act.

6. INSURANCE REQUIREMENTS

From the Effective Date of this Agreement through and until written certification of the Site Improvements by the City as contemplated by Section 2, and in addition to any other legal requirements, Developer shall obtain and/or cause its contractors to maintain all policies of insurance as required herein.

(a) Builder's Risk Insurance. During construction of the Project, including the Site Improvements, Developer shall procure and maintain, and/or cause its contractors or agents to procure and maintain, all risk builders' risk and fire insurance with extended coverage in the amount of one hundred percent (100%) of the replacement costs thereof.

(b) Hazard Insurance. Upon completion of construction of the Project, including the Site Improvements, and through the time that the maintenance bonds provided for herein are in effect, Developer shall insure the Site Improvements with "all risk" property

insurance insuring the full replacement cost of the Site Improvements from time to time constructed.

(c) Public Liability Insurance. During construction and until completion of construction of the Project, including the Site Improvements, Developer shall insure against all claims for personal injury or death or property damage with limits not less than Two Million Dollars (\$2,000,000.00) in the event of bodily injury or death of one person, and not less than Five Million Dollars (\$5,000,000.00) in the event of bodily injury or death to any number of persons in any one occurrence, and broad form property damage coverage of not less than One Million Dollars (\$1,000,000.00).

(d) Requirements for Insurance Policies. Developer shall name the City as an additional insured on all Public Liability insurance policies required herein. All insurance shall be affected by valid enforceable policies issued by insurers authorized to do business in the State, and is subject to pre-approval by the City in its reasonable discretion. Certificates of such insurance shall be delivered to the City at least thirty (30) calendar days prior to the commencement of construction of the Site Improvements or Project; certificates of replacement policies shall be delivered to the City at least thirty (30) calendar days prior to the expiration of the policy. All such policies shall contain agreements by the insurers that the policies shall not be cancelled except upon thirty (30) calendar days prior written notice to City; Developer shall promptly forward to the City a copy of any such notice of cancellation Developer receives. Any insurer providing coverage pursuant to this Section shall have a Best rating of "A" or better.

7. INSURANCE COVERAGE PRIOR TO CONSTRUCTION

Prior to commencement of construction of the Project, including the Site Improvements, Developer shall maintain insurance insuring the Property as provided in Sections 6(a) and covering public liability claims as provided in Section 6(b), and shall comply with the provisions of Section 6(d) regarding the same.

8. TRAFFIC CONTROL

During construction of the Project, including the Site Improvements, the Developer shall provide traffic control services as required by the Chief of Police, at Developer's sole cost and expense.

9. DUST CONTROL AND PERIMETER FENCING

The Developer shall be responsible for, at Developer's sole cost and expense, dust control and perimeter fencing in accordance with all applicable Codified Ordinances during construction of the Project, including the Site Improvements.

10. COMPLIANCE WITH APPROVED DEVELOPMENT PLAN

Developer agrees to construct the Project and Site Improvements in full compliance with the approved final Development Plan, including compliance with all conditions imposed thereon by the Planning Commission during its review and approval process, or as imposed by the City's Codified Ordinances.

11. SERVICE DELIVERIES AND TRASH PICK-UPS

Developer agrees that service deliveries and trash pick-ups shall comply with all applicable Codified Ordinances of the City, as may be amended from time to time. All trash shall be stored in covered containers in designated areas only.

12. CONSTRUCTION HOURS

Developer agrees that construction hours shall comply with all Codified Ordinances of the City, as may be amended from time to time.

13. STORM WATER MANAGEMENT/EROSION CONTROL

Prior to the issuance of any permits for the Project, including the Site Improvements, Developer shall prepare and submit a comprehensive Stormwater Pollution Prevention Plan, and shall comply with all other provisions of 1334 and 1335 of the City's Codified Ordinances.

14. DEFAULT

Except as otherwise provided in this Agreement, in the event of any default in or breach of this Agreement, or any of its terms or conditions, by either party hereto, or any successor to such party, such party (or successor) shall, upon written notice from the other, proceed immediately to cure or remedy such default or breach, within thirty (30) calendar days after receipt of such notice, or in the event the default or breach cannot be cured within thirty (30) calendar days, such commercially reasonable longer period of time. In the event such action is not taken or not diligently pursued, or the default or breach shall not be cured or remedied within the agreed time, the aggrieved party may institute such proceedings as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, and without waiving or prejudice to its other legal or equitable remedies, proceedings to compel specific performance by the party in default or breach of its obligations. Furthermore, in the event of a breach by the Developer, after the requisite notice and opportunity to cure, as set forth in this Section, the City may terminate this Agreement, at which point the Developer shall immediately cease the construction of the Project, including the Site Improvements.

15. INDEMNIFICATION

The Developer shall indemnify and save the City harmless from and against any and all claims, costs and expenses for injury to persons or damage to property, including, without limitation, the cost of investigation and litigation, and all professional fees associated with such investigation or litigation (including reasonable attorney's fees), which may be brought against the City, proximately caused or claimed to have been caused by any act or omission of the Developer, its agents, independent contractors or employees and arising out of, or claimed to have arisen out of, any activity connected with the construction of the Project and installation of the Site Improvements, the maintenance of Site Improvements or the failure to maintain the Site Improvements as required by the terms of this Agreement.

16. OTHER RIGHTS AND REMEDIES; NO WAIVER BY DELAY

The City and Developer shall have the right to institute such actions or proceedings as they may deem desirable for effectuating the purposes of this Agreement, as it relates to development of the Project, including the Site Improvements, including, but not limited to, any monetary breach by the Developer, provided, that any delay by the City or Developer in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this Section shall not operate as a waiver of such rights or to deprive it of or limit such right in any way (it being the intent of this provision that the City or Developer should not be constrained, so as to avoid the risk of being deprived of or limited in the exercise of the remedy provided in this Section because of concepts of waiver, laches, or otherwise, to exercise such remedy at a time when it may still hope otherwise to resolve the problems created by the default involved); nor shall any waiver in fact made by the City or Developer with respect to any specific default by the City or Developer under this Section be considered or treated as a waiver of the rights of the City or Developer with respect to any other defaults by the City or Developer

under this Section or with respect to the particular default except to the extent specifically waived in writing.

17. CONFLICT OF INTEREST; CITY REPRESENTATIVE NOT PERSONALLY LIABLE

In addition to all applicable provisions of the City's Charter and State law, no member, official or employee of the City shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to this Agreement which affects his/her personal interests or the interests of any corporation, partnership, or association in which he/she is, directly or indirectly, interested. No member, official or employee of the City shall be personally liable to the Developer or any successor in interest, in the event of any default or breach by the City of this Agreement whether for any amount which may become due to the Developer or successor or on any obligation under the terms of this Agreement.

18. ZONING CERTIFICATION/APPROVALS

Per Codified Ordinance Section 1311, the Developer shall apply for a certificate of zoning compliance, which the City shall issue, provided that the subject Property, as zoned at the time of application permits the development of the Project, and further provided that the Developer first obtains: (a) City Planning Commission approval of the Development Plan and, as may be necessary, approval of a Conditional Use to allow for accessory parking for multi-family use on that portion of the Property located in the A Single Family District and contiguous to that portion of the Property located in the S-2 Mixed Use District; (b) Board of Zoning Appeals approval of any necessary Area Variance(s); and (c) Architectural Board of Review approval of the Project design (collectively the "Approvals"). The City Administration agrees to reasonably

support the requested Approvals before the City Planning Commission, the Board of Zoning Appeals and/or the Architectural Board of Review.

19. FINAL APPROVAL

After the Project, including all Site Improvements, has passed final inspection as specified in the Codified Ordinances and after the City Engineer and/or Building Commissioner has determined that the Developer has completely performed all obligations required of the Developer by the terms of this Agreement, the City shall unconditionally approve the Project and issue all necessary Certificates of Occupancy, as well as certify, in writing, the Site Improvements as completed as set forth in Section 2. Final approval shall be deemed to have taken place at such time as the City issues said Certificate of Occupancy and the City certifies, in writing, that the Site Improvements are completed. Such Certificate of Occupancy and certification of completion shall evidence that the Developer has performed all obligations required of it by the provisions of this Agreement.

20. COMMUNITY REINVESTMENT AREA

The City acknowledges and agrees that, pursuant to Ordinance No. 77-2018 adopted on July 30, 2018 creating a City-wide Community Reinvestment Area, the subject Property is eligible for exemption from real property tax for a period of ten (10) years at one hundred percent (100%) of the increase in the assessed valuation resulting from the Project (the “CRA Exemption”). The Application for CRA Exemption shall be applied for by Developer upon completion of the Project and issuance of a Certificate of Occupancy.

21. INVALIDITY OF PARTICULAR PROVISION

If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement,

or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

22. APPLICABLE LAW AND CONSTRUCTION

The laws of the State of Ohio shall govern the validity, performance and enforcement of this Agreement. The headings of the Sections contained herein are for convenience only and do not define, limit or construe the contents of such Sections.

Developer agrees that it will comply with all applicable federal, state and local laws with regard to housing opportunities and fair employment practices, including Section 171.011 of the City of Cleveland Heights Codified Ordinances, and will not discriminate on the basis of the protected classes identified in Section 749.01 of the City of Cleveland Heights Codified Ordinances (including age, race, color, religion, sex, familial status, national origin, disability, sexual orientation, or gender identity or expression) in connection with the construction or rental of housing or otherwise pursuant to this Development Agreement.

23. NOTICE

All notices or other communications required to be given hereunder shall be given in writing and shall be deemed to have been duly given on the date delivered, if delivered personally; or on the date of receipt if delivered to a nationally recognized overnight courier service or if mailed by U.S. registered or certified mail, postage prepaid. All notices and communications shall be addressed as follows:

(a) NOTICE TO CITY:

City of Cleveland Heights
Attn: Mayor
40 Severance Circle
Cleveland Heights, Ohio 44118

WITH COPY TO:

William R. Hanna, Law Director
Roetzel & Andress
1375 East Ninth Street, 10th Floor
Cleveland, Ohio 44114

(b) NOTICE TO DEVELOPER:

TWG Development, LLC
Attn: Dustin Detzler, Esq.
1301 E. Washington Street, Suite 100
Indianapolis, Indiana 46202

WITH A COPY TO:

Kenneth J. Fisher, Esq.
Kenneth J. Fisher Co., L.P.A.
50 Public Square, Suite 2100
Cleveland, Ohio 44113

Each of the foregoing may change its notice address if it so notifies the other party listed above in writing pursuant to the requirements of this Section.

24. RECORDATION.

Neither party shall record this Agreement, whether in the public records of Cuyahoga County or elsewhere.

25. CONSTRUCTION OF TERMS

Whenever the singular or plural number, or masculine, feminine or neuter gender is used herein, it shall equally include the other, and the terms and provisions of this Agreement shall be construed accordingly.

26. ASSIGNMENT

Except as otherwise provided in this Agreement or to an affiliated entity wholly owned by Developer, Developer shall not assign this Agreement, or any right, interest, or entitlement in

it, whether by operation of law or otherwise, without the express prior written consent of the City, in the City's sole discretion. In the event Developer assigns its interests in the Project, in whole or in part, this Agreement shall be fully disclosed and the assignee shall be subject to all terms and conditions of this Agreement, and Developer shall remain secondarily liable to the City concerning all rights assigned.

27. AGREEMENT BINDING UPON SUCCESSORS

The covenants, agreements and obligations herein contained shall extend to, bind and inure to the benefit not only of the parties hereto, but their respective personal representatives, heirs (if applicable), successors and permitted assigns.

28. COMPLETE AGREEMENT; AMENDMENT

All negotiations, considerations, representations and understandings between the parties as to the Project, including the Site Improvements, are incorporated in this Agreement, which supersedes all prior oral and/or written promises or representations by the parties, and which may be modified or altered only by agreement in writing signed by both parties to this Agreement.

29. NO THIRD PARTY BENEFICIARIES

Nothing contained in this Agreement does, is intended to, or shall be construed so as to confer upon any other party the rights of a third party beneficiary.

30. APPROVALS BY CITY

Except as otherwise expressly provided herein or as otherwise required by the Charter or Codified Ordinances of the City or applicable law, custom or practice of the City, any provision of this Agreement requiring the approval of the City, the satisfaction or evidence of satisfaction of the City, certificate or certification by the City or the opinion of the City shall be interpreted as requiring action by the Mayor (or such other official as the Mayor may from time to time

designate) granting, authorizing or expressing such approval, satisfaction, certification or opinion, as the case may be.

31. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which when so executed and delivered will be deemed an original, and all of which together shall constitute one and the same agreement. This Agreement may be executed and delivered by facsimile or by .pdf file and upon such delivery the facsimile or .pdf signature will be deemed to have the same effect as if the original signature had been delivered to the other party.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the parties have hereto affixed their signatures to this
Development Agreement as of the dates indicated below.

TWG Development, LLC

City of Cleveland Heights, Ohio

Print Name: _____

Title: _____

Date: _____

Mayor Kahlil Seren

Date: _____

Approved as to form:

William R. Hanna, Law Director

Proposed: 05/06/2024

RESOLUTION NO. 081-2024(PD), *First Reading*

By Mayor Seren

A Resolution acknowledging receipt from the Cedar-Lee Special Improvement District of a Plan for public services and improvements, and returning said Plan to the Board of Directors without comments or recommendations for changes; and declaring the necessity that this legislation become immediately effective as an emergency.

WHEREAS, by Resolution No. 125-2003 this Council approved the formation of the Cedar-Lee Special Improvement District ("Cedar-Lee SID"); and

WHEREAS, this Council has previously approved and levied assessments for five-year public services/improvements plans for the SID; and

WHEREAS, the most recently approved Plan and assessments have expired; and

WHEREAS, the Board of Directors of the Cedar-Lee SID have adopted a proposed public services improvements Plan for the next five (5) years and submitted it to this Council and the Mayor for their comments and recommendations pursuant to Ohio Revised Code Section 1710.06; and

WHEREAS, this Council and the Mayor have reviewed said Plan and have no comments or recommendations for changes regarding same.

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

SECTION 1. This Council hereby acknowledges receipt, on its behalf and on behalf of the Mayor, of the proposed five-year public services and improvements plan for the Cedar-Lee Special Improvement District, as adopted by the Board of Directors of the Cedar-Lee SID (a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference). Said Plan is hereby returned to the Cedar-Lee SID, pursuant to Ohio Revised Code Section 1710.06, without comments or recommendations for changes.

SECTION 2. 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 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to permit the services of the Cedar-Lee SID to continue without interruption

RESOLUTION NO. 081-2024(F)

and to meet statutory deadlines, including those related to the assessment process. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it 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



May 1st, 2024

Tony Cuda
Council President
City of Cleveland Heights
40 Severance Circle
Cleveland Heights, OH 44118

Dear Council President Cuda:

Per Ohio Revised Code 1710, the Cedar Lee Special Improvement District Plan of Services is being submitted to initiate a second attempt at our renewal process. This document also includes a district map and budget for the five-year term, which would commence in October of 2024, pending approval of property owners who represent 60% of the frontage within our service area.

Please reach out to any member of our Board of Trustees if you have any questions or concerns.

Respectfully submitted,

A handwritten signature in black ink that reads 'Emily Bean' in a cursive script.

Emily Bean
Board President

PLAN OF SERVICES
to be provided by
CEDAR LEE SPECIAL IMPROVEMENT DISTRICT

Forward

Chapter 1710 of the Ohio Revised Code, effective September 1994, provides that owners of sixty percent (60%) of the front footage of an area can petition to create a Special Improvement District. The SID is a non-profit corporation, governed by trustees elected by the property owners (one of which is the City Executive or his/her designee, and one appointed by City Council) of an area/district, to provide specially desired services such as marketing, beautification/maintenance, economic development, and physical improvement planning services. These services are set forth in the “Plan of Services” and are in addition to services normally provided by the City.

Property owners representing at least sixty percent of the front footage of the Cedar Lee Special Improvement District (which is herein defined) are petitioning the Council of the City of Cleveland Heights for the continuance of the Cedar Lee Special Improvement District (the “District”) and for approval of the Plan of Services for Cedar Lee Special Improvement District.

The Plan of Services seeks as its overall goal to maintain and to enhance the economic viability of the Cedar Lee District. To that end, it provides marketing, beautification/maintenance, economic development, safety/security initiatives and physical improvement planning services.

The Services

The services to be provided by the Cedar Lee Special Improvement District, as part of the plan, are listed below as types of activities to be undertaken. These are given as representative samplings. The intent is not to limit the services to those specifically described or bind services to this initial conceptual schedule. This plan authorizes all activities as permitted under Ohio Revised Code Section 1710.06 (a).

The Cedar Lee Special Improvement District will provide the professional management to deliver the services in the district. The managed services will be overseen by the thirteen-member Board of Directors of the SID consisting of eleven members elected by the property owners, one appointee by City Council and the Mayor (or Mayor’s designee)

Marketing Objectives

- *Marketing efforts will target Northeast Ohio*
- *Promote the district as a destination for retail, services, dining, nightlife, art & theater*
- *Maintain a district website and utilize social media (Facebook, Twitter, etc) to engage consumer audiences and inform residents*
- *Assist in the creation of, promotion and maintenance of a Designated Outdoor Refreshment Area*
- *Present marketing & promotional events that highlight the district and encourage residents and consumers to take advantage of services in the district*
- *Keep merchants informed of area-wide marketing and promotional opportunities*

Beautification and Maintenance

- *Coordinate the delivery of maintenance services by independent contractors*
- *Oversee seasonal plantings, waterings, and landscape maintenance*
- *Seasonal snow removal service*
- *Sidewalk sweeping and litter removal; multiple weekly schedule*

Supplemental Security

- *Work in partnership with City of Cleveland Heights Police Department to address crime prevention and safety awareness*
- *Keep merchants, property owners, residents, and customers informed of traffic advisories, route and parking changes related to the construction of the CLM project*
- *Provide crime advisories to merchants*

Physical Improvements

- *Plan and implement updated pedestrian and wayfinding signage*
- *Plan and implement improved bicycle amenities*
- *Maintain and/or replace existing physical amenities in the district (such as garbage receptacles, planters, benches)*

Cost

The costs of the Plan of Services shall include those permitted pursuant to the Ohio Revised Code, Section 1710.07. The annual cost of the Plan of Services is budgeted for each of the five years of the plan and will be generated by property owners' assessments. See Exhibit A.

Areas to be Served:

- Lee Road, on the west side from Superior Road to and including Parcel No. 686-13-049
- Lee Road, on the east side from Dellwood Road to Cedar Road
- Lee Road, on the east side from Washington Boulevard to Superior Road
- Silsby Road, on the north side - Parcel No. 687-08-012
- Silsby Road, on the south side from Lee Rd. to and including Parcel No. 687-08-080
- Cedar Road, on the north side - Parcel Nos. 684-22-019 and 684-22-020
- Cedar Road, on the south side from Edgewood to Kildare

A detailed map showing the area is attached as the last page of this Plan of Services as Exhibit B.

Method of Assessment

The assessments to be used by Cedar Lee Special Improvement District shall be by Assessed Value as determined by the Cuyahoga County Fiscal Officer. The total assessed costs will be determined based on the annual budget for that year as it is approved by the Board of Directors. As permitted by section 1710.06 of the Ohio Revised Code, the assessment methodology of the district will be based on assessed value, with a maximum value of a property within the District capped at \$2,000,000.

The formula that will be used to determine each Members assessment amount is set forth below:

Annual SID Budget	X	Assessed Value of Parcel(s)	=	Annual Contribution to the SID
		Total Assessed Value of All District Parcels		

The assessment will be collected semi-annually.

Term of the Plan

The term of the Plan of Services shall be for five (5) years from October 2024 to September of 2029. Services will be provided during the same term. The commencement date may be adjusted by the Board of Directors by up to six (6) months later as necessary to give flexibility in meeting all requirements as provided in Chapter 1710 of the Ohio Revised Code and/or as necessary to provide for funds collection and cash flow to commence operations.

Period of Assessment

The term of assessment levied by the district shall be for five years from October 2024 to September of 2029. It may also be adjusted by the Board of Directors as stated above under the Term of Plan.

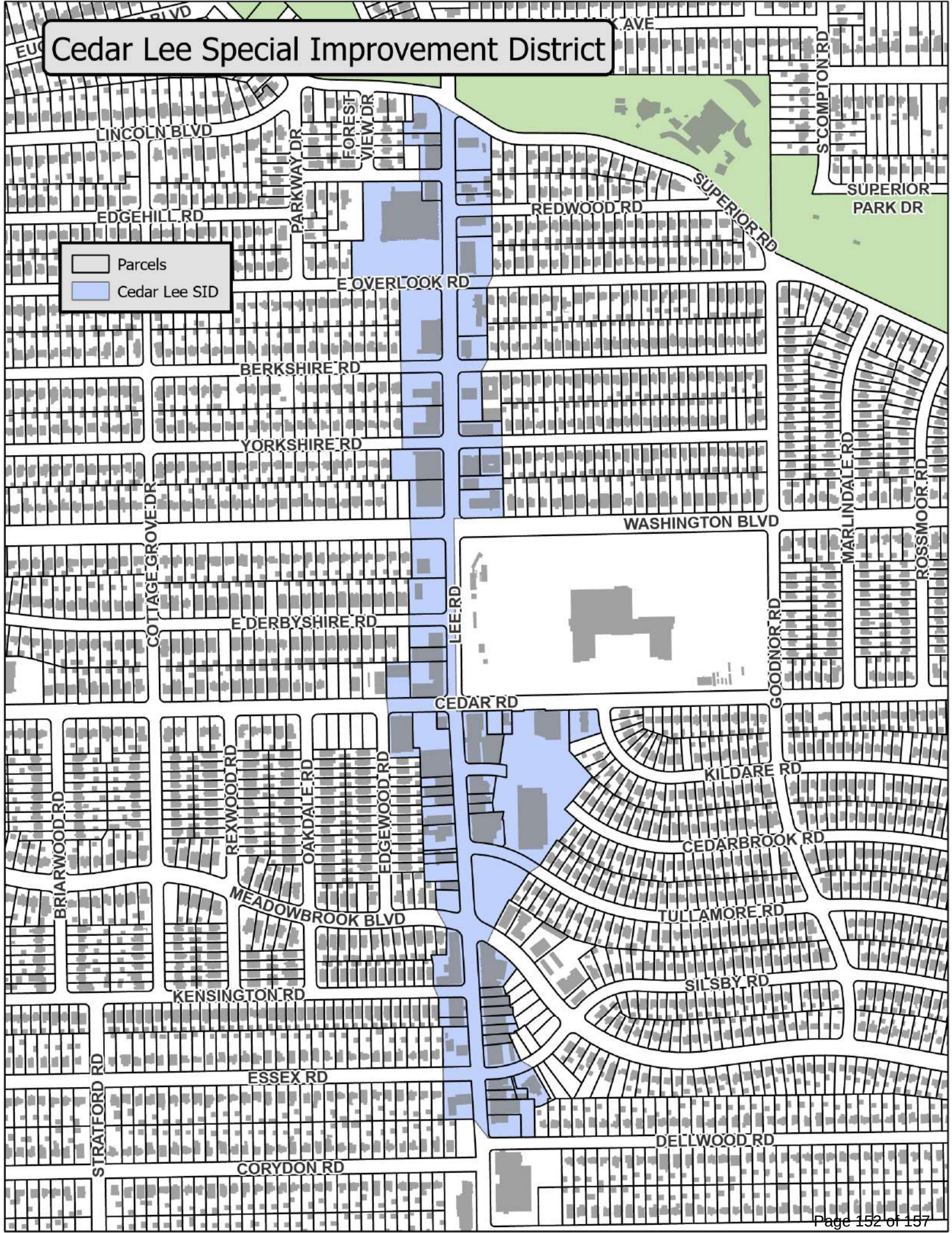
Annual and 990 Report

The Executive Director or Treasurer of the Board of Directors shall submit by the last day of March each year to the City of Cleveland Heights Finance Director (and/or Mayor), a report of the Cedar Lee Special Improvement District's activities and financial condition for the previous year. An annual report will also be submitted to the Ohio Auditor of State office for public view.

CL:SID Renewal Budget 2024-2029**Projected Expenses**

	2025	2026	2027	2028	2029
Maintenance					
Seasonal Plants & Bed Maintenance	20,000	20,000	25,000	25,000	25,000
Snow Removal	11,000	11,000	12,000	12,500	13,000
Street Cleaning	19,200	19,200	21,600	21,600	21,600
Watering	13,000	13,000	14,000	14,000	15,000
Supplies	1,000	2,500	4,000	4,000	5,000
Total Maintenance	\$64,200	\$65,700	\$76,600	\$77,100	\$79,600
Administration					
Executive Director Salary	45,000	45,000	47,250	47,250	49,500
Accountants	4,000	4,000	4,500	5,000	5,500
Bookkeeping Service	6,000	6,000	6,500	6,500	7,000
Bank Charges	50	50	100	100	100
BOD Liability Insurance	2,500	2,500	3,000	3,000	3,500
Donations	1,000	1,000	1,000	1,500	1,500
Legal Fees	1,500	1,500	2,000	2,000	2,500
Meetings	500	500	500	500	1,000
Postage and Supplies	600	600	750	750	750
Tax Filing Fees	300	350	350	400	400
Total Administration	\$61,450	\$61,500	\$65,950	\$67,000	\$71,750
Marketing					
Advertising	3,000	3,000	4,000	4,000	4,500
Website Hosting & Maintenance	1,500	2,000	2,000	2,500	2,500
DORA Cups and Wristbands	2,500	2,500	3,000	3,000	3,000
Total Marketing	\$7,000	\$7,500	\$9,000	\$9,500	\$10,000
Promotional Events					
Fall Promos	3,000	3,000	3,500	3,500	3,500
Summer Promos	4,000	4,000	4,500	4,500	4,500
Winter Promos	2,500	2,500	3,000	3,000	3,000
Spring Promos	3,000	3,000	3,500	3,500	3,500
Total Promos	\$12,500	\$12,500	\$14,500	\$14,500	\$14,500
Public Safety & Security					
Public Safety	1,500	1,500	1,750	1,750	2,000
Security	2,500	2,500	3,000	3,250	3,500
Total Security	\$4,000	\$4,000	\$4,750	\$5,000	\$5,500
Physical Improvements					
Public Amenity Upgrades	2,500	2,750	2,750	3,500	3,500
Master Plan Implementation	4,315	4,315	4,315	0	0
Total Physical Improvements	\$6,815	\$7,065	\$7,065	\$3,500	\$3,500
ANNUAL TOTALS	\$155,965	\$158,265	\$177,865	\$176,600	\$184,850

Cedar Lee Special Improvement District



Proposed: 05/06/2024

RESOLUTION NO. 082-2024(COTW), *First Reading*

By President Cuda

A Resolution establishing supplemental processes and procedures for City Council development of legislation.

WHEREAS, Article III, Section 1 of the Charter of the City of Cleveland Heights vests the legislative powers of the City of Cleveland Heights in the City Council; and

WHEREAS, pursuant to Article III, Section 8 of the Charter of the City of Cleveland Heights, Council has the authority to determine its own rules and order of business, including prescribing the form, method, and procedure for legislative enactments; and

WHEREAS, the members of City Council regularly review and vote on legislation, sometimes amending such legislation in the process, and sometimes create legislation (as opposed to legislation emanating from the City administration); and

WHEREAS, in furtherance of good governance and the general goal of civic efficiency, this Council has agreed upon processes and procedures to be utilized in the review and creation of legislation, which Council believes will increase the likelihood of quality legislation and desirable outcomes.

BE IT RESOLVED by the Council of the City of Cleveland Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. Pursuant to Article III, Section 8 of the Charter of the City of Cleveland Heights, this Council hereby approves the Summary of Procedures Applicable to Legislation Initiated by Council, attached hereto and incorporated herein as **Exhibit A**.

SECTION 2. This Council may, at any time but consistent with the City Charter and Chapter 111 of the Codified Ordinances, prescribe different or additional rules and limitations governing Council's development and adoption of legislation.

SECTION 3. In the event of a conflict between any of the processes and procedures contained in the attached Exhibit A with the provisions of Chapter 111, "Council," of the Codified Ordinances, the provisions of Chapter 111 will prevail.

SECTION 4. 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 5. This Resolution shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 082-2024(COTW)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Summary of Procedures Applicable to 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.
 - a. Staff input and recommendations shall be obtained on any ordinance or resolution that affects the operations of the City.
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

Proposed: 04/15/2024

RESOLUTION NO. 055-2024(COTW),
Second Reading

By Vice President Russell

A Resolution supporting U.S. House Bill 82 (H.R. 82), the Social Security Fairness Act, sponsored by Rep. Graves (R-LA-6), the companion bill U.S. Senate (S. 597), sponsored by Senator Sherrod Brown (D-OH), which seeks the elimination of the Government Pension Offset (“GPO”) and the Windfall Elimination Provision (“WEP”).

WHEREAS, the Social Security Fairness Act H.R. 82 aims to rectify the inequities posed under current tax law by the Government Pension Offset (“GPO”) and Windfall Elimination Provision (“WEP”) on retirees’ Social Security benefits; and

WHEREAS, the GPO and WEP unfairly reduce or eliminate Social Security benefits for individuals who have earned both a government pension and Social Security benefit through other employment, disproportionately impacting public servants; and

WHEREAS, these provisions create undue financial hardship for retirees who have dedicated their careers to public service, often leaving them with significantly reduced retirement incomes and undermining the financial security they rightfully deserve in their golden years; and

WHEREAS, the elimination of the GPO and WEP would provide much needed relief to countless retirees across the nation, allowing them to access the full benefits they have earned through their contributions to both Social Security and government pension programs; and

WHEREAS, the City of Cleveland Heights recognizes the invaluable contributions made by public servants to our communities and believes in upholding fairness and dignity for all retirees.

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

Section 1. The Council of Cleveland Heights hereby expresses its full support for the pending Social Security Fairness Acts, H.R. 82 and S.597 and urges Congress to pass this critical legislation without delay.

Section 2. This Council calls upon federal lawmakers to prioritize the elimination of the Government Pension Offset (“GPO”) and Windfall Elimination Provision (“WEP”) to ensure equitable treatment of retirees who have dedicated their careers to public service.

RESOLUTION NO. 055-2024(COTW)

Section 3. This Council commits to advocating for the rights and well-being of all retirees, including those affected by the GPO and (WEP and will actively engage with federal representatives to champion this cause.

Section 4. This Council pledges to raise awareness within the community about the impact of the GPO and WEP on retirees' financial security and encourages residents to join in the efforts to support the Social Security Fairness Acts pending in the House and the Senate.

Section 5. That the Clerk of Council is hereby directed to transmit copies of this resolution to the majority and minority leadership in the United States Congress, and to members of the Ohio Congressional delegation urging their support for the Social Security Fairness Act.

Section 6. This Resolution shall take effect and be in force from and after the earliest time permitted by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor