



June 3, 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. May 6, 2024
- 6) Communications from the Mayor
- 7) City Administrator's Report
- 8) Departmental Report(s)
- 9) Report of the Clerk of Council
- 10) **Public Comment - Legislative Agenda Items only**
(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda).
- 11) **Public Comment - General**
(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda).
- 12) **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

RESOLUTION NO. 094-2024(AS): First Reading. A Resolution appointing Kemp Jaycox as a member 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
Move for Adoption

RESOLUTION NO. 095-2024(COTW): First Reading. A Resolution expressing appreciation to the Charter Review Commission for their hard work, accepting their final report of recommendations, and concluding their commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda.
Move for Adoption

b. First Readings Only

RESOLUTION NO. 096-2024(F): First Reading. A Resolution approving the adoption of the 2025 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

c. Second Readings

RESOLUTION NO. 086-2024(COTW), Second Reading. A Resolution establishing July 2024 as a month of recess for City Council and canceling the July 1, 2024, and July 15, 2024, regular council meetings of the City Council of the City of Cleveland Heights, Ohio; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda and Vice President Russell
Move for Adoption

ORDINANCE NO. 087-2024(PD): Second Reading. An Ordinance amending Chapter 711, "Medical Marijuana," of the Codified Ordinances of the City of Cleveland Heights, Ohio to provide for the licensing of adult-use marijuana businesses within the City in addition to medical marijuana businesses.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 090-2024(AS): Second Reading. An Ordinance amending Section 111.10 of Chapter 111 of Title Three of the Administrative Code of the Codified Ordinances of the City of Cleveland Heights.

Introduced by Councilmember Petras
Move for Adoption

d. Third Readings

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

Introduced by Councilmember Mattox

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

Introduced by President Cuda
Move for Adoption

13) Committee Reports

14) Old Business

15) New Business

16) 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.)

17) Council President’s Report

18) Adjournment

NEXT MEETING OF COUNCIL: JUNE 17, 2024



May 6, 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: 7:33 pm

2) Roll Call of Council Members

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

Excused: Jim Posch

Absent: None

3) Excuse absent members

Jim Posch excused

4) Amendments to the Agenda (if necessary)

None

5) Approval of minutes from previous meeting(s)

a. **March 18, 2024**

APPROVED

b. April 1, 2024

APPROVED

6) NEORSD - Lower Lake Dam Replacement Project Update

Matt Scharver, Director of Watershed Programs

Gave a PowerPoint presentation with an updated on the progress with the Lower Lake Dam Replacement Project (Horseshoe Lake Project)

7) Library Update

Nancy Levin, Director of Heights Libraries

1 A representative from the Library gave a presentation with several updates from
2 the Heights Libraries, including the grand opening of the new Noble Rd branch
3 which will be held June 2nd.

4
5 On June 17th the Coventry Peace Park at the Coventry Road branch will close
6 for the start of the renovations to the park.

7 **8) Communications from the Mayor**

8 First, the Mayor spoke briefly regarding the TWG/Noble project; the process has
9 been extensive, and he thanked the project partners for all their work and efforts.
10 From his perspective, there is a need regionally--and in this particular community
11 as well--high-quality affordable housing. He is committed to the residents of that
12 neighborhood, that every cent of the purchase price the city receives for that
13 property will be put back into that business district and that community.

14
15 Second, this year, the city is NOT participating in "No Mow May. This year we will
16 be celebrating "More Grow May" where we encourage people to perhaps replace
17 their turf-grass with something else, like a pollinator garden or rain garden.
18 Encourages people to sign up for an Urban Garden Project that will seek to gather
19 data about how our yards are being used. Participants who sign up will receive a
20 yard sign which will indicate they are participants.

21
22 Lastly, the Mayor presented two proclamations to merit scholar recipients from
23 CHHS.

24 **9) City Administrator's Report**

25 Nothing to Report

26
27 **10) City Departmental Report(s)**

28 Director Ledbetter (Parks and Recreation) gave an update to the public garages
29 in the City. Work is ongoing at the Cedar-Lee garage, but is anticipated to be
30 completed soon. They are collecting scope regarding the Coventry garage and
31 the Surrey garage so that those projects can be bid out soon. They are gathering
32 cost estimates for upgrades to Cain Park so that they can start the bid process
33 there as well. Work was completed on repairing cracks to the main pool at
34 Cumberland Pool; they do anticipate that the opening of Cumberland Pool will be
35 on time for the June 3rd opening day.

36 **11) Report of the Clerk of Council**

- 37
38
39 a. Notice to Council that an application has been received from the Ohio Division
40 of Liquor Control for the transfer of a D5/D6 liquor permit from BUTTER
41 HOSPITALITY LLC DBA MOJO to LEEREST LLC DBA COZUMEL. This
42 matter has been referred to the Mayor and Chief of Police.

READ INTO THE RECORD

- b. Notice to Council that an application has been received from the Ohio Division of Liquor Control for a new D1 liquor permit for ZOMA ETHIOPIAN RESTAURANT LLC DBA ZOMA. This matter has been referred to the Mayor and Chief of Police.

READ INTO THE RECORD

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.)

Speakers

Diane Hallum	Citizen	Does not support TWG Development; does not feel the "all are welcome" slogan of the city is true.
Cynthia Banks	Citizen	Was not originally a supporter of the TWG development but does support it now; had some suggestions with regard to the format of community input meetings in general
Cecil Gamble Jr.	Citizen	Supports the TWG project as somebody who will have to look at it every day.
Melody Joy Hart	Citizen	Would like council to pass 081-2024(Cedar-Lee SID Plan) tonight so that they have time to collect signatures; is in support of the TWG project.
Tonya Horn	Citizen	Was not originally a supporter of the TWG development but does support it now.
CJ Nash	Citizen	Was not originally a supporter of the TWG development but does

		support it now.
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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.)

Speakers

Don Seidel	Citizen	Requests a response to earlier emails on EMS billing.
Linda Striefsky	Board Member (CRC)	Announced a public meeting of the CRC to get public input.
Lynn Quintrell	Citizen	Public parking concerns in the Cedar-Fairmount area.
Barb Sosnowski	Citizen	City resources – wood chips, leaf humus, mowing of city properties.
Karen Rego	Citizen	Thanked the community for all the wonderful donations to Oxford Elementary
Lita Gonzalez	Citizen	Spoke about Officer Jason West Memorial Fund
Angel Fasolo	Citizen	Does not support council's appointment of Jim Posch to the vacancy on City Council
Alice Jeresko	Citizen	Spoke on behalf of Quiet Clean Heights on the effects of gas leaf blowers, air quality, and a climate action plan.

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

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. 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

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. 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

Motion to amend legislation to refer to the purchase of two trucks from

1 **Classic Ford rather than three vehicles and strike the language**
2 **providing for the purchase of the 2024 Ford Escape: Anthony Mattox Jr.**
3 **Seconded: Craig Cobb**

4
5 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell,
6 Jim Petras

7 **No:** None

8 **MOTION PASSED**

9
10 **Motion to adopt:** Anthony Mattox Jr.

11 **Seconded:** Craig Cobb

12
13 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
14 Russell, Jim Petras

15 **No:** None

16 **LEGISLATION PASSED**

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

22
23 Introduced by Mayor Seren

24 **Motion to adopt:** Gail Larson

25 **Seconded:** Craig Cobb

26
27 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
28 Russell, Jim Petras

29 **No:** None

30 **LEGISLATION PASSED**

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

36
37 Introduced by Mayor Seren

38 **Motion to adopt:** Gail Larson

39 **Seconded:** Craig Cobb

40
41 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
42 Russell, Jim Petras

43 **No:** None

44 **LEGISLATION PASSED**

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

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

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

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. 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

Motion to adopt: Craig Cobb

Seconded: Anthony Mattox Jr.

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

No: None

LEGISLATION PASSED

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

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

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

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. 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

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

Russell, Jim Petras
No: None

LEGISLATION PASSED

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

READ INTO THE RECORD

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

READ INTO THE RECORD

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

READ INTO THE RECORD

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

READ INTO THE RECORD

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

READ INTO THE RECORD

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

Motion to adopt: Anthony Mattox Jr.

Seconded: Davida Russell

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

No: None

LEGISLATION PASSED

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

Introduced by President Cuda

READ INTO THE RECORD

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 Bill 597 (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

Motion to adopt: Gail Larson

Seconded: Davida Russell

Discussion: Councilmember Cobb is going to vote in favor of the legislation, but has concerns that the House Bill will need to be fixed to address funding issues. Vice President Russell pointed out that it is a bi-partisan bill; once an employee starts work for a public entity are losing rights to social security which they have paid into. Social security benefits for public employees are offset by two-thirds and this is devastating our seniors. She is totally in support of these two bills.

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

LEGISLATION PASSED

15) Committee Reports

HB: Update from his committee meeting regarding short-term rental legislation. The committee voted to return it to COTW for consideration. The next HB Committee meeting is Tuesday, May 14th at 4 pm.

F: Update from her committee meeting this morning regarding non-profit ARPA allocations. Contracts with non-profits are being negotiated and will be given to the council for consideration soon.

MSES: Update from her committee meeting; Cleveland Heights Green Team announced that two cameras will be installed to catch people dumping in the Caledonia ravine; gave several updates as to events for Bike Month. The next meeting will be May 20, at 10am.

PSH: Thanked Director Clinkscale and Chief Briton for helping to make the traffic changes and signage installation at Noble Elementary.

PD: The committee will meet this Wednesday at 10:30 am. Thanked Cleveland Heights Unions that helped "adopt" Oxford Elementary School.

16) Old Business

Vice President Russell announced the next tenant/landlord session on June 29th at the new Noble Library branch at 10am.

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.)

Larson: Asked the public to support Noble Fest 2024 which kicks off Friday, May 17th and continues Saturday, May 18th. More information at nobleneighbors.com

19) Council President's Report

Council will likely vote on the Nobility Court legislation at the May 20 meeting so look forward to that.

20) Adjournment

End: 9:29 pm

NEXT MEETING OF COUNCIL: MAY 20, 2024

Proposed: 06/03/2024

RESOLUTION NO. 094-2024(AS), *Second Reading*

By Councilmember Cobb

A Resolution appointing Kemp Jaycox as a member 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.

WHEREAS, Section 150.02 of the Cleveland Heights Codified Ordinances provides that the Transportation and Mobility Committee consists of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to Council approval, all of whom shall serve two (2) year terms and the City Administrator who shall be a non-voting member.

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

SECTION 1. This Council hereby appoints Kemp Jaycox as a member of the Transportation and Mobility Committee for a term ending December 31, 2025.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. 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 4. 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 for the efficient operation 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 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

RESOLUTION NO. 094-2024(AS)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved: _____

KAHLIL SEREN
Mayor

Proposed: 06/03/2024

RESOLUTION NO. 095-2024(COTW), *First Reading*

By President Cuda

A Resolution expressing appreciation to the Charter Review Commission for their hard work, accepting their final report of recommendations, and concluding their commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on December 5, 2022, this Council adopted Resolution No. 175-2022 establishing a nine-member Charter Review Commission (CRC) charged with reviewing the City's Charter and developing recommendations for amendments to the Charter that the Commission may find necessary or advisable;

WHEREAS, on December 18, 2023, this Council adopted Resolution No. 203-2023 extending the deadline for the CRC to submit a report of its review and recommendations to Council until May 31, 2024;

WHEREAS, the members of the Charter Review Commission spent hundreds of hours reviewing the Charter, looking at other cities' charters, researching policy, interviewing many current and former City officials, interviewing elected officials of other city governments and holding two community meetings to gather resident input; and

WHEREAS, the members of the CRC have prepared a detailed proposed amended charter and report with all due diligence and have presented it to Council.

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

SECTION 1. Council with gratitude accepts the CRC's report of its review and recommendations to Council submitted on May 31, 2024;

SECTION 2. Council expresses appreciation for the hard work, dedication, and diligence of the CRC's commissioners, Chair Linda Striefsky, Vice Chair Jonathan Ciesla, Secretary Graham Ball, Roland Anglin, Stephanie Morris, Graig Kluge, Drew Herzig, Harriet Applegate, and Guy Thellian.

SECTION 3. Having performed the duties with which it was charged, the CRC is hereby dissolved.

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

SECTION 5. Notice of the passage of this Resolution shall be given by publishing

RESOLUTION NO. 095-2024(COTW)

the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 6. 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 for the efficient operation 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 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: 05-28-2024

To: Law and Council

From: Tara Schuster, Acting Finance Director

Subject: RES 096-2024(F) - 2025 Tax Budget

Purpose Statement:

To review and approve the adoption of the 2025 Tax Budget

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

Adoption of the alternative format of the 2025 Tax Budget on or before July 15, 2024 and filed with the Budget Commission by July 19, 2024

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

If yes, why?

2025 Tax Budget is required to have 2 readings

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

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

Proposed: 06/03/2024

RESOLUTION NO. 096-2024(F), *First Reading*

By Mayor Seren

A Resolution approving the adoption of the 2025 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Mayor prepared and submitted to the Council a proposed 2025 Tax Budget for Council's review and evaluation; and

WHEREAS, a copy of the proposed 2025 Tax Budget is available for inspection by the general public at the office of the Director of Finance at the City Hall.

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

SECTION 1. This Council hereby approves the adoption of the 2025 Tax Budget which is on file in the office of the Director of Finance/Clerk of Council.

SECTION 2. The Clerk of Council is hereby directed to make a copy of the approved 2025 Tax Budget a matter of record.

SECTION 3. The Director of Finance is hereby directed to file a copy of the approved 2025 Tax Budget with the Cuyahoga County Budget Commission.

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. 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 to permit its timely filing with the Budget Commission within the period permitted by law. 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

RESOLUTION NO. 096-2024(F)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit

City of Cleveland Heights

For the Fiscal Year Commencing

January 1, 2025

Fiscal Officer Signature _____ Date _____

COUNTY OF CUYAHOGA

Background

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC) Section 5705.281.

Ohio Revised Code Section 5705.281

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

County Budget Commission Duties

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36.

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

County Budget Commission Action

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but shall require the filing of this Alternative Tax Budget Information document on an annual basis.

Alternative Tax Budget Information Filing Deadline

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION

SCHEDULE 1

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any new levies. This will help to ensure that no levies are missed.

In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

NOTE:

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;

"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully, adopted under this chapter or by other information required per ORC 5705.281."

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback, and the personal property 10,000 exempt monies.

SCHEDULE 2

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all funds.

In column 3, total estimated receipts should include all revenues plus transfers in excluding property taxes and local government revenue. All taxing authority must submit a list of all tax transfers.

SCHEDULE 3

The general purpose of schedule 3 is to provide inside/charter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad valorem property tax to pay debt service on general obligation debt as it becomes due, unless that debt service is paid from other sources.

SCHEDULE 4

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to pay debt service on those bonds.

SCHEDULE 5

The general purpose of schedule 5 is to properly account for tax anticipation notes. See schedule 5 for more details.

DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)
(List All Levies Of The Taxing Authority)

City of Cleveland Heights - 2025

SCHEDULE 1

I Fund	II Purpose	III Authorized By Voters On MM/DD/YY	IV Levy Type	V Number Of Years Levy To Run	VI Tax Year Begins/ Ends	VII Collection Year Begins/ Ends	VIII Maximum Rate Authorized	IX \$ AMOUNT Requested Of Budget Commission
101-GENERAL FUND	Current Expenses		Inside and Charter		January 1, 2024	January 1, 2025	9.62	\$8,140,000.00
216-RECREATION FACILITIES IMPROVEMENT	Current Expenses		Charter		January 1, 2024	January 1, 2025	0.70	\$590,000.00
232-POLICE PENSION	Current Expenses		Charter		January 1, 2024	January 1, 2025	0.30	\$255,000.00
233-FIRE PENSION	Current Expenses		Charter		January 1, 2024	January 1, 2025	0.30	\$255,000.00
301-BOND RETIREMENT	Debt Service		Debt Millage		January 1, 2024	January 1, 2025	1.50	\$1,265,000.00
Totals							12.42	\$10,505,000

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

SCHEDULE 2

I	II	III	IV	V	VI	VII
Fund By Type	Beginning Estimated Unencumbered Fund Balance	Property Taxes and Local Government Revenue	Other Sources Receipts	Total Resources Available for Expenditures	Total Estimated Expenditures & Encumbrances	Ending Estimated Unencumbered Balance
101-GENERAL FUND	21,805,927.83	10,197,456.00	46,874,025.66	78,877,409.49	56,948,606.34	21,928,803.15
102-BUDGET STABILIZATION ACCOUNT	1,400,000.00	0.00	0.00	1,400,000.00	0.00	1,400,000.00
301-BOND RETIREMENT FUND	293,258.73	1,265,000.00	237,455.00	1,795,713.73	1,256,425.00	539,288.73
232-POLICE PENSION FUND	98,630.00	255,000.00	0.00	353,630.00	286,793.40	66,836.60
233-FIRE PENSION FUND	294,858.00	255,000.00	0.00	549,858.00	287,640.00	262,218.00
201-STREET MAINTENANCE FUND	1,610,347.00	0.00	2,958,102.00	4,568,449.00	2,850,000.00	1,718,449.00
202-FOUNDATION GRANTS FUND	93,579.00	0.00	0.00	93,579.00	0.00	93,579.00
203-FIRST SUBURBS CONSORTIUM FUND	2,501.00	0.00	0.00	2,501.00	0.00	2,501.00
204-COMMUNICATIONS DISPATCH FUND	0.43	0.00	0.00	0.43	0.00	0.43
205-PUBLIC WORKS MAINTENANCE FUND	423.00	0.00	0.00	423.00	0.00	423.00
206-LAW ENFORCEMENT TRUST FUND	413,756.00	0.00	320,987.00	734,743.00	239,890.74	494,852.26
207-DRUG LAW ENFORCEMENT FUND	225,311.00	0.00	200,000.00	425,311.00	259,970.46	165,340.54
208-COMMUNITY DEVELOPMENT BLOCK GRANT FUND	52,045.00	0.00	3,277,435.00	3,329,480.00	3,278,226.00	51,254.00
211-H.O.M.E. PROGRAM FUND	350,987.00	0.00	883,000.00	1,233,987.00	590,000.00	643,987.00
212- FEMA FUND	189,738.00	0.00	0.00	189,738.00	0.00	189,738.00
213-POLICE IMPROVEMENT FUND	6,347.00	0.00	9,000.00	15,347.00	12,500.00	2,847.00
214-LOCAL PROGRAMMING FUND	821,434.00	0.00	453,900.00	1,275,334.00	379,148.28	896,185.72
215-CAIN PARK FUND	34,828.00	0.00	1,790,000.00	1,824,828.00	1,803,652.00	21,176.00
216-RECREATIONAL FACILITIES IMPROVEMENT FUND	652,716.00	590,000.00	56,680.00	1,299,396.00	848,000.00	451,396.00

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

SCHEDULE 2

I Fund By Type	II Beginning Estimated Unencumbered Fund Balance	III Property Taxes and Local Government Revenue	IV Other Sources Receipts	V Total Resources Available for Expenditures	VI Total Estimated Expenditures & Encumbrances	VII Ending Estimated Unencumbered Balance
217-PUBLIC RIGHT OF WAY FUND	169,647.00	0.00	1,000.00	170,647.00	0.00	170,647.00
218-MISC. STATE GRANTS	40,368.00	0.00	0.00	40,368.00	0.00	40,368.00
221-INDIGENT DUJ TREATMENT FUND	225,424.00	0.00	13,260.00	238,684.00	61,200.00	177,484.00
222-COURT COMPUTER FUND	122,320.00	0.00	51,000.00	173,320.00	61,010.28	112,309.72
223-DUI ENFORCEMENT EDUCATION FUND	137,802.00	0.00	4,000.00	141,802.00	0.00	141,802.00
225-COURT SPECIAL PROJECTS FUND	2,131,444.00	0.00	83,640.00	2,215,084.00	119,100.30	2,095,983.70
226-LEAD SAFE FUND	552,114.00	0.00	1,294,408.00	1,846,522.00	750,000.00	1,096,522.00
227-NEIGHBORHOOD STABILIZATION PROGRAM FUND	123,584.00	0.00	0.00	123,584.00	0.00	123,584.00
228-COVID	216,040.00	0.00	535,694.00	751,734.00	535,694.00	216,040.00
230-STREET LIGHTING FUND	2,073,561.00	0.00	1,040,400.00	3,113,961.00	878,220.00	2,235,741.00
231-FORESTRY FUND	1,031,932.00	0.00	1,122,000.00	2,153,932.00	1,486,472.52	667,459.48
234-EARNED BENEFITS FUND	12,148.00	0.00	0.00	12,148.00	0.00	12,148.00
237-FIRST SUBURBS DEVELOPMENT COUNCIL	57,754.00	0.00	0.00	57,754.00	0.00	57,754.00
238-CORONAVIRUS RELIEF FUND	0.00	0.00	0.00	0.00	0.00	0.00
239-REFUSE GRANT FUND	4,010.00	0.00	0.00	4,010.00	0.00	4,010.00
240-FEDERAL MISCELLANEOUS GRANTS	3,894.00	0.00	243,216.00	247,110.00	243,216.00	3,894.00
241-LOCAL FISCAL RECOVERY	0.15	0.00	0.00	0.15	0.00	0.15
242-ONEOHIO OPIOD SETTLEMENT	38,813.00	0.00	0.00	38,813.00	0.00	38,813.00
244 - NOPEC FUND	0.00	0.00	111,247.00	111,247.00	111,247.00	0.00
260 - TOP-OF-THE-HILL TIF FUND	0.00	0.00	519,515.00	519,515.00	519,515.00	0.00
261 - CEDAR LEE & MEADOWBROK TIF FUND	0.00	0.00	0.00	0.00	0.00	0.00
402-CAPITAL EQUIPMENT/IMPROVEMENTS FUND	2,430,647.00	0.00	0.00	2,430,647.00	2,000,000.00	430,647.00
411-ECONOMIC DEVELOPMENT FUND	9,032.00	0.00	4,500.00	13,532.00	10,000.00	3,532.00
412-CITY HALL MAINTENANCE FUND	148,192.00	0.00	29,580.00	177,772.00	20,400.00	157,372.00
415-RING ROAD CONSTRUCTION FUND	35,045.00	0.00	0.00	35,045.00	0.00	35,045.00
416-REFUSE CAPITAL FUND	103,117.00	0.00	127,500.00	230,617.00	200,000.00	30,617.00
601-WATER FUND	1,519,206.00	0.00	1,224,749.70	2,743,955.70	1,298,161.14	1,445,794.56

STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

SCHEDULE 2

I		II		III		IV		V		VI		VII	
Fund BY Type		Beginning Estimated Unencumbered Fund Balance		Property Taxes and Local Government Revenue		Other Sources Receipts		Total Resources Available for Expenditures		Total Estimated Expenditures & Encumbrances		Ending Estimated Unencumbered Balance	
602-SEWER FUND		9,331,950.00		0.00		7,512,851.82		16,844,801.82		6,178,850.94		10,665,950.88	
603-PARKING FUND		48,278.00		0.00		411,000.00		459,278.00		350,000.00		109,278.00	
605-REFUSE FUND		87,159.00		0.00		3,552,660.00		3,639,819.00		2,850,000.00		789,819.00	
606-AMBULANCE SERVICE FUND		1,059,731.00		0.00		1,155,660.00		2,215,391.00		1,228,933.74		986,457.26	
701-HOSPITALIZATION		108,907.00		0.00		7,699,125.24		7,808,032.24		7,548,162.00		259,870.24	
703-WORKERS COMP		204,767.00		0.00		0.00		204,767.00		0.00		204,767.00	
804-OFFICE ON AGING DONATIONS FUND		18,494.00		0.00		1,275.00		19,769.00		1,750.00		18,019.00	
808-YOUTH RECREATION DONATION FUND		31,056.00		0.00		500.00		31,556.00		30,000.00		1,556.00	
809-POLICE MEMORIAL FUND		11,808.00		0.00		0.00		11,808.00		0.00		11,808.00	
810-YOUTH ADVISORY COMMISSION FUND		71.00		0.00		0.00		71.00		0.00		71.00	
811-JUVENILE DIVERSION PROGRAM FUND		1,741.00		0.00		0.00		1,741.00		1,500.00		241.00	
850-FLEXIBLE SPENDING ACCOUNT		4,209.00		0.00		110,000.00		114,209.00		110,000.00		4,209.00	
857-SALES TAX FUND		630.00		0.00		250.00		880.00		50.00		830.00	
858-MISCELLANEOUS AGENCY FUND		2,017,453.00		0.00		85,600.00		2,103,053.00		100,600.00		2,002,453.00	
864-NEORS D BILLING FUND		278.00		0.00		0.00		278.00		0.00		278.00	
		24,112,626.15											

UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)
 (Do Not Include General Obligation Debt Being Paid By Other Sources)
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

SCHEDULE 3

I		II	III	IV	V	VI
Purpose Of Bonds Or Notes		Date Of Issue	Final Maturity Date	Principal Amount Outstanding At The Beginning Of The Calendar Year	Amount Required To Meet Calendar Year Principal & Interest Payments	Amount Receivable From Other Sources To Meet Debt Payments
Refund Series 2014 Ring Road		09/22	12/29	\$1,214,000.00	\$171,024.80	
2022 - Parking Deck Refunding Bonds		02/22	12/33	\$2,610,000.00	\$298,724.00	
2018 - Vehicle Bonds		2018	12/27	\$187,756.00	\$72,696.00	
2020 - Various Purpose Bonds		07/05	12/37	\$9,930,000.00	\$546,407.50	
2021 - Various Purpose Bonds		07/22	12/30	\$697,000.00	\$122,594.40	
2022 - Top of the Hill Bonds		04/22	12/31	\$964,000.00	\$150,690.00	
Totals				\$15,602,756.00	\$1,362,136.70	



Date: May 14, 2024

To: City Council

From: President Cuda and Vice President Russell

Subject: Resolution 086-2024 – July Recess

Purpose Statement:

To cancel both of the regular City Council meetings in July, 2024 and establish July as a recess for Council.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

In order to cancel the July meetings with the appropriate notice.

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?

N/a

Proposed: 05/20/2024

RESOLUTION NO. 086-2024(COTW), *Second Reading*

By President Cuda and Vice President Russell

A Resolution establishing July 2024 as a month of recess for City Council and canceling the July 1, 2024 and July 15, 2024 regular council meetings of the City Council of the City of Cleveland Heights, Ohio; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Council of the City of Cleveland Heights, Ohio holds its regular meetings on the first and third Mondays of every month pursuant to Section 111.01 of the Codified Ordinances, which further authorizes Council to change its regular meeting schedule; and

WHEREAS, many city councils take a recess during one or more months of the year; and

WHEREAS, City Council has determined that cancellation of the regular meeting dates of July 1, 2024 and July 15, 2024 will not have an undue impact on the City's ability to do business during this time or on the City's residents; and

WHEREAS, City Council for many years has taken a summer recess from regular meetings during the month of July and this Council wishes to do so in 2024 as well.

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

SECTION 1. The regular Council meetings of July 1, 2024 and July 15, 2024 are cancelled and Council is recessed during July 2024.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. 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 4. 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 for the efficient operation of the City and public awareness of the schedule of Council's regular meetings. 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. 086-2024(COTW)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Date: 5/14/24

To: City Council

From: Brian Anderson, Assistant Director of Economic Development

Subject: Resolution XXX-2024 - Revision of Chapter 711 of the Business Code

Purpose Statement: To amend Chapter 711 to allow for the issuance of marijuana business licenses for medical, adult use, and dual-use (medical and adult use) facilities.

In 2017, City Council passed Ordinance 84-2017, which created the requirement and process for medical marijuana businesses licensed by the State to apply for and receive approval for a City license.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why?

State dual-use applications for existing medical marijuana businesses are expected to go live in June.

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

If yes, why?

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

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

N/a

Proposed: 05/20/2024

ORDINANCE NO. 087-2024(PD), *Second Reading*

By Mayor Seren

An Ordinance amending Chapter 711, “Medical Marijuana,” of the Codified Ordinances of the City of Cleveland Heights, Ohio to provide for the licensing of adult-use marijuana businesses within the City in addition to medical marijuana businesses.

WHEREAS, Ohio voters in November 2023 overwhelmingly approved the legalization of adult use marijuana for non-medicinal purposes, by passing “Issue 2,” which enacted Ohio R.C. Chapter 3780 which, among other things, provides a process for non-medical cannabis business licensure and establishes a Division of Cannabis Control under the Ohio Department of Commerce; and

WHEREAS, the Division of Cannabis Control has confirmed that applications for “dual use” licenses that would allow existing medical marijuana dispensaries to also sell non-medicinal adult-use marijuana will be available not later than June 7, 2024; and

WHEREAS, this Council has determined that the City’s existing medical marijuana licensing laws, found in Chapter 711 of the City’s Codified Ordinances, should be amended to reflect the passage of Issue 2 and the enactment of ORC Chapter 3780, and to provide for issuance of adult-use and dual-use marijuana business licenses in addition to medical marijuana business licenses.

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

SECTION 1. Chapter 711, “Medical Marijuana,” of the Codified Ordinances of Cleveland Heights shall be, and is hereby, enacted and adopted in its entirety to read as Exhibit A attached hereto and incorporated herein. A complete copy of Exhibit A is also on file with the Clerk of Council.

SECTION 2. The existing Chapter 711 of the Codified Ordinances of Cleveland Heights shall be, and is hereby, repealed in its entirety.

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

SECTION 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the immediate need to align the City’s marijuana licensing policy with recent changes to Ohio law. 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 the Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____

Approved by Mayor: _____

KAHLIL SEREN
Mayor

CHAPTER 711

~~Medical~~ Marijuana Entity Licensing

711.01 Definitions.

711.02 License required.

711.03 Licensing authority.

711.04 License procedures and fees.

711.05 Responsibilities of the licensee.

711.06 License suspension or revocation.

711.07 Service of denial or revocation notice.

711.08 ~~Medical~~ Marijuana License Review Board.

711.09 Hearing before the ~~Medical~~-Marijuana License Board.

711.99 Penalty.

711.01 DEFINITIONS.

Unless otherwise defined herein, the terms in the Chapter shall have the same meaning as set forth in Ohio Revised Code Section 3780.01 and 3796.01.

(a) "Applicant" shall mean any person or entity applying for a License pursuant to this Chapter.

(b) "License" shall mean a license issued pursuant to this Chapter.

(c) "Licensee" shall mean a person or entity with a valid License received pursuant to this Chapter.

(d) "~~Medical~~ Marijuana Entity" shall mean a ~~medical~~-marijuana cultivator, processor, dispensary, or testing laboratory authorized by Ohio Revised Code Chapter 3780 and/or 3796.

711.02 LICENSE REQUIRED.

No ~~Medical~~-Marijuana Entity shall operate within the City, without a valid License, which is in full force and effect and issued pursuant to this Chapter, or without a valid state certificate or license, as applicable.

711.03 LICENSING AUTHORITY.

(a) The Mayor or designee is the licensing authority and, pursuant to this Chapter, shall consider the applications and renewal for Licenses and issue, suspend, revoke, or deny issuances of Licenses.

(b) An application for a License shall be granted on the approval of the Mayor or designee at his/her sole discretion.

(c) A renewal application for a License shall be granted on the approval of the Mayor or designee at his/her sole discretion.

(d) Nothing in this Chapter shall be construed to limit the Police Division's ability to investigate unlawful activity in relation to a License or the unlawful operation of a ~~Medical~~ Marijuana Entity.

711.04 LICENSE PROCEDURES AND FEES.

(a) Applicants desiring to operate a ~~Medical~~ Marijuana Entity shall make an application upon a form provided by the Mayor or designee.

(b) All applications, including renewals, shall include a security plan and site plan, subject to approval by the Chief of Police. Said security plan shall be in a form proscribed by the Chief of Police. Applicant shall supply any and all additional information requested by the Chief of Police to evaluate said security plan. All applicants, except renewals, shall include a non-refundable application fee of two hundred and fifty dollars (~~\$250.00~~\$500.00).

(c) Upon approval by the Mayor or designee, Applicant shall pay a license fee based on the following schedule of categories and amounts per calendar year or fraction thereof:

1. Medical marijuana business licenses: \$5,000.00

2. Adult use marijuana business licenses: \$10,000.00

3. Dual-use (medical and adult use) business licenses: \$10,000.00

~~of five thousand dollars (\$5,000.00) per calendar year or fraction thereof.~~

(d) Each License shall be an annual license, which covers the period of the issuance until December 31.

(e) A renewal application shall be submitted on or before October 1 of each year upon a renewal form provided by the Mayor or designee to be processed prior to December 31.

(f) Any ~~Medical~~ Marijuana Entity that fails to timely obtain a renewal of License shall not operate after the License expires on December 31.

711.05 RESPONSIBILITIES OF THE LICENSEE.

(a) Each License shall be displayed permanently in a conspicuous place on the premise of the ~~Medical~~ Marijuana Entity for which it is issued.

(b) Each License shall be only assignable or transferable, as to person or location, upon written consent of the Mayor or designee.

(c) Licensee shall immediately notify the Mayor or designee of any material change to information provided in the application including, but not limited to, changes to the security plan.

(d) If, at any time, the ~~Medical~~ Marijuana Entity or its owner or principal is subject to any enforcement action by the State of Ohio, the ~~Medical~~ Marijuana Entity shall immediately notify the Mayor or designee and shall provide any relevant information or documentation requested by the Mayor or designee.

(e) If, at any time, the ~~Medical~~ Marijuana Entity or its employee has a reasonable belief that an actual loss, theft, or diversion of ~~medical~~-marijuana or currency over one hundred dollars (\$100.00) has occurred, the ~~Medical~~ Marijuana Entity shall immediately notify the Cleveland Heights Police Department, and such notification shall be provided no later than 24 hours after discovery of the loss, theft, or diversion.

711.06 LICENSE SUSPENSION OR REVOCATION.

The Mayor or designee may suspend or revoke any License for violation of any City ordinance, false or incorrect information submitted on the license application, or for failure to comply with the approved security plan.

711.07 SERVICE OF DENIAL OR REVOCATION NOTICE.

All notices of denial or revocation issued pursuant to this Chapter shall be served by first-class mail to the address supplied on the License application.

711.08 ~~MEDICAL~~-MARIJUANA LICENSE REVIEW BOARD.

(a) There is hereby created a ~~Medical~~ Marijuana License Review Board (hereafter, the "Board") consisting of the Chairperson of the Public Safety and Health Committee of Council or other member of City Council appointed by the President of Council, the Mayor or designee, and Director of ~~Economic Development~~Planning and Development or designee.

(b) The presence of two (2) members of the Board shall constitute a quorum. Any action of the Board shall require two (2) affirmative votes.

711.09 HEARING BEFORE THE ~~MEDICAL~~-MARIJUANA LICENSE REVIEW BOARD.

(a) Any Licensee issued a revocation, suspension, or denial of a renewal license pursuant to this Chapter may request a hearing before the Board. A hearing request must be made in writing and received by the Director of Law within seventeen (17) calendar days of the date of the first-class mailing of the notice.

(b) The hearing shall be held within a reasonable time from receipt of the request to appeal. The Applicant shall be given at least fourteen (14) calendar days' notice of the date, time, and location of the hearing and shall have the opportunity to present sworn evidence to the Board and cross examine any sworn witnesses presented by the City. The hearing shall proceed in a manner prescribed by the Board.

(c) After said hearing, the Board shall render a written decision affirming or reversing the License revocation, suspension, or renewal denial.

711.99 PENALTY.

Whoever violates any provision of this Chapter is guilty of a minor misdemeanor on a first offense and a fourth degree misdemeanor on a second or subsequent offense with penalties as provide by Section 501.99 of the Codified Ordinances.

Proposed: 05/20/2024

ORDINANCE NO. 090-2024(AS), *Second Reading*

By Councilmember Petras

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

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

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

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

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

SECTION 1. Section 111.10, Clerk, of Chapter 111, Council, of the Codified Ordinances of the City of Cleveland Heights shall be and hereby is amended to enact new Subsection 111.10(c) to read as follows:

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

ORDINANCE NO. 090-2024(AS)

SECTION 2. 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 3. This Ordinance shall take effect and be in force at the earliest time permitted by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



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), *Third Reading*

By Councilmember Mattox

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

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.



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 the Cedar Lee Special Improvement District, or other entity designated by the City, (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. The Cedar Lee Special Improvement District, or other entity designated by the City, 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 10am-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	D1, D2, D3	0790564-0005

			Heights, OH 44118		
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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. The Cedar Lee Special Improvement District, or other entity designated by the City, 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:

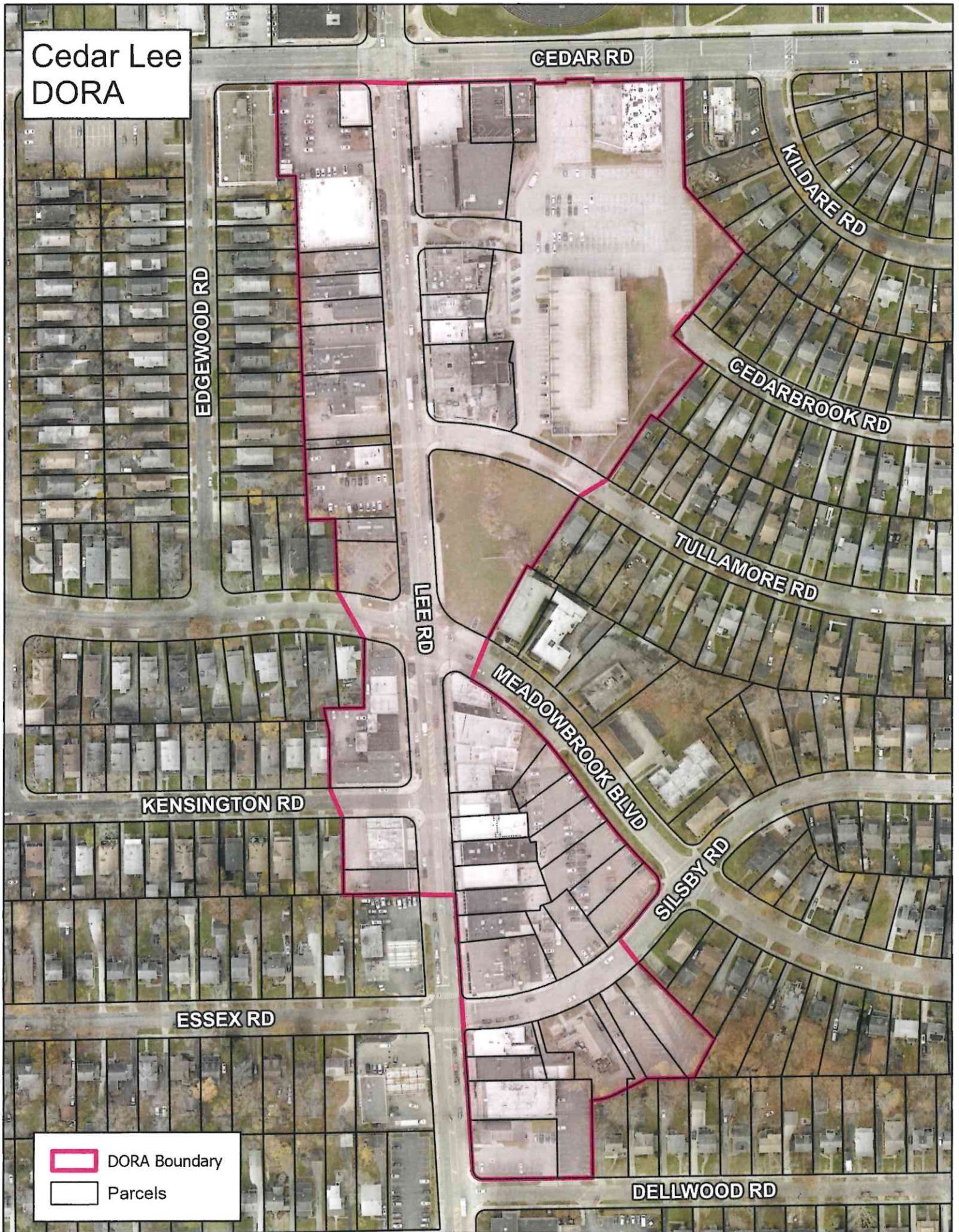
City of Cleveland Heights Department of Public Works staff would augment as needed the commercial trash collection contracted by the City. Additional permanent trash cans would be installed to collect the DORA cups. Staffing levels, trash cans and recyclable bins would be monitored and adjusted as needed.

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



Proposed: 05/06/2024

RESOLUTION NO. 082-2024(COTW), *Third 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. 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 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. If there is general support for the proposed idea, 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. 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).
6. When the author is satisfied, the legislation (written to form) may be put on the agenda by the presiding officer and discussed in COTW during Legislative Review/Caucus.
 - a. Legislation may be referred back to individual council committees for further discussion **if necessary**. Otherwise, the legislation shall have at least the standard 2 readings in accordance with Chapter 111, unless council decides to do otherwise.

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

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

Summary 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