



**Council Minutes  
Via Zoom Due to COVID-19  
Public Health Emergency  
February 22, 2021**

The Council of the City of Shaker Heights met in a regular session at 7:01 p.m., Mayor David E. Weiss presiding.

Council Members Present: Mrs. Moore  
Mr. Roeder  
Ms. Anne Williams  
Ms. Carmella Williams  
Mr. Earl Williams  
Mr. Zimmerman  
Mr. Malone (joined at 7:26 p.m.)

Council Members Absent: None

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Audio of this meeting may be found [here](#) through May 22, 2021.

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It was moved by Ms. Carmella Williams, and seconded by Ms. Anne Williams, that the minutes of the special meeting of January 11, 2021, be approved as recorded.

Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman

Nays: None

Motion Carried

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It was moved by Ms. Anne Williams, and seconded by Mrs. Moore, that the minutes of the regular meeting of January 25, 2021, be approved as recorded.

**CITY OF SHAKER HEIGHTS**

Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman

Nays: None

Motion Carried

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

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

Mayor Weiss offered those participating the opportunity to “raise their hand” to provide public comment.

No comments were offered.

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**Ordinance No. 21-12, by Mr. Roeder, authorizing a Development Agreement with CAP Construction LLC, for the sale, rehabilitation and re-sale of the City-owned property located at 3662 Riedham Road, Shaker Heights, Ohio, Permanent Parcel Number 735-27-141, authorizing the disposition of City-owned property, and declaring an emergency.**

Neighborhood Revitalization Director Kamla Lewis stated that staff is recommending tonight the sale of the single-family house located at 3662 Riedham to the rehab firm CAP Construction under the City's Shaker Renovator Program. The goal of this sale would be to get this property back into tax paying status by transferring it to a reputable firm for rehab, and then subsequent sale to an owner-occupant. The house was built in 1938. It's been vacant for at least five years. A demolition order was issued in August 2020. It is in considerable disrepair and hasn't been updated since it was built. It was donated to the City in December 2020. The City has a proposal from CAP Construction, one of our Shaker renovators to correct all point-of-sale violations, and also make significant upgrades to the property, including installing new windows, electrical, plumbing, air conditioning, insulation, a security system, new cabinetry, countertops, new lighting, new tile, and refinishing the hardwood floors. They expect the cost of the renovations to be approximately \$125,000, not including their labor costs. CAP Construction has consistently produced high quality rehabs and has an excellent reputation with all City departments. They have done a number of renovations, most recently at 3726 Traver. As with all the other sales under this program, we would transfer it to CAP Construction for \$1, as well as any costs that are associated with the transaction so that the entire transaction is cost neutral to the City. They would have six months to rehab the property and then sell it to an owner-occupant. The goal is to return the property to productive use. This would bring in the taxes from the property value of the newly renovated house, as well as of course the income tax from the new owner-occupant. It would also save the City the funds from demolishing the property at a cost of approximately \$15,000 and the resulting costs for the ongoing maintenance of the lot, which is approximately just over \$600 a year. This item is requested as an emergency with a suspension of the rules.

Council member Mr. Roeder stated that this item was reviewed and unanimously supported by the Neighborhood Revitalization and Development Committee. They were very enthusiastic to have this home rehabbed.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. One question was about what protections the City has if CAP can't finish the project, and indeed we are protected in different ways: the clawback provisions in the contract; and also the financial background and security of the point-of-sale escrow. The other comment was a quantification of the value of the program. This program has rehabbed 37 properties and the increase in value to the City is \$9.2 million.

It was moved by Mr. Roeder, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 21-12 be placed upon its final enactment.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman |
|            | Nays: | None   |

Motion Carried

Moved by Mr. Roeder, and seconded by Mrs. Moore, that Ordinance No. 21-12 be enacted as read.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman |
|            | Nays: | None   |

Ordinance Enacted

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**Ordinance No. 21-13, by Mr. Zimmerman, authorizing the City to apply for and accept a grant from the Ohio Department of Natural Resources in an amount up to \$281,141, for the Lower Lake Multipurpose Trail, and declaring an emergency.**

Principal Planner Kara O'Donnell stated that this is a project for an 8 to 10-foot wide trail located south of Lower Lake roughly parallel with South Park between Coventry and North Woodland. The trail is not yet designed. Design would happen if the funds were received and through a stakeholder and community engagement process. The project will build missing pedestrian bicycle links to bike lake trails, to the Nature Center, connecting with the trail on the other side of Lower Lake into nearby neighborhoods and will create a connected, accessible, and safe trail making sure that we protect environmental resources like the bio swale and the trees in that area. It has been identified as a Council priority for 2021. The grant we identified for this project is from the Ohio Department of Natural Resources (ODNR) Clean Ohio Trails Fund. Before we can apply for that grant, ODNR requires

Council legislation, as well as a public meeting, which is followed by a 14-day public comment period. We held a public meeting on February 9<sup>th</sup>, 25 people attended, and all comments were supportive during that meeting. Of course we had people suggesting further improvements that could be undertaken at a future date. We received 11 total comments via phone and email, and at that meeting only two were against the project. We presented the conceptual project at a Council work session and to the Safety and Public Works Committee. The Finance Committee asked for clarification on the money that was already committed for design, and the additional funds that were needed to provide the City's construction match. This request is for authorization to apply and to accept \$281,141 from ODNR with a required City match of \$93,714. We've already committed \$40,000 in the 2021 Capital Fund. If we receive this grant \$53,714 in additional matching funds should be appropriated to fulfill the City match with a total project cost of \$374,855, which includes engineering, environmental studies and construction. This item is requested as an emergency so that the application and legislation can be submitted by the March 15<sup>th</sup> grant deadline. We would find out in the fall whether we receive the grant.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. He thanked Ms. O'Donnell for the tremendous presentation. The memo distributed for this item was very comprehensive. There was an article on this in the Sun News. At that meeting, Mr. Malone was very excited about this and these improvements. They saw this as very necessary and not only important for that neighborhood, but the City and the region.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. They asked how the City's portion, the local match, grew from \$40,000 to a little over \$90,000, and that was answered adequately.

Council member Mr. Roeder thanked Ms. O'Donnell echoing Mr. Zimmerman's comments, for the whole process that we've gone through to get to this point, and stated the community meeting was excellent, with good participation there. He noted one of the comments from one of the residents was that the point of this path is for people to be able to use it at all times of year, and was concerned that perhaps this path might be a little bit too close to the road where snowplows could push snow up onto the path making it unusable in the winter. He asked if we had a response to that or if that is not something we needed to be concerned about, or whether the path would be set back far enough where it could be used in winter as well.

Ms. O'Donnell stated that they absolutely have that in their notes of things to take into account and will work with the Public Works Department and the public, as they are deciding exactly where this trail will be to assure that it would be accessible to people this time of year. The line that's drawn on that map, and that was part of the memo, is simply a line on a map. We have a long way to go with community input to try and figure out the best location for that, and that would definitely be taken into account.

It was moved by Mr. Zimmerman, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 21-13 be placed upon its final enactment.

Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman

Nays: None

Motion Carried

Moved by Mr. Zimmerman, and seconded by Mrs. Moore, that Ordinance No. 21-13 be enacted as read.

Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman

Nays: None

Ordinance Enacted

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**Ordinance No. 21-14, by Mr. Zimmerman, authorizing a contract with GPD Group in the total not to exceed amount of \$172,519 for professional design and related personal services for the resurfacing of Chagrin Boulevard, and declaring an emergency.**

Public Works Director Patricia Speese stated that last month Council considered the agreement that the Ohio Department of Transportation (ODOT) sent us to have Chagrin resurfaced. This month, as a result of that agreement, we sent out a request for proposals (RFP) to seven design firms, three of which responded. In our quality based select review process, where we review the proposals prior to checking the fee submitted, GPD group submitted the best proposal. This is probably because they've done it the last two times the street was resurfaced. That maybe gave them a bit of an edge, but their proposal was very good. We interviewed their team and they have a great understanding of the project with traffic control being the number one concern. We will not be resurfacing the new section at the intersection of Warrensville and Chagrin. There is no need to rip that up and tear it out since it is in great condition. About 300 or so feet will be suspended as far as the paving goes, but this goes from border to border and their fee was actually the lowest to be submitted in the amount of \$172,519. We are requesting approval to award this contract to GPD for the design of Chagrin Boulevard as an emergency with a suspension of the rules so we can begin the contract process and get this design hammered out.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Commission. This was easy. Through our process, we got the lowest and best bid so the director didn't have to go back and use her negotiation skills to beat a lower price out of them. They already came in the lowest and they were the best. That is always welcome.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. The only question was whether the project was budgeted, and the answer was it was not in the immediate budget, but it was included in the ten-year capital budget.



Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman

Nays: None

Motion Carried

Moved by Mr. Zimmerman, and seconded by Mr. Roeder, that Ordinance No. 21-15 be enacted as read.

Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman, Mr. Malone

Nays: None

Ordinance Enacted

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**Ordinance No. 21-16, by Mr. Zimmerman, authorizing an Agreement of Cooperation with Cuyahoga County for the rehabilitation of the Warrensville Center Road Bridge, and declaring an emergency.**

Public Works Director Patricia Speese stated that this is a routine agreement. Cuyahoga County is responsible for the repair of the bridge on Warrensville just in front of Fire Station No. 2. Back in 2016, they notified us that the bridge was in need of major repair and they put a weight limit on it. Trucks over a certain weight could not travel on it, especially coming northbound down Warrensville. We have asked them to move up this construction and the day has arrived. They would like to begin construction next year, but in order to do so since the bridge is in Shaker Heights they've asked us to enter into this agreement with them. They will be using their County motor vehicle license tax to make this repair. We are extremely excited to get this done. We have coordinated the resurfacing of Warrensville around this project, and obviously will not be resurfacing the bridge this summer. We will wait and then finish that after the bridge repair is done. We are requesting approval to enter into the agreement with Cuyahoga County for the rehabilitation of the Warrensville bridge. This item is requested as an emergency because they've already called once to see where it is in the process.

Mayor Weiss added that we don't want to miss this opportunity.

Director Speese stated that we just got the agreement in January, but they're asking if we passed it yet.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. Like Director Speese stated this is routine and did not spark a whole lot of discussion and certainly no controversy.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee.



fund this as Director Speese said, for plantings in a median strip. The tree canopy is decreasing in Cuyahoga County and in Shaker Heights as well as other communities. It takes 10 years for a new tree to show canopy. The sooner we plant and the more trees we plant in median strips the better. Obviously, the goal is to mitigate climate change, absorb storm water, and do all the wonderful things that trees do to improve our community and the beauty of it, along with the health of our community too. They support 174 new trees being planted and hope we get this wonderful grant.

Council member Mrs. Moore stated that this item was also reviewed and approved by the Finance Committee.

Council member Mr. Malone thanked Director Speese and Forester Mr. Orłowski for working on this. He hopes we have a reasonably good chance of getting this grant. To the extent that RTA's letter doesn't mention this, he thinks it would be helpful if we also mentioned sort of the disparity between the Green Rapid Line and the Blue Rapid Line. He thinks that would help, it looks like, with this particular grant.

Director Speese stated that the disparity isn't quite so much anymore after the December 5<sup>th</sup> storm.

Council member Mr. Malone stated that he does not think particular stretches of the Blue Rapid Line have ever had trees, so this will be a great addition.

Director Speese added that when they looked this over, it was awesome with a lot of area to plant.

It was moved by Mrs. Moore, and seconded by Mr. Malone, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 21-17 be placed upon its final enactment.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman, Mr. Malone |
|            | Nays: | None   |

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Malone, that Ordinance No. 21-17 be enacted as read.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman, Mr. Malone |
|            | Nays: | None   |

Ordinance Enacted

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**Ordinance No. 21-18, by Mrs. Moore, authorizing the application for and acceptance of a grant from the Federal Emergency Management Agency (FEMA) in the estimated amount of \$72,149, through the Assistance to Firefighters Grant funding program, for the replacement of the diesel exhaust system at Fire Station I, and declaring an emergency.**

Fire Chief Patrick Sweeney stated that the Fire Department relies heavily on diesel exhaust for all of the emergency apparatus at both of the fire stations. They upgraded the system at Fire Station No. 2 in 2013 to what we refer to as a direct capture exhaust system, where the hose is attached directly to the exhaust pipes of the fire trucks. When the trucks are started and when the doors open up the system automatically starts and exhausts the diesel emissions directly to the outside of the fire station. Fire Station No. 1 was designed with a total air exchange concept for that building, where there isn't any hoses attached to the tailpipe of the trucks. When the doors open and sensors detect diesel emissions, fans kick on and exchange all of the air and the apparatus floor. They've had a lot of issues with this system since the building was built a little over 16 years ago, including mechanical design issues, and they really have never been very happy with the system. They've made a lot of repairs to the control systems over the years, and feel that it's at its end of life right now. They are really looking to make a significant improvement to that exhaust system at that station. They've learned that FEMA is placing a high priority on these types of replacement systems for fire stations, so they would like to make an application with FEMA's assistance to firefighter grant, based on current estimates to replace that system at a little over \$80,000 right now. If they are successful, FEMA would provide 90% of the funding. Our estimated match right now would be about \$8,000. If successful, they would ask Council to appropriate the 10% match from the General Capital Fund. This item is requested as an emergency with a suspension of the rules to allow the submission of the application to get the process moving with a response back in the spring on whether they were awarded these dollars.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. They were not necessarily aware of the problem but if they are not successful with the grant it will need to be funded anyway. It is obviously a health and safety issue for our firefighters and it has to be addressed.

Council member Mrs. Moore stated that this item was reviewed and approved by the Finance Committee. They felt very strongly that if for any reason this grant is not obtained we should go ahead and make this change to upgrade the system for health reasons.

It was moved by Mrs. Moore, and seconded by Mr. Malone, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 21-18 be placed upon its final enactment.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman, Mr. Malone |
|            | Nays: | None   |

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Malone, that Ordinance No. 21-18 be enacted as read.

Roll Call: Ayes: Mrs. Moore, Mr. Roeder, Ms. Anne Williams,  
Ms. Carmella Williams, Mr. Earl Williams,  
Mr. Zimmerman, Mr. Malone

Nays: None

Ordinance Enacted

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**Ordinance No. 21-19, by Ms. Anne Williams, amending Ordinance No. 20-117, an Ordinance appropriating funds from the General Capital Fund 0401 for the repair and replacement of Recreation facilities by the Recreation Department by appropriating an additional \$28,514 from the General Capital Fund 0401 for the purchase of an electric vehicle for use by the Recreation Department, and declaring an emergency.**

Sustainability Coordinator Michael Peters stated that this request is to allocate funds for the purchase of an electric vehicle (EV) for the Recreation Department in the amount of \$28,514 to replace a 2004 former public safety vehicle, one of the oldest ones in our fleet and certainly not very efficient. We will see a savings in operating costs, in maintenance, and perhaps most importantly given that this is the Recreation Department, in greenhouse gas emissions. We'll see about four tons annually of greenhouse gas emissions based on our estimate for the 2004 former police cruiser. This will also allow us to do a pilot program to see how we can eventually transition our fleet towards electric vehicles. He believes that everyone at this point is under the impression that this is the future of cars and like vehicles, so this will give us an opportunity to have a real life experience with an EV in the fleet. Also certainly compatible with the mission of the Recreation Department as we're driving around town in an emission free vehicle, it will allow us to use the new electric vehicle chargers, two of which are going in at Thornton Park. That charger would be available for use for this vehicle. This request is for a 2020 Chevrolet Bolt with a 259-mile range, certainly plenty of range for the duty cycle for this vehicle. We can purchase it off of a state contract and there are currently manufacturer incentives. They are looking at a little over a \$10,000 savings off of the list price and for that reason this item is requested with a suspension of the rules.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Sustainability Committee. The Committee was very enthusiastic and glad to see this move.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee.

Mayor Weiss added that he believes everybody on this call is ecstatic about this purchase. It is not often we get so excited about the purchase of an automobile, but this one in particular, is one we've all been waiting on for quite some time. He is pleased to present this to Council.

Council member Mr. Malone stated that this is somewhat a gratuitous comment, but some of you have heard this before and won't be surprised. He really appreciates the investment in an electric vehicle. He is looking forward to other investments in the Recreation Department staff, in addition to the technology and the vehicles. As our budget improves, he is hoping that we can hire some more





successful grant applications, not only the regular ones that are offered to us from NOPEC because we're in their electric aggregation, but we recently accepted a grant for the EV charging stations in the amount of \$35,000. She believes Shaker and Lakewood only got those. She believes that really says a lot for Michael's initiatives. Very significant is the LEED for Cities grant application that he submitted and we are now waiting to hear what the City of Shaker Heights will receive. It was hundreds of pages and she actually did look through it and had Michael go over it with her. There was a lot of work that went into that, and still as he's refining and answering questions for LEED for Cities. Based on all of these great initiatives it is recommended the City enter into another contract for one year in the amount of \$50,000 with Coventry Land LLC. This item is requested as an emergency with a suspension of the rules as the current contract ends in just a few days and we'd like to keep it going as of March 1<sup>st</sup>.

Council member Ms. Anne Williams stated that this item was reviewed and approved by the Sustainability Committee. The Committee wholeheartedly supports this recommendation because the work that has been done as demonstrated by the memo. Everything done in the past and the initiatives we have going forward have just been tremendous. She thinks she speaks on behalf of every member of all the subcommittees, of how much they appreciate the time and effort Mr. Peters has put in. They appreciate his leadership and support, and the support of Council and the City Administration in keeping this momentum moving forward.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. It is such an incredibly positive experience to work with Mr. Peters. She is involved on a subcommittee as well as the Sustainability Committee and to come away from a committee meeting and feel that you have such positive momentum in any number of areas is proof that without his leadership we couldn't obviously be where we are now. She believes we've really taken a leadership position thanks to Mr. Peter's leadership on this.

Mayor Weiss added that it is a great example of an investment and dedication between Council, the work that we're doing on the committee, and with Mr. Peters. These things don't happen overnight. It requires an investment and sticking with the course and the plan that we have in place. Frankly, we've seen successes along the way, but they're accelerating. He is fairly confident they will be coming back to Council probably throughout a good chunk of this year with updates on further successes whether with the EV charging, the purchase of the electric vehicle that we just approved, bill tracking, and a lot of the not so pretty or exciting aspects. We're doing things that will provide us a foundation to make some real significant changes and cost savings in the future. He is very pleased and believes we are all very pleased with the progress we've made.

It was moved by Ms. Anne Williams, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 21-21 be placed upon its final enactment.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman, Mr. Malone |
|            | Nays: | None   |

Motion Carried



**Ordinance No. 21-23, by Mrs. Moore, authorizing the execution of Then and Now Certificates by the Director of Finance and the payment of amounts due for various purchase orders, and declaring an emergency.**

Finance Director John Potts stated that similar to last month, there are still some invoices that will trickle in during the time MUNIS shut down for 2020. This is for a recurring normal payment. This item is requested as an emergency with a suspension of the rules so the payment can be approved.

Council member Mrs. Moore stated that this item was reviewed and approved by the Finance Committee. This was routine due to the MUNIS shut down.

It was moved by Mrs. Moore, and seconded by Mr. Roeder, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 21-23 be placed upon its final enactment.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman, Mr. Malone |
|            | Nays: | None   |

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Roeder, that Ordinance No. 21-23 be enacted as read.

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| Roll Call: | Ayes: | Mrs. Moore, Mr. Roeder, Ms. Anne Williams,<br>Ms. Carmella Williams, Mr. Earl Williams,<br>Mr. Zimmerman, Mr. Malone |
|            | Nays: | None   |

Ordinance Enacted

\* \* \* \*

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

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

Mayor Weiss offered those participating 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 8:00 p.m.

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DAVID E. WEISS, Mayor

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JERI E. CHAIKIN, Clerk of Council