







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

Motion Carried

Moved by Mrs. Moore, and seconded by Ms. Anne Williams, that Ordinance No. 20-39 be enacted as read.

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

Ordinance Enacted

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**Ordinance No. 20-40, by Mr. Zimmerman, 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 3694 Daleford Road, Shaker Heights, Ohio (PP# 735-29-097), for a purchase price of \$1.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.**

Kamla Lewis, Neighborhood Revitalization Director, stated that the resident of 3690 Daleford wishes to acquire the lot directly south of her property at 3694 Daleford, add fencing, a play structure, and garden and seating area. She bought her home one week ago and moved here from Utah. She will be a faculty member at Case Western Reserve University. The City acquired the now vacant lot in 2012 through tax forfeiture and demolished the structure the same year. This item is requested as an emergency and with a suspension of the rules to enable the applicant to immediately commence the needed steps to survey and consolidate the lot with her own.

Council member Mr. Zimmerman stated that he noticed there was no information provided regarding the investment intended by the homeowner. He was wondering why it was listed for the prior purchase and not this one.

Director Lewis stated that this is the first application on the new application form since the program changes, which no longer has a requirement for listing the investment dollar amount.

It was moved by Mr. Zimmerman, and seconded by Ms. Carmella Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-40 be placed upon its final enactment.

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

Nays: None

Motion Carried

Moved by Mr. Zimmerman, and seconded by Ms. Carmella Williams, that Ordinance No. 20-40 be enacted as read.

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

Nays: None

Ordinance Enacted

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**Ordinance No. 20-41, by Mr. Zimmerman, accepting a proposal and authorizing a contract with DataWorks Plus in the maximum amount of \$14,807 for the LiveScan System upgrade and hardware replacement for the Police Department, and authorizing the expenditure of funds from the Law Enforcement Trust Fund (LETF), pursuant to Ohio Revised Code Section 2981.13, to make said purchase, and declaring an emergency.**

Police Chief Jeffrey DeMuth stated that the LiveScan system is being proposed to be purchased from the Law Enforcement Trust Fund as governed under Ohio Revised Code for this inkless electronic fingerprint and palm printing system used to submit arrest information and prints to the Ohio Attorney General's Bureau of Criminal Investigation (BCI). Once those prints are electronically received the state's criminal history database is searched as well as the FBI database. The first system we purchased over 10 years ago and in today's law enforcement the LiveScan system is the best practice and only acceptable means of fingerprinting by the FBI and the Ohio BCI. As part of our jail relocation agreement, the City of Solon routinely LiveScan's our arrestees at the Solon jail utilizing their system. However, newly arrested persons are not the only persons required to be fingerprinted. For example, persons seeking expungement for sealing their past criminal records are subject to fingerprinting. More commonly persons who are issued summonses instead of being taken into physical custody for misdemeanor criminal violations and those unable to be fingerprinted at the time of arrest are required to be fingerprinted. Those persons are unable to have their court matters addressed as courts are not allowed by rule of law to preside over the case until the defendants are fingerprinted. Our Solon jail partner will not accept individuals in their facility for the sole purpose of fingerprinting, they will only fingerprint arrestees. To quantify the needs of our police department for this tool, Shaker Heights Municipal Court estimates approximately five cases per court hearing are directed to our jail to comply with the fingerprinting requirements, and overall for the year that equates to about 250 people per year. In 2019, our department was notified that the software on our LiveScan

system had become outdated due to the expiration of the technology support for Windows 7. The proprietary software, hardware and FBI certified printer all needed to be upgraded. We sought bids from three vendors with a fairly wide range of bids and DataWorks was chosen as the lowest and best bidder to upgrade the hardware and software replacement for \$14,807. A portion of the \$70,000 funds approved and appropriated by Council from the Law Enforcement Trust Fund 2020 Police Department Operating Budget will be used for this purchase. This item is requested as an emergency and with a suspension of the rules as they presently have defendants waiting in the queue to have their cases heard in Shaker Heights Municipal Court.

Council member Mr. Zimmerman stated that this seems like a very necessary expense, one we have to make and has essentially already been budgeted.

Council member Mrs. Moore stated that this is reasonable and it was explained where the funds were coming from to pay for this.

Council member Mr. Earl Williams asked about fingerprinting being required for expungement of records and the process involving a court hearing. He has had questions from people eligible for expungement about the process. He asked if those ex-defendants are responsible for anything else to get the expungement journal entry to the various departments or if it is handled by the BCI.

Chief DeMuth stated it depends on where the case was adjudicated. In the Shaker Heights Municipal Court the electronic captured fingerprint is the only acceptable method of fingerprinting that BCI and FBI will accept. When Shaker Heights Municipal Court is doing expungements we want to make sure proper identification is made of the person being expunged and that is done through fingerprinting. They request the fingerprinting first and the Police Department returns the data back to the court to make sure the person being fingerprinted is the person requesting expungement. Once those match then the court returns a process to the Police Department to expunge those records. The process is the same in most courts but varies depending on where it was adjudicated.

Council member Mr. Williams stated that many people don't know about the second step where the court sends the separate order to the Police Department to expunge the record. They may be unsure if the process is complete and apprehensive about applying for a new job without knowing the outcome.

Chief DeMuth stated that is a good point because the Police Department has to certify the journal entry with the court that they have expunged those records.

It was moved by Mr. Zimmerman, and seconded by Mr. Earl Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-41 be placed upon its final enactment.

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

Motion Carried



Director Speese stated that the vehicle will be in the City's name and we will in effect own the vehicle during the 5-year lease period, and then then the company we purchased it from will pay us \$150,000 to pay off the balance of the lease from the leasing agent.

Director Potts stated that there are 2 agreements. The lease agreement is for 8 years. A separate agreement is from the company we purchased it from to purchase it at the end of year 5 from the City for \$150,000, for the last 3 years of the lease.

It was moved by Mr. Malone, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-42 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Malone, and seconded by Mrs. Moore, that Ordinance No. 20-42 be enacted as read.

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

Ordinance Enacted

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**Ordinance No. 20-43, by Mr. Malone, authorizing the participation of the City of Shaker Heights in a consortium with the Cuyahoga County Solid Waste District and various municipalities for the purpose of requesting bids and making a recommendation to consortium members for recycling processing services, and declaring an emergency.**

Patricia Speese, Public Works Director, stated that this is the third time that we have participated with the Cuyahoga County Solid Waste District (CCSWD) consortium for recycling. We have been very successful in the past participating with the consortium with good pricing and good bids. Unfortunately, the entire market has changed significantly and our last five-year bid expires in September. We have continued to receive pennies on the dollar for recyclables but having realized last year during the budget process we would have to begin to pay to have our recycling processed, funding was included in this year's budget. The CCSWD will do the bidding and all of the member communities will review the bids. The cost of fiber and cardboard has increased which may keep the price down somewhat. With the uncertainty in the market we plan to do a two-year bid with two one-year renewal options. Maybe things will be better. This item is requested as an emergency and with a suspension of the rules so we can meet the timeframe for the bids. Each community will then enter its own contract with the awarded vendor.

Council member Mrs. Moore asked about the anticipated costs for the next 12 months. All of Cleveland's recycling is going into the landfill as of now.

Director Speese stated that we are seeing bids anywhere from \$55/ton to \$200/ton. We are hopeful to come in on the low end. If we don't recycle we will pay about \$45/ton to landfill so we will incur a cost either way. Obviously recycling is what we want to do. Along with Cleveland, Richmond Heights discontinued recycling due to the costs.

Council member Mr. Malone stated that he read Cleveland was considering joining the consortium and asked if that would negatively affect our rates with their poor compliance and contamination levels.

Director Speese stated that Cleveland is not considering our consortium, but she feels it would have a negative affect if they joined our consortium. Contamination in recycling became a horrible problem when they went to the big recycling containers for the automated .systems because you can't see what is in it. If it is contaminated they won't recycle it.

Council member Mr. Malone stated that we currently receive \$.06/ton for recyclables and will need to start paying perhaps \$55/ton, so that is not great. Given that each City may opt out he asked if the price is subject to change depending on the number of communities that opt out.

Director Speese responded that the bid price does not change. The vendors bid on everything with the understanding of how much each City usually collects. The bidders understand they enter into bids individually with each city. If the bid is good, she can't imagine a city not wanting to participate.

It was moved by Mr. Malone, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-43 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Malone, and seconded by Mrs. Moore, that Ordinance No. 20-43 be enacted as read.

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

Ordinance Enacted

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**Ordinance No. 20-44, by Ms. Anne Williams, authorizing an agreement between the City of Shaker Heights as the Local Public Agency (LPA) and the Director of Transportation, Ohio Department of Transportation (ODOT), in order to implement the Guard Rail Replacement Project at Warrensville Center Road and Shaker Boulevard, and declaring an emergency.**

Patricia Speese, Public Works Director, stated that this item was approved by Council last month. However, we will not be working with the Ohio Department of Transportation, they will be doing the project, but this otherwise remains the same.

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. 20-44 be placed upon its final enactment.

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

Motion Carried

Moved by Ms. Anne Williams, and seconded by Mr. Roeder, that Ordinance No. 20-44 be enacted as read.

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

Ordinance Enacted

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**Ordinance No. 20-45, by Ms. Anne Williams, authorizing the City to apply for and accept a Northeast Ohio Regional Sewer District (NEORS) grant in the approximate amount of \$112,500, from the NEORS Member Community Infrastructure Program (MCIP), for design services for the Lynnfield/Lomond Sanitary Sewer Overflow (SSO) Mitigation Project, and to enter into any needed agreement(s) with NEORS to receive such funds, and declaring an emergency.**

Patricia Speese, Public Works Director, stated that the Northeast Ohio Regional Sewer District (NEORS) has the Member Community Infrastructure Program (MCIP), from which we have been extremely successful obtaining grant funds for two sanitary sewer overflows (SSOs). They have changed the process to allow for the design of a project as long as the design is done within 12 months. Then you can apply for the construction which must be completed within 24 months. We could not design and get the work done within 24 months to tackle the largest SSO we have in our community that affects the largest number of people. We are going to participate in this newer criteria they have established and only

apply for the design. This SSO affects a tremendous amount of people and when it rains it is not unusual to walk down Lomond and smell raw sewage from the overflow. The design cost we have estimated at \$225,000, will involve a full mile of new pipe going down Lomond to Sherrington and connect to Chagrin. We don't know for sure but will be determined during design if most of the streets to the west up to Palmerston are also affected. This is a very complex area with sewer pipes coming in from multiple directions but they are all undersized and cause sanitary sewage to back up onto Lomond. This is the biggest sewer project challenge we have had and may cause the removal of 10 – 14 large trees. If we are awarded the grant we will ask for the designer to investigate an alternative solution. The residents are supportive of anything which can help mitigate the problems they have incurred for a long time. The City would be responsible for 50% which is \$112,500.

Council member Mr. Earl Williams stated that we have allocated about \$2 million/year to our sewer fund and asked if the \$225,000 will come from the operating budget.

Director Speese stated that the 50% or \$112,500 will come from the capital budget. The passage of the dedicated funding source makes this so incredibly important and enables us to plan these types of huge projects.

Council member Mrs. Moore stated that she has received complaints from residents on Sherrington about flooding, but not specifically sewer flooding. That happens closer to Townley, Stoer and Lynnfield. She wondered if the potential elimination of this SSO will result in less flooding to properties with heavy rain events since the storm sewers sometimes flow into the sanitary sewers.

Director Speese stated that is the case here and it would have a huge benefit. We don't want to say we are eliminating the SSO, but we are controlling it. In our research we did find a lot of complaints from residents on Sherrington about flooding, which is from this SSO. That is why a mile of new pipe needs to be installed.

Council member Mrs. Moore stated that where we are dedicated to preserving mature trees, this SSO is so important that most residents would support this work notwithstanding the loss of the trees.

Mayor Weiss added that there will be public meetings, this is only for the design work.

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. 20-45 be placed upon its final enactment.

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

Motion Carried

Moved by Ms. Anne Williams, and seconded by Mrs. Moore, that Ordinance No. 20-45 be enacted as read.

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

Nays: None

Ordinance Enacted

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**Ordinance No. 20-46, by Ms. Carmella Williams, amending Ordinance No. 19-115 making appropriations for the current expenses and other expenditures of the City of Shaker Heights, Ohio for the year ending December 31, 2020, to amend appropriations in Fund No. 0101, the General Fund (within Municipal Court), Fund No. 0302, Fund No. 0214, and declaring an emergency.**

Finance Director John Potts stated that this item amends Ordinance No. 19-115 in Fund 0101, Fund 0302 and Fund 0214. Last month we awarded the refunding of the Urban Renewal Bonds to Chase and in order to reflect that transaction on our ledgers we need Council to approve an additional appropriation in the Debt Service Fund from \$1.3 million to \$9.9 million. The Shaker Heights Municipal Court received a grant in the amount of \$14,805 from the Ohio Supreme Court so we are asking to approve this additional appropriation so the court may expend those funds. The Law Department is requesting Council approve an additional appropriation within the City's Fair Housing Fund of \$11,000 to allow the program to pay a current invoice and additional expenses. This item is requested as an emergency and with a suspension of the rules to ensure we can update our records in a timely manner.

Council member Ms. Carmella Williams stated that this item was reviewed and supported by the Administration Committee.

It was moved by Ms. Carmella Williams, and seconded by Mr. Earl Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-46 be placed upon its final enactment.

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

Nays: None

Motion Carried

Moved by Ms. Carmella Williams, and seconded by Mr. Earl Williams, that Ordinance No. 20-46 be enacted as read.

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

Nays: None

Ordinance Enacted

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

CAO Chaikin read aloud the following comments received by Sara Schiavoni of 2940 Morley Road:

“First, I wanted to offer my appreciation and thanks to Director Braverman for all her hard work on the Warrensville/ Shaker reconfiguration project. The minutes from the 4/27 meeting indicate that not only was she (and her team) able to secure another substantial grant for the project but that she also worked with Public Works to combine the reconfiguration with the Warrensville resurfacing plan. This will certainly decrease the disruption to the neighborhoods and is greatly appreciated. I look forward to seeing the final plans for the project.

Second, I wanted to echo some of the comments from Council members in support of the city hosting a kind of Tele Town Hall or Facebook Live session where residents can ask questions they may have about what's going in the city and how we're responding to our current situation. I try to stay on top of what's going on in the City, but during this time have found it more difficult and having an opportunity to hear from City leaders in an interactive way would be much appreciated.

Lastly, I wanted to thank the administration for taking the time to thoroughly evaluate the possibility of opening Thornton Pool this summer. I'm sure this was an extremely difficult decision to make and it may be unpopular with some residents, but the process by which you made the decision was transparent and considered resident input-- in the end, this is all we can ask for.

Thank you all for your dedication to the city during this very difficult time.”

Mayor Weiss stated that we all take our hats off to Director Braverman for her track record and success in finding dollars where we need them. He appreciates the comment regarding the pool. It was a difficult decision but he thinks it was the correct one. We seem to have gotten very positive feedback that we took the time to explore all of our options but at the end of the day the safety, health and welfare of our community comes first. We are in discussions with the League of Women Voters regarding a broader discussion around a Tele Town Hall. We deferred our State of the City address due to the pandemic with the outbreak happening at about the same time. We will look forward to doing that in the next 30 – 45 days. We cancelled a number of committee meetings early on for a wide range of reasons including our focus on the pandemic and the health and safety of our community, but we are now ready to roll back out our committee meetings. We will start having committee meetings again in June and the City is in the process of adopting the Zoom platform for those meetings so we intend to use that going forward as soon as we can get the kinks worked out and become more adept at that technology.

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There being no further business before Council, the Mayor adjourned the meeting at 8:49 p.m.

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DAVID E. WEISS, Mayor

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JERI E. CHAIKIN, Clerk of Council