



SHAKER HEIGHTS

Council Minutes CITY HALL COUNCIL CHAMBERS October 24, 2022

The Council of the City of Shaker Heights met in a regular session at 6:05 p.m., Mayor David E. Weiss presiding.

Council Members Present: Mr. Roeder
Ms. Anne Williams
Ms. Carmella Williams
Mr. Earl Williams (arrived at 6:12 p.m.)
Mr. Claytor
Mr. Malone

Council Members Absent: Mrs. Moore

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Video of this meeting may be found [here](#) through October 24, 2025.

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At 6:07 p.m. it was moved by Mr. Claytor, and seconded by Ms. Carmella Williams that Council go into an executive session to discuss the purchase, sale or the development of real property where premature disclosure of information would give an unfair competitive or bargaining advantage to a person, or otherwise adversely affect the general public interest; and personnel matters, including the appointment, employment, dismissal, discipline, promotion, demotion or compensation of one or more public employees or officials.

Roll Call: Ayes: Mr. Roeder, Ms. Anne Williams,
Ms. Carmella Williams,
Mr. Claytor, Mr. Malone

Nays: None

Motion Carried

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CITY OF SHAKER HEIGHTS

At 7:03 p.m. a joint Council/Finance Committee work session was held.

Finance Committee members present: Martin Kolb
Anthony Moore
Ketan Patel

Finance Director John Potts gave a presentation on the General Fund Revenues - 2022 Projection and the 2023 Budget.

At 7:33 p.m. Council returned to the regular meeting.

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It was moved by Ms. Anne Williams, and seconded by Ms. Carmella Williams, that the minutes of the regular meeting of September 27, 2022, be approved as recorded.

Roll Call: Ayes: Mr. Roeder, Ms. Anne Williams,
Ms. Carmella Williams, Mr. Earl Williams,
Mr. Claytor, Mr. Malone

Nays: None

Motion Carried

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The Mayor asked the Clerk of Council to read into the record public comments received by email or phone on any of the agenda items.

Clerk of Council Ms. Chaikin stated that no comments were received on agenda items by email or phone.

The Mayor invited members of the audience and those participating via Zoom the opportunity to “raise their hand” to provide public comment.

No comments were offered.

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Ordinance No. 22-100, by Mr. Malone, authorizing an electric supply contract with a supplier selected from the City’s proposal process to serve the City’s new electric aggregation program for a period beginning June 1, 2023.

Law Director William Ondrey Gruber stated that the memo distributed to Council on this item explains the electric aggregation supplier process and this recommendation. It recounts the history and reminds Council how we got to where we are today. Before Council tonight is the legislation which would authorize the Mayor to enter into an electric aggregation supply contract with the flexibility to contract with either of the two suppliers that submitted proposals through our request for proposals process: Dynegy or Energy Harbor, for a period of up to four years rather than one

supplier in particular, which is normally how we do our gas program. We haven't determined the exact period of time for how long we should enter into a contract. That will be determined by the market at the time we purchase the supply. We will start the program on June 1, 2023 rather than January 1, 2023. The goal is to provide 100% renewable energy through the purchase of renewable energy credits to serve our aggregation customers. Our current aggregation is with the Northeast Ohio Public Energy Council (NOPEC). The memo describes what NOPEC actions were taken due to market conditions. The anticipation is that by June of next year the overall market won't be going down. It looks like we can supply our aggregation with very competitive rates if we act very soon. We would like the flexibility with regard to the suppliers to keep it competitive as we go out for pricing.

Council member Mr. Malone stated that this item was reviewed and approved by the Sustainability Committee. They had a really thorough discussion on this. The important takeaway was that this is a really unique energy market that we're in. There is good reason to expect that the market will turn in a favorable direction for us in the sense that this standard price, which is approximately \$.05 cents cheaper than what any of the aggregation proposals we received would've paid. That standard rate is going to go up dramatically by all counts in April or May. He asked about a worst case scenario, if we could stick with the standard rate if it were more comparable because we have our own aggregation and we could move to contract with any supplier we choose.

Director Gruber stated that the customers that are currently in NOPEC's aggregation that have been moved to the standard service offer will remain on the standard service offer under our proposal until June of next year. If we leave them on the standard service offer, it would mean that we don't start our program. We would have to delay it even further. The proposal is if we contract with a supplier, that supplier at some point will be going to market and purchasing the electricity for our aggregation starting June 1. We can't wait till June 1 to do that. The purchases might be done in December of this year. If they're done in December, then we will have committed ourselves to that pricing. It is a risk, but there is a risk in not doing it as well. If we don't purchase now and the market continues to go up as it is trending, then the prices could be much higher by March of next year when we would absolutely have to purchase. In order to start June 1, we would have to purchase by mid-March and or make a decision at that time to postpone the start of the aggregation. Once we've committed with the purchase of electricity, then we've committed to a start date and to the aggregation pricing for that period of time. That gets into how long we set the pricing. We feel confident that the market is definitely trending upwards for the standard service offer. The bad news for customers is that it's no longer going to be \$.05/kilowatt hour range, but may go up closer to \$.10 to \$.12/kilowatt hour range. It is going up where NOPEC pricing was before they ended their program. It looks like all of the market pricing is going to be around that. We're hoping to be able to purchase electricity at slightly less than that, so that our rate would be competitive, especially compared to the standard service offer.

Council member Mr. Malone asked the consultant what gave him confidence, and he was referred to future contracts purchased at auctions showing prices at about \$.12/kilowatt as of October. The expectation is that would continue, stay steady or perhaps increase.

Director Gruber stated that an article in Crain's Business stated it was raising alarm that the auction process was having the most difficult time it has ever had in its history. It goes back to the beginning of deregulation. Before that there wasn't auctions for the standard service offer. In the history of the auctions, this is the first time they're having trouble finding suppliers to bid. The numbers are very low and the prices are very high. The trend is definitely looking like it's going to be in the \$.10 to \$.12/kilowatt hour range at least.

Council member Mr. Malone stated the importance of communicating this to the public, because there's going to be some consternation when the standard rate increases dramatically. Thankfully we've had the foresight to have an option for our residents, which will put us in much better shape than a lot of other residents in northeast Ohio. We're going to need to communicate to everybody what's happening in January and June with these drastic rate fluctuations.

Director Gruber stated that they have already been creating the information for the website and the *Shaker Magazine*, depending on the timing of the program. We're already getting questions from residents because they heard we're starting a program. We need to explain to people when they'll get a notice from us, which will probably be in March or April of next year. At that time we'll talk about how the rates are likely to look.

Council member Ms. Anne Williams thanked staff. The memo distributed provided a lot of complicated information and distilled it in a way that is really challenging. She really appreciates it because it lays everything out so they can understand it as best as they can in this uncertain market. She is very supportive of this.

It was moved by Mr. Malone, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-100 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Mr. Malone, and seconded by Ms. Anne Williams, that Ordinance No. 22-100 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Ordinance No. 22-101, by Mr. Claytor, authorizing an amendment to the Local Public Agency (LPA) agreement with the Ohio Department of Transportation (ODOT) in order to continue the implementation of the Chagrin Boulevard Resurfacing Project.

Public Works Director Patricia Speese stated that the City received federal funding through the Northeast Ohio Areawide Coordinating Agency (NOACA) for this project. The initial estimate of the project was \$2,659,996. NOACA was going to pay \$2,127,997. The pricing came in higher than we anticipated and NOACA suggested we apply for 15% more funding for this project to help us cover the difference between what they were initially going to fund. We were successful and received an additional \$319,200 that will be paid directly to the contractor. The City pays its 20% and then the contractor invoices the Ohio Department of Transportation which will pay it through these funds. This item requests approval to amend our agreement for the resurfacing of Chagrin Boulevard to accept the \$319,200 of additional funding. This item is requested with a suspension of the rules because this project will carry over into next year when we do the last section, from the Beachwood border to just near Van Aken.

Council member Mr. Roeder stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. Committee member Mr. Hren, who is a civil engineer, commented that he's seeing across the board big increases in projects. This reminds him of similar comments from Finance Director John Potts in terms of what it might mean for capital budgets in 2023.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee.

Council member Mr. Malone asked if this item is simply for the additional grant funds and if we have enough in the budget for the additional overruns.

Director Speese stated that we have a good cushion.

It was moved by Mr. Claytor, and seconded by Mr. Roeder, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-101 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Mr. Claytor, and seconded by Mr. Roeder, that Ordinance No. 22-101 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Ordinance No. 22-102, by Ms. Anne Williams, authorizing an agreement with the Northeast Ohio Regional Sewer District to use City Community Cost Sharing funds in the amount of \$375,000 to pay for a portion of the Green-Bryden Storm Sewer Improvements Project, and declaring an emergency.

Public Works Director Patricia Speese stated that we have a little over \$400,000 in our community cost share program with the Northeast Ohio Regional Sewer District (NEORS), where 25% of the funding is set aside to implement storm water projects. The issue at Bryden and Green has been problematic for a number of years for a number of reasons for both the City of Shaker Heights and the City of Beachwood. The project was bid as a collaborative effort, and each City's requesting their community cost share funding. This item requests \$375,000 of our community cost share funding to help pay for our little over \$500,000 cost for a parallel culvert to the one that currently exists. The county is contributing \$150,000 split between the two communities. That will reduce our costs by \$75,000 and the remainder is covered under the 2022 Sewer Capital Fund.

Council member Mr. Roeder stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. The conversation included a discussion around the split with Beachwood.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee. There was one question regarding replenishment of the fund.

It was moved by Ms. Anne Williams, and seconded by Mr. Roeder, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-102 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Ms. Anne Williams, and seconded by Mr. Roeder, that Ordinance No. 22-102 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Ordinance No. 22-103, by Ms. Carmella Williams, approving and authorizing execution of a Purchase Agreement under the City's Side Lot Program, for the sale of the City-owned property located at Scottsdale Boulevard, Shaker Heights, Ohio (Parcel No. 735-29-014), for a purchase price of \$1.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.

Neighborhood Development Specialist Brendan Zak stated that this item is for the purchase of a side lot located on Scottsdale Boulevard listed as parcel number 735-29-014 for \$1 in the Lomond neighborhood. The lot is 40-feet wide and 130-feet deep. The home at 17322 Scottsdale went through tax foreclosure three or four years ago. The applicant purchased and rehabbed the home. Earlier this year the lot went through tax foreclosure. The previous owner expanded the lot onto the side yard so this application will permanently consolidate those lots. There are no land boundary issues. This does satisfy the City's goal of expanding the size of lots in the neighborhood. We do not have any redevelopment plans for the lot. We will require an agreement that any large trees on the property be maintained except for any health or safety issues. We consider the use of this lot as a side yard as an improvement over the City maintaining a vacant lot. This item is requested as an emergency with a suspension of the rules to reduce the amount of City dollars spent maintaining the vacant lot.

Council member Ms. Carmella Williams stated that this item was reviewed and unanimously approved by the Neighborhood and Economic Development Committee.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously supported by the Finance Committee.

It was moved by Ms. Carmella Williams, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-103 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Ms. Carmella Williams, and seconded by Ms. Anne Williams, that Ordinance No. 22-103 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Ordinance No. 22-104, by Ms. Anne Williams, accepting a proposal and authorizing a personal services contract with Precision Wildlife Management LTD for the joint 2022-2023 Deer Management Program with the City of Beachwood in the total amount not to exceed \$50,000, and declaring an emergency.

Chief Administrative Officer Jeri E. Chaikin stated that this item was presented to the Wildlife Task Force, the Safety and Public Works Committee, and the Finance Committee. A team from Shaker also presented this to the City of Beachwood Safety and Public Health Committee and then to their Council. This is the seventh season there has been a recommendation to do deer culling. She is very excited to say that the City of Beachwood is entering this contract jointly with Precision Wildlife Management, the deer culling contractor, and the City of Shaker Heights to cull 70 deer within the two cities. It doesn't matter which city deer will be in. In light of the City of Shaker Heights' work on deer management and the establishment of the successful program, the City of Beachwood will pay \$60,000 of this cost. Shaker will pay \$50,000. Mr. Mariano of Precision Wildlife and Police Chief Jeffrey DeMuth feel as we do, and the City of Beachwood, that deer have no borders. No matter where we cull the 70 deer between the two cities, it will have an impact in both of our cities, particularly in south Shaker where Mr. Mariano has not been able to cull yet. There are a number of public and private sites in the City of Beachwood that Mr. Mariano is talking to Beachwood about. This item is requested as an emergency with a suspension of the rules so that we may start working on sites for culling.

Chief DeMuth stated that this collaboration with the City of Beachwood is without a doubt a win-win proposition for both cities. We have said for a long time that the deer problem is really a regional issue. We would certainly like to get more cities involved. For quite a long time in this program we have searched for a way to impact the residents in south Shaker because we really don't have a good way to cull there. It's really not the best location because of the density of the population and the houses are so close together. Mr. Mariano has identified bait sites in Beachwood that we feel due to the migratory patterns of the deer would make an impact in south Shaker, if he can intercept and cull them in Beachwood. We would have to wait for a couple of years to see how well this works but it is a great opportunity for the City of Shaker and Beachwood to collaborate together in culling deer.

CAO Chaikin stated that great connections were made by Mayor Weiss, current Council members and former Council members with the City of Beachwood, and she believes this will be a great contract to work collaboratively on with the City of Beachwood staff.

Council member Ms. Anne Williams stated that this item was reviewed and approved by the Wildlife Task Force. This is a huge step forward in our deer management program, and especially as has been noted for south Shaker. Our entire community can benefit from our management program. She is excited that we're moving forward in this way.

Council member Mr. Roeder stated that this item was reviewed and supported by the Safety and Public Works Committee. They had a healthy conversation and highlighted the need for culling across Shaker Heights, and in particular in south Shaker. They did have one member vote against this. One of the questions was about South Euclid and a program that they have on fertility control research. Chief DeMuth responded that we hadn't seen results of the study and that was not something we've looked at here at this point. That's come up over the years to potentially look at that. The same member had questions about the numbers which were clarified. There was a comment that some of the residents

are getting frustrated by lack of access to the median because that's where some of the culling happens and lack of access to recreational facilities. That member is involved with the Shaker soccer programs on the field of the north side of Shaker Boulevard. Apparently some parents and residents feel like it is becoming difficult at times. Chief DeMuth replied that notifications are sent out in advance when possible and they try to do culling at times when there are not a lot of people around. If there are people around culling will be stopped.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously supported by the Finance Committee. They clarified questions about the numbers.

Mayor Weiss stated that we are very pleased for this opportunity to work with Beachwood. Many of us have been hoping that this day would eventually come where we would be working with Beachwood. This is not the end of the discussion. We'd like to continue to talk with other neighboring communities and have already started. We will continue those discussions. The fact that Beachwood has joined provides an opportunity for others going forward. Besides Council members here today and staff members, we did call on the expertise of former Council member Rob Zimmerman, who helped out as well. He's been involved in this process, particularly discussions with Beachwood for many years. He wanted to acknowledge his assistance in this process.

It was moved by Ms. Anne Williams, and seconded by Mr. Claytor, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-104 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Ms. Anne Williams, and seconded by Mr. Claytor, that Ordinance No. 22-104 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Ordinance No. 22-105, by Mr. Roeder, accepting a proposal and authorizing a personal services contract for professional planning and design services with Toole Design Group, LLC in the total not to exceed amount of \$74,988, for the Van Aken Bikeway Plan Project, and declaring an emergency.

Principal Planner Kara O'Donnell stated that Planner Anna Mates, who is the project manager for this project, is available if there are questions. This item recommends awarding a planning and design contract in the amount of \$74,988 for the Van Aken bikeway plan project. It's an essential part of the Van Aken district redevelopment and will extend existing Van Aken district bike paths into western Shaker Heights to create a critical connection to the future Lee Road bicycle infrastructure that's foreseen in the Lee Road Action Plan. The goal is to improve neighborhood connections to primary transportation arteries for both pedestrians and cyclists of all levels. This will include options for both off-road and on-road facilities along multiple thoroughfares. The Van Aken bikeway is a \$1.8 million project that will be implemented in 2024. \$1.5 million is from the Northeast Ohio Areawide Coordinating Agency (NOACA) Transportation Improvement Program (TIP) funds, and \$300,000 would be the City's grant match. A request for proposals (RFPs) was issued in August to 23 planning architectural and landscape architectural firms. Six teams submitted proposals on the deadline of September 1st. We evaluated those proposals on specific criteria, including experience with similar projects, proposed project approach, experience of the project manager and their DEI strategy. Three firms met the criteria the best and were shortlisted for interviews. After interviews, the selection committee determined that Toole Design provided a proposal that met the RFP requirements the best and demonstrated the best qualifications for that project. Toole Design is one of the most innovative bicycle transportation and engineering consulting firms around. Staff checked references which were excellent.

It was moved by Mr. Roeder, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-105 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Mr. Roeder, and seconded by Ms. Anne Williams, that Ordinance No. 22-105 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Mayor Weiss stated that for those who may have been trying to listen in, we had some technical difficulty in Council chambers, but it has been hopefully corrected.

Ordinance No. 22-106, by Mr. Claytor, authorizing the City's acceptance of a grant in the amount of \$1,000,000 from Cuyahoga County, from its American Rescue Plan Act (ARPA) funds, for the Lee Road Corridor Improvements project, as a part of the implementation of the Lee Road Action Plan, and declaring an emergency.

Principal Planner Kara O'Donnell stated that this item requests a \$1 million grant from Cuyahoga County through American Rescue Plan Act funds for engineering of Lee Road improvements in accordance with the Lee Road Action Plan, and will be available in 2023. These funds will help to implement the Lee Road Action Plan. We will craft the long term vision for Lee Road and address the many aspects of transportation and redevelopment that are foreseen as part of the Lee Road Action Plan. In addition we will have a third round of public engagement which will start in early November. There is a public open house scheduled for November 10 at The Dealership. As we now undertake the final phase of this yearlong planning process, it is important to anticipate the required implementation funding to move forward towards enacting The Plan. The City has already successfully been awarded \$2.4 million from the State of Ohio, from both the Highway Safety Improvement Program to be used for pedestrian improvements; and from the Congestion, Mitigation and Air Quality program to be used for signalization. We've also been recommended by the Northeast Ohio Areawide Coordinating Agency (NOACA) for \$13 million of funding as part of the Transportation Improvement Program (TIP). A final vote for that is expected in December.

Council member Mr. Roeder stated that this item was reviewed and unanimously supported by the Safety and Public Works Committee.

Mayor Weiss publicly acknowledged the work across the board on getting this grant from the county and the assistance of Meredith Turner.

It was moved by Mr. Claytor, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-106 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
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Nays:	None
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Motion Carried

Moved by Mr. Claytor, and seconded by Ms. Anne Williams, that Ordinance No. 22-106 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
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Nays:	None
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Ordinance Enacted

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Ordinance No. 22-107, by Mr. Roeder, amending Ordinance 21-134 and Ordinance No. 22-60, an ordinance appropriating funds from the General Capital Fund 0401 for the Van Aken District and Traffic Signalization projects within the Planning Department, by appropriating an additional \$1,000,000 for Lee Road improvements from County ARPA funds, and declaring an emergency.

Principal Planner Kara O'Donnell stated that this item is to appropriate the grant funds into the Capital Fund for Lee Road improvements.

It was moved by Mr. Roeder, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-107 be placed upon its final enactment.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Motion Carried

Moved by Mr. Roeder, and seconded by Ms. Anne Williams, that Ordinance No. 22-107 be enacted as read.

Roll Call:	Ayes:	Mr. Roeder, Ms. Anne Williams, Ms. Carmella Williams, Mr. Earl Williams, Mr. Claytor, Mr. Malone
	Nays:	None

Ordinance Enacted

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Ordinance No. 22-108, by Mr. Malone, amending Ordinance 21-125 making appropriations for the current expenses and other expenditures of the City of Shaker Heights, Ohio for the year ending December 31, 2022, as amended by Ordinances No. 22-23, 22-33, 22-58, 22-71, 22-74, 22-81, and 22-97 to amend appropriations in Fund No. 101, the General fund, and to amend appropriations in Fund No. 214, Fair Housing Grants, and declaring an emergency.

Law Director William Ondrey Gruber stated that this item is for two different things. One is to appropriate additional funds of about \$1,400 from the City's Fair Housing grant fund for additional expenditures in the program this year. We've spent more than we thought we would at the beginning of the year because we had many complaints. We hired extra help during the year, so our final expense requires an additional appropriation. These are from Fair Housing Funds from the Department of

Housing and Urban Development, not the General Fund. In addition, the Law Department needs a transfer of \$30,000 from unspent funds in other General Fund department budgets to the Law Department to cover unanticipated expenses, primarily for outside legal fees that were needed for labor contracts that were all negotiated this past year. It is also for increased amounts of assigned counsel by the Shaker Heights Municipal Court

Finance Director John Potts stated that it is an increase in appropriation for the Fair Housing Fund and a movement of underspent funds in the Economic Development Department other expenses budget into the Law Department budget to cover these expenses.

Council member Mr. Malone asked what situations are court appointed counsel representing indigent defendants currently in municipal court.

Director Gruber stated that criminal defendants have a right to counsel if they're indigent. They can apply for court appointed counsel paid for by the City. If they're charged with a state offense then that's paid for by the county. If it's charged under our local ordinances then the City pays. We haven't had many of these in the past. This year we had a number of them. That's why the expense was higher than anticipated.

Council member Mr. Malone stated that in civil cases, particularly landlord tenant disputes he would like to see the City work with Legal Aid and other nonprofits who are involved in this type of work for a program that could pay for indigent defendants who are facing eviction. It is a very inefficient dispute resolution process currently for those who are unrepresented to appear before the courts. He would like to see the City consider this in future years. Ultimately it should probably be handled at the county level. His understanding is that the county is hesitant to take steps in this direction until they see indications of support from other municipalities. Lakewood is in the process of doing this, and it would be nice for Shaker, Cleveland Heights, and maybe others on the east side. It could improve stability for neighborhoods, help people avoid some of the expensive social services programs that the county operates, and in theory perhaps improve the City's bottom line. He just wanted to put in a plug for this when he saw indigent appointed counsel in the line item. He has no problem with the appropriation.

Director Gruber stated that because it was requested as part of the budget discussion, they have been doing research and met with Legal Aid. Legal Aid has funding from the county and they are providing eviction legal assistance in suburban areas, including the Shaker Heights court. They do have a program and it's ongoing. They're talking to Legal Aid about what extent there are gaps in that funding, who they can cover, or if there are areas where people who need assistance aren't being helped. They have asked for statistics from the court as well, and awaiting those.

Council member Mr. Malone stated that the statistics are pretty striking for the percentages of unrepresented defendants who are then evicted. Those evictions take much longer. A lot of these representations could be really minimal, getting one lawyer involved, making a few phone calls to the landlord, and working out a payment plan. It saves people months of time and expense.

Council member Mr. Claytor stated that he encourages the Administration to continue investigating to see how we can improve the living experiences for our residents who may fall into the circumstances of being indigent and facing eviction, and making sure we have a more stable housing environment for all of our residents.

It was moved by Mr. Malone, and seconded by Mr. Claytor, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 22-108 be placed upon its final enactment.

Roll Call: Ayes: Mr. Roeder, Ms. Anne Williams,
Ms. Carmella Williams, Mr. Earl Williams,
Mr. Claytor, Mr. Malone
Nays: None

Motion Carried

Moved by Mr. Malone, and seconded by Mr. Claytor, that Ordinance No. 22-108 be enacted as read.

Roll Call: Ayes: Mr. Roeder, Ms. Anne Williams,
Ms. Carmella Williams, Mr. Earl Williams,
Mr. Claytor, Mr. Malone
Nays: None

Ordinance Enacted

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Motion for Liquor Permit Speel Lindy Shaker LLC
dba 1899 Golf
20040 and 20060 Van Aken Blvd.

Law Director William Ondrey Gruber stated that he believes what has occurred is that there are several different addresses that serve as part of the building in which the 1899 Golf is going into. In the past, there was a restaurant, and a pet store. Speel Lindy first applied for a liquor permit for one of the addresses, but now trying to get the liquor permit to cover the entire building that they are going to be using. It's the same location, this is just so they may cover the entire building.

Mayor Weiss reminded Council that no action is required unless they have an objection.

No objections were voiced by Council.

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The Mayor asked the Clerk of Council to read into the record public comments received by email or phone on other items.

Clerk of Council Ms. Chaikin stated that no comments were received on other items by email or phone.

The Mayor invited members of the audience and those participating via Zoom the opportunity to “raise their hand” to provide public comment.

No comments were offered.

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There being no further business before Council, the Mayor adjourned the meeting at 8:35 p.m.

DAVID E. WEISS, Mayor

JERI E. CHAIKIN, Clerk of Council