



SHAKER HEIGHTS

City Council Agenda Via Conference Call Due to COVID-19 Public Health Emergency Monday, March 30, 2020 at 7:30 pm

REGULAR MEETING

1. Approval of the minutes of the special meeting of February 10, 2020 and the regular meeting of February 24, 2020 (attached herewith).

Documents:

[SPMN0210.PDF](#)
[COMN0224.PDF](#)

Public Comment on Agenda Items.

Comments and questions submitted prior to the meeting will be read into the record.*

2. Proclaiming April 2020 as Fair Housing Month in Shaker Heights, recognizing and celebrating the 52nd anniversary of the Federal Fair Housing Act, and reiterating the City's support for housing without discrimination in the City and the maintenance of an inclusive community.

Resolution NO. 20-18

By: Earl Williams

Documents:

[FAIR HOUSING.PDF](#)

3. Approving and authorizing execution of a Purchase Agreement under the City's Side Lot Program, for the sale of the City-owned property adjacent to and immediately south of 3625 Stoer Road, Shaker Heights, Ohio (PP# 736-22-063), for a purchase price of \$1.00, authorizing the disposition of City owned property without competitive bidding, and declaring an emergency.

Documents:

[3625 STOER.PDF](#)

4. 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 2583-85 Kendall Road, Shaker Heights, Ohio (PP# 736-31-017), for a purchase price of \$1.00, authorizing the disposition of City owned property without competitive bidding, and declaring an emergency.

Documents:

[2583 KENDALL.PDF](#)

5. Granting a permanent easement to Dominion Energy Ohio (DEO) on City-owned property between Warrensville Center Road and Shaker Boulevard, that is part of Parcel Numbers 733-12-016 and 733-23-020, to relocate the existing gas pipeline, and declaring an emergency. (SPW)

Documents:

[DEO.PDF](#)

6. Amending Ordinance No. 19-122 an ordinance appropriating funds from the General Capital Fund 0401 for the acquisition of equipment and various repairs and improvement projects for various City facilities by appropriating an additional \$39,260 from the General Capital Fund 0401 for City Hall Fire Alarm Replacement, and declaring an emergency. (SPW)

Documents:

[ALARM.PDF](#)

7. Administrative acceptance of the approval of the City Planning Commission and confirmation of the granting of a Conditional Use Permit for the construction of an assisted living and memory care facility, with Confluent Development LLC, located at 16900 Van Aken Boulevard, pursuant to Section 1213.05 of the City's Zoning Code. (CPC)

Documents:

[CUP.PDF](#)

8. Approving and authorizing execution of an Amendment to the Purchase, Development and Use Agreement entered into on August 30, 2019 with Confluent Development, LLC, in order for the City to contribute a portion of the cost of an underground storm water detention system required by NEORSB by reducing the purchase price, and to authorize the transfer of a portion of City-owned property on Winslow Court behind Shaker Town Center to Confluent, and declaring an emergency.

Documents:

[CONFLUENT DANDU.PDF](#)

9. Authorizing the vacation and accepting the dedication of right-of-way along a portion of Winslow Road adjacent to 16900 Van Aken Boulevard (Parcel Nos. 735-17-020 and 735-18-023) and adjacent to City-owned property on Winslow Court behind Shaker Towne Center (Parcel No. 735-17-018), and authorizing the transfer of a portion of said City-owned property on Winslow Court to Confluent Development LLC without competitive bidding, and declaring an emergency. (CPC)

Documents:

[CONFLUENT VACATION.PDF](#)

10. 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.

Documents:

[THEN AND NOW.PDF](#)

11. Liquor Permit:
TIRL, LLC
Dbá Cilantro Taqueria
20090 Van Aken Blvd.

Documents:

[LIQ PERMIT.PDF](#)

Public Comment on Other Items.

Comments and questions submitted prior to the meeting will be read into the record.*

Committees:

CPC: City Planning Commission

SPW: Safety and Public Works Committee

Please Note:

For the safety of our staff and residents live audio will be available on a listen-only basis to the first 80 callers, but public in-person attendance and comment will not be permitted. Residents are encouraged to submit comments/questions regarding items on the agenda or other items not on the agenda at least 6 hours in advance of the meeting by emailing **Jeri E. Chaikin at JERI.CHAIKIN@SHAKERONLINE.COM** or by calling **(216) 491-1424**. Any comments or questions will be read into the record at the meeting. You may listen to the meeting live that evening by calling **1-877-613-4984** and entering code **03302020**. The audio of the meeting will be available the following day on the City's [WEBSITE](#).

***Comments and questions submitted may be edited if excessively lengthy.**

To request an accommodation for a person with a disability, call the City's ADA Coordinator at 216-491-1440, or Ohio Relay Service at 711 for TTY users.

Mayor Weiss stated that as we started this year there were a number of initiatives, some that carried forward from last year and some that are new. While working on the budget last year, we recognized and he was reminded that we are spending a significant amount on maintenance and landscaping on the growing number of empty lots in the City. When originally adopted, the side lot program had some success, but we were not having the success that we had hoped in terms of getting them built on or into productive and a taxable use in the community. He charged Neighborhood Revitalization Department Director Kamla Lewis with coming up with recommendations to tweak the program to see whether we could help accelerate the processes of getting these assets back on the tax rolls. She will be presenting the changes being recommended and requesting feedback from Council. This is more so informational but he wanted Council to be aware of the proposed changes.

Neighborhood Revitalization Department Director Kamla Lewis gave a presentation on the Pilot Side Lot Program.

At 8:29 p.m. Council returned to the regular meeting.

* * * *

It was moved by Mr. Earl Williams, and seconded by Ms. Carmella Williams, that the minutes of the organizational meeting of January 6, 2020, be approved as recorded.

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

* * * *

It was moved by Mrs. Moore, and seconded by Ms. Anne Williams, that the minutes of the special meeting of January 13, 2020, be approved as recorded.

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

* * * *

It was moved by Mr. Zimmerman, and seconded by Ms. Carmella Williams, that the minutes of the regular meeting of January 27, 2020, be approved as amended.

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

Nays: None

Motion Carried

* * * *

The Mayor invited members of the audience to comment on any of the agenda items.

No comments were offered.

* * * *

Ordinance No. 20-14, by Mr. Zimmerman, recognizing the appointment of Mayor David E. Weiss to the Board of Trustees of the Greater Cleveland Regional Transit Authority (“GCRTA”) and his representation on said Board of the City’s interests, as well as the interests of all citizens of this City and of Cuyahoga County.

William M. Ondrey Gruber, Law Director, stated that in the past Council has appointed both mayors and staff of the City to represent the City’s interests on non-profit boards where there could be a conflict of interest because the City has or may have a contractual relationship with those organizations and that can run afoul of Ohio law regarding having an interest in an unlawful, pecuniary or fiduciary interest in a public contract. In order to avoid any possible conflict and any appearance of conflict, he recommends that Council approve legislation recognizing the appointment of Mayor Weiss on the Board of Trustees of the Greater Cleveland Regional Transit Authority (RTA) and his representation on the Board of the City’s interests as well as those of course of all citizens of this City and Cuyahoga County. In December 2019 Mayor Weiss was elected by the Cuyahoga County Mayor’s and City Managers Association to the Board of Trustees for a term commencing on March 3, 2020. There are three members of that Board who are appointed by the Cuyahoga County Mayor’s and City Managers Association. The City of Cleveland and Cuyahoga County also appoints members to that Board. The City also has annual contracts with RTA for the provision of services by the City to maintain the landscaping along the rail lines and has other contractual interactions involving a transfer agreement from 1975, which is still invoked and interpreted. We recently had it amended for the Van Aken development. In order to avoid any possible claim of a conflict this Council may name the Mayor in his official capacity to represent the City’s interests.

Council member Mr. Earl Williams asked if there was any possibility of a conflict by the Mayor being a member of the Board.

Director Gruber responded only as a fiduciary. As long as the Mayor is representing the City’s interest on that Board it is an exception to any possible conflict under state law.

It was moved by Mr. Zimmerman, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-14 be placed upon its final enactment.

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

Nays: None

Motion Carried

Moved by Mr. Zimmerman, and seconded by Ms. Anne Williams, that Ordinance No. 20-14 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

* * * *

Ordinance No. 20-15, by Mr. Earl 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 3654 Daleford Road, Shaker Heights, Ohio, for a purchase price of \$50.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.

Neighborhood Revitalization Department Director Kamla Lewis stated that Gregory Huffman of 3658 Daleford Road has applied to acquire the adjacent City-owned vacant lot at 3654 Daleford Road. He proposes to enclose it with an ornamental fence behind the City landscaping, maintain the beautiful tree at the front of the property with appropriate pruning and trimming, and remove the stump at the back of the property. He is offering \$50 for the lot and proposes capital improvements in the amount of \$5,906.

Director Gruber asked if this application will follow the new protocol for the proposed side lot program.

Director Lewis stated that she informed Mr. Huffman that staff can take this to the City Planning Commission on his behalf if he wishes, and it will include the new language regarding trees.

It was moved by Mr. Earl Williams, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-15 be placed upon its final enactment.

RESOLUTION NO. 20-18

BY: Earl Williams

Proclaiming April 2020 as Fair Housing Month in Shaker Heights, recognizing and celebrating the 52nd anniversary of the Federal Fair Housing Act, and reiterating the City's support for housing without discrimination in the City and the maintenance of an inclusive community.

WHEREAS, Fair Housing Month is celebrated each April across the United States in commemoration of the enactment of the 1968 Fair Housing Act, which became law one week after the April 4 assassination of Dr. Martin Luther King Jr., and which prohibited discrimination based on race, color, national origin, and religion; the Act being amended in 1974 to include discrimination based on gender and again in 1988, to include familial status and persons with disabilities; and

WHEREAS, in 1992, the City was one of the first cities in the nation to be recognized by the federal government as having a fair housing law, enacted by Ordinance No. 92-35, that is substantially equivalent to the federal law, and the City's ordinance was amended in 2006 by Ordinance No. 06-20 to include sexual orientation and gender identity as additional protected classes; and in 2019 by Ordinance No. 19-49 to clarify and add "gender identity or expression"; and

WHEREAS, the City has, since 1992, maintained a Fair Housing Office, with an active enforcement program, as well as planning and conducting activities that creatively and affirmatively promote fair housing through education and outreach; and

WHEREAS, in addition to prohibiting housing discrimination, desegregation is an explicit mandate under the original 1968 landmark Civil rights-era legislation, and this obligation continues to the present day through the U.S. Department of Housing & Urban Development's statutory duty to affirmatively further the promotion of housing choice and integration, also known as "affirmatively furthering fair housing" (AFFH); and

WHEREAS, HUD's regulations appropriately reflect this dual obligation to both promote housing choice and pursue integration, including the requirement that HUD take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics and replace segregated living patterns with truly integrated and balanced living patterns; and

WHEREAS the City remains committed to affirmatively furthering the goals of the Fair Housing Act through progressive efforts to address real impediments to fair housing choice and foster inclusive communities of opportunity; and

WHEREAS, on this 52nd Anniversary of the Fair Housing Act, and on the recommendation of the City's Fair Housing Review Board, this Council wishes to reaffirm and support the right of all citizens, regardless of race, color, religion, sex, ancestry, national origin, handicap, familial status, sexual orientation, or gender identity or expression to enjoy equal access to housing and to reside in communities that provide integrated and balanced living patterns.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council hereby designates April 2020 as Fair Housing Month in the City of Shaker Heights and reaffirms its commitment to the goals of promotion of housing choice and pursuit of integration as mandated in the 1968 Federal Fair Housing Act and the principles guaranteed under the City's Fair Housing Ordinance.

Section 2. This Council hereby celebrates and recognizes the 52nd anniversary of the Federal Fair Housing Act, and joins the rest of the nation in rededicating itself to combating unlawful housing discrimination and encouraging the development of balanced residential living patterns, both in the greater Cleveland area and throughout the country, through continued implementation and enforcement of the federal government's mandate to affirmatively further fair housing in all communities.

Section 3. The Clerk of Council is hereby directed to forward a copy of this resolution to the U.S. Department of Housing and Urban Development and the Cuyahoga County Council.

Section 4. This resolution is hereby adopted as an administrative measure not subject to referendum, and therefore this resolution shall take effect immediately upon its enactment and approval by the Mayor.

Adopted

Approved this ____ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council

0330fairhousingresolution



SHAKER HEIGHTS

Memorandum

To: Members of Council
From: Kamla Lewis, Director, Director of Neighborhood Revitalization
cc: Mayor David E. Weiss
Jeri Chaikin, CAO
Date: February 27, 2020
Re: **Application to Acquire City Owned Vacant Lot south of 3625 Stoer Road
(PPN 736-22-063) for Side Lot**

Summary

The City has received an application from Troy and Stephanie Neujahr, 3625 Stoer Road, who are interested in acquiring the city owned vacant lot adjacent to their home (PPN 736-22-063) in order to expand their lot. Under the new side lot program process, qualified applications come directly to Council for action after staff review. The set price for acquisition of lots as side yards is \$1.00.

Background & Discussion

Application Summary

- **Applicant:** Troy and Stephanie Neujahr, 3625 Stoer Road
- **Proposal summary:** to purchase this vacant lot to use as an enlarged side yard, and add privacy fencing and a playhouse/shed and a therapeutic pacing area.

Staff Review of Application

- The applicants' property is not in foreclosure, they are current in their property taxes, and there have been no criminal nuisance activity complaints. They have no outstanding Housing or Zoning Code violations. They purchased their home in Shaker Heights in December 2019, and are owner occupants of this single family property.
- The applicants' proposal is consistent with the City and neighborhood goal of expanding the size of lots in the neighborhood to enable households to have larger yards without selling their home and moving elsewhere.
- The City has no redevelopment plans for this vacant lot.
- Staff considers that the use of the lot as described would be an improvement over it being maintained by the City as a vacant lot. It currently costs the City approx. \$615 per year to maintain a vacant lot.

Background Information

- In February 2020, the City modified its Side Lot Program to make City owned vacant lots more readily available to the adjacent neighbors.

- If the application is approved by Council, the City will enter into an agreement with the applicant that will include all of the conditions and the buyer's responsibilities. The buyer will have to seek Planning Commission (CPC) approval for the consolidation of the lots. If there are variance requirements, they may also have to seek Zoning Board approval. Only once all these conditions are met would the property be transferred.
- The property was acquired by the City in April 2014 through tax foreclosure. There was never a structure on the property, and it was previously owned by the prior owner of 3625 Stoer.
- Through its vacant lot program, the City so far has sold nineteen (19) vacant lots.
- One additional vacant lot on Rolliston is being leased to a community group for use as a Community Garden.

Recommendation

Staff recommends approval of the Neujahr application to acquire the City owned vacant lot south of 3625 Stoer Road (PPN 736-22-063) for \$1.00 and utilize it as an expanded side yard, and that this be passed on first reading and as an emergency in order to enable the applicant to immediately commence moving forward with their plans.



Neujahr home at 3625 Stoer and adjacent city owned vacant lot looking south

ORDINANCE NO.

BY:

Approving and authorizing execution of a Purchase Agreement under the City's Side Lot Program, for the sale of the City-owned property adjacent to and immediately south of 3625 Stoer Road, Shaker Heights, Ohio (PP# 736-22-063), for a purchase price of \$1.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.

WHEREAS, in February 2020, the City modified its Side Lot Program, which was originally created in 2008, and which makes City-owned vacant lots available for purchase for \$1.00 by adjacent neighbors to encourage them to acquire the lots to enhance their properties and the neighborhood, and to thereby reduce the costs incurred by the City in maintaining such lots; and

WHEREAS, the property located immediately south of and adjacent to 3625 Stoer Road, Shaker Heights, Ohio (PP# 736-22-063), is a City-owned vacant lot (the "Property"); and

WHEREAS, the owners of the property at 3625 Stoer Road, Permanent Parcel No. 736-22-064, Troy and Stephanie Neujahr, submitted an Application for Acquiring City-Owned Residential Lots; and

WHEREAS, the Property will be consolidated with the Neujahr property at 3625 Stoer Road, Permanent Parcel No. 736-22-064, and the lot will be used as the Neujahr side yard; and

WHEREAS, the Director of Neighborhood Revitalization has recommended that the City enter into a Purchase Agreement with Troy and Stephanie Neujahr for the Property, for the purchase price of ONE DOLLAR (\$1.00); and

WHEREAS, this Council has determined that the value to the City of the proposed transfer of this vacant lot and its consolidation with the purchaser's adjacent property, as well as the elimination of the City's maintenance costs, provides sufficient consideration and value to the City to justify the sale of the property for \$1.00, and Council hereby declares that this property is not needed by the City for governmental purposes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, Ohio, as follows:

Section 1. This Council hereby accepts the offer of Troy and Stephanie Neujahr to purchase the City-owned Property located immediately south of and adjacent to 3625 Stoer Road, Shaker Heights, Ohio, also known as Permanent Parcel Number 736-22-063, for ONE DOLLAR (\$1.00).

Section 2. The Mayor is hereby authorized and directed to enter into a Purchase Agreement with Troy and Stephanie Neujahr for the purchase of the Property, and for the consolidation of the Property with the property of the purchaser at 3625 Stoer Road, Permanent Parcel No. 736-22-064. Said Purchase Agreement shall be in the form as approved by the Director of Law.

Section 3. Pursuant to the terms of said Purchase Agreement, the Mayor is further authorized and directed to sell the City-owned property located immediately south of and adjacent to 3625 Stoer Road, Shaker Heights, Ohio, on the terms and conditions set forth in the Purchase Agreement and without advertising further for competitive bids.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary to enter into the Purchase Agreement in order to expedite the sale of this City-owned property to reduce the use of City resources to maintain the lot for which there is no municipal purpose, and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this ____ day of _____ 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council
coun20/0320PPN73622063sidelotneujahr



SHAKER HEIGHTS

Memorandum

To: Members of Council
From: Kamla Lewis, Director, Director of Neighborhood Revitalization
cc: Mayor David E. Weiss
Jeri Chaikin, CAO
Date: March 18, 2020
Re: **Application to Acquire City Owned Vacant Lot at 2583 Kendall Road (PPN 736-31-017) for Lot Expansion**

Summary

The City has received an application from Michael Bailey of 2584 Cheshire Road, who is interested in acquiring the city owned vacant lot behind his home in order to expand his backyard. Under the new side lot program process, qualified applications come directly to Council for action after staff review. The set price for acquisition of lots as side yards is \$1.00.

Background & Discussion

Application Summary

- **Applicant:** Michael Bailey, 2584 Cheshire Road
- **Proposal summary:** to purchase this vacant lot to use as an enlarged backyard, and add a greenhouse and raised beds for a vegetable and flower garden.

Staff Review of Application

- The applicant's property is not in foreclosure, he is current in his property taxes, and there have been no criminal nuisance activity complaints. He has no outstanding Housing or Zoning Code violations. He purchased his home in Shaker Heights in July 2019, and is an owner occupant of this single family property.
- The applicants' proposal is consistent with the City and neighborhood goal of expanding the size of lots in the neighborhood to enable households to have larger yards without selling their home and moving elsewhere.
- The City has no redevelopment plans for this vacant lot.
- Staff considers that the use of the lot as described would be an improvement over it being maintained by the City as a vacant lot. It currently costs the City approx. \$615 per year to maintain a vacant lot.

Background Information

- In February 2020, the City modified its Side Lot Program to make City owned vacant lots more readily available to the adjacent neighbors.
- If the application is approved by Council, the City will enter into an agreement with the applicant that will include all of the conditions and the buyer's responsibilities. The buyer will

have to seek Planning Commission (CPC) approval for the consolidation of the lots. If there are variance requirements, they may also have to seek Zoning Board approval. Only once all these conditions are met would the property be transferred.

- The property was acquired by the City in September 2013 from HUD. The structure was demolished in 2012.
- Through its vacant lot program, the City so far has sold nineteen (19) vacant lots.
- One additional vacant lot on Rolliston is being leased to a community group for use as a Community Garden.

Recommendation

Staff recommends approval of the Bailey application to acquire the City owned vacant lot at 2583 Kendall Road (PPN 736-31-017) for \$1.00 and utilize it as an expanded backyard, and that this be passed on first reading and as an emergency in order to enable the applicant to immediately commence moving forward with their plans.



Bailey home at 2584 Cheshire Road



Vacant lot at 2583 Kendall Road

ORDINANCE NO.

BY:

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 2583-85 Kendall Road, Shaker Heights, Ohio (PP# 736-31-017), for a purchase price of \$1.00, authorizing the disposition of City-owned property without competitive bidding, and declaring an emergency.

WHEREAS, in February 2020, the City modified its Side Lot Program, which was originally created in 2008, and which makes City-owned vacant lots available for purchase for \$1.00 by adjacent neighbors to encourage them to acquire the lots to enhance their properties and the neighborhood, and to thereby reduce the costs incurred by the City in maintaining such lots; and

WHEREAS, the property located at 2583-85 Kendall Road, Shaker Heights, Ohio (PP# 736-31-017), is a City-owned vacant lot (the "Property"); and

WHEREAS, the owner of the property at 2584 Cheshire Road, Permanent Parcel No. 736-31-046, Michael Bailey, submitted an Application for Acquiring City-Owned Residential Lots; and

WHEREAS, the Property will be consolidated with the Bailey property at 2584 Cheshire Road, Permanent Parcel No. 736-31-046, and the lot will be used to expand the Bailey back yard; and

WHEREAS, the Director of Neighborhood Revitalization has recommended that the City enter into a Purchase Agreement with Michael Bailey for the Property, for the purchase price of ONE DOLLAR (\$1.00); and

WHEREAS, this Council has determined that the value to the City of the proposed transfer of this vacant lot and its consolidation with the purchaser's adjacent property, as well as the elimination of the City's maintenance costs, provides sufficient consideration and value to the City to justify the sale of the property for \$1.00, and Council hereby declares that this property is not needed by the City for governmental purposes.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, Ohio, as follows:

Section 1. This Council hereby accepts the offer of Michael Bailey to purchase the City-owned Property located at 2583-85 Kendall Road, Shaker Heights, Ohio, also known as Permanent Parcel Number 736-31-017, for ONE DOLLAR (\$1.00).

Section 2. The Mayor is hereby authorized and directed to enter into a Purchase Agreement with Michael Bailey for the purchase of the Property, and for the consolidation of the Property with the property of the purchaser at 2584 Cheshire Road, Permanent Parcel No. 736-31-046. Said Purchase Agreement shall be in the form as approved by the Director of Law.

Section 3. Pursuant to the terms of said Purchase Agreement, the Mayor is further authorized and directed to sell the City-owned property located at 2583-85 Kendall Road, Shaker Heights, Ohio, on the terms and conditions set forth in the Purchase Agreement and without advertising further for competitive bids.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary to enter into the Purchase Agreement in order to expedite the sale of this City-owned property to reduce the use of City resources to maintain the lot for which there is no municipal purpose, and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this ____ day of _____ 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council
coun20/0325PPN73631017sidelotbailey



Memorandum

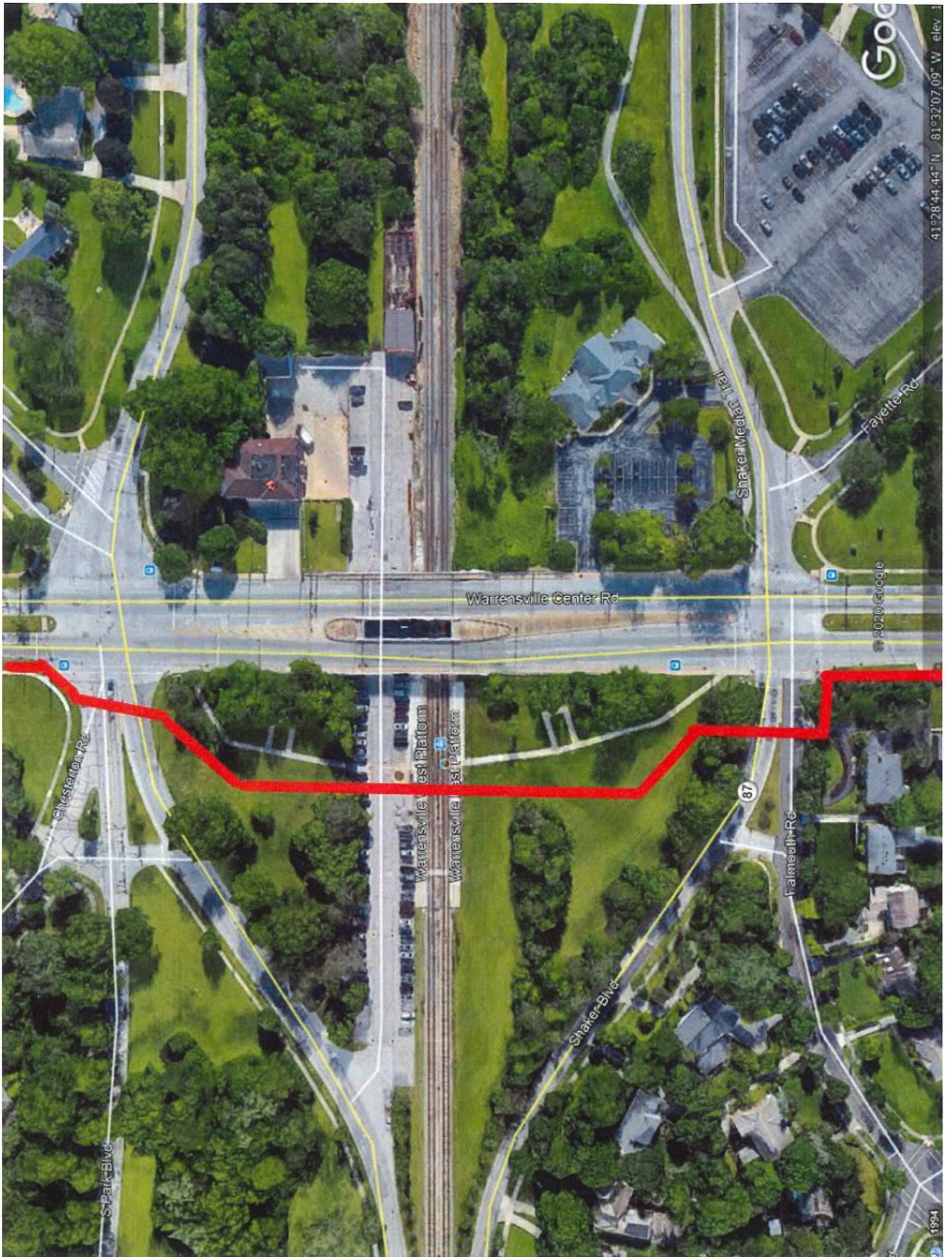
To: Members of City Council
From: Patricia Speese, Director of Public Works
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: March 18, 2020
Re: Dominion Energy Ohio Easement

Dominion Energy Ohio (DEO) currently has an existing gas main that runs parallel to the bridge on Warrensville Center Road between east and west bound Shaker Blvd. In preparation of Cuyahoga County Department of Public Works replacement of this bridge, DEO needs to relocate the existing gas main. The proposed alignment for the new gas main is approximately 120-feet west of the western edge of the existing bridge on parcel numbers 733-12-016 and 733-23-020. These parcels are owned by the City of Shaker Heights. In order to install and maintain the new gas main, DEO is requesting a permanent gas pipeline easement.

DEO submitted plans to the City of Shaker Heights for our review in late 2019. Based on our understanding, the new gas main will be installed underground with minimal impact to city property. It does not appear any trees will be removed as a result of this project. This work in the general vicinity of Warrensville Center Road and Shaker Blvd. is part of a larger gas pipe main replacement project. DEO is anticipating starting the project in the spring of 2020. The gas main replacement project will be completed prior to the Warrensville Center Road / Shaker Blvd. intersection reconfiguration project starts in the fall of 2020.

This request was presented to the Safety & Public Works Committee at their March 6, 2020 meeting. Councilman Malone asked that consideration be made that should the City want to construct on the same location where the gas main is being installed that Dominion would move the gas main at no cost to the City if it had to be relocated. Law Director Gruber was present and understood the concern; the Committee was comfortable that Mr. Gruber would properly address this. This requested passed unanimously.

Public Works recommends granting a permanent gas pipeline easement for PPN 733-12-016 and 733-23-020 to Dominion Energy Ohio. As such, we are seeking support from the Safety and Public Works Committee for DEO's request. We request that this be passed as an emergency and under suspension of the rules so that construction can begin immediately.



41°28'44.44" N 81°32'07.09" W elev 1

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ORDINANCE NO.

BY:

Granting a permanent easement to Dominion Energy Ohio (DEO) on City-owned property between Warrensville Center Road and Shaker Boulevard, that is part of Parcel Numbers 733-12-016 and 733-23-020, to relocate the existing gas pipeline, and declaring an emergency.

WHEREAS, Dominion Energy Ohio (DEO) has an existing gas main that runs parallel to the bridge on Warrensville Center Road between east and west bound Shaker Boulevard; and

WHEREAS, in preparation of the Cuyahoga County Department of Public Works replacement of the bridge, DEO needs to relocate the existing gas pipeline; and

WHEREAS, DEO has requested from the City a permanent easement within said City-owned property to relocate the existing gas main; and

WHEREAS, the granting of such permanent easement is necessary for the larger gas pipe main replacement project, which will benefit the residents of the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council hereby authorizes the conveyance of a permanent easement to Dominion Energy Ohio (DEO) on the City-owned property between Warrensville Center Road and Shaker Boulevard, that is part of Parcel Numbers 733-12-016 and 733-23-020. The exact boundaries of such easement are more fully set forth in Exhibit A, attached hereto.

Section 2. The Mayor is authorized to execute the easement granted herein, and such other documentation as may be required in connection therewith, as approved by the Director of Law.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City and further, it is necessary to grant said permanent easement so that construction can begin promptly, and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this ____ day of _____, 2020.

DAVID E. WEISS, Mayor

JERI E. CHAIKIN
Clerk of Council
coun20/0325Dominioneasement



Memorandum

To: Members of City Council

From: Patricia Speese, Director, Public Works

cc: David E. Weiss, Mayor
Jeri E. Chaikin, CAO

Date: March 18, 2020

Re: City Hall Fire Alarm Replacement – additional funding

Shaker Heights City Hall was built in 1930. The original Fire Station #1 was part of the City Hall building. That area of City Hall was expanded in the early 1970s. That expansion was the last time that the fire alarm system at City Hall has had a major update. The current fire alarm system at City Hall is outdated and needs to be replaced.

The life safety codes have been improved over the past 45 years. The current NFPA (National Fire Prevention Association) code requires ADA accessible pull stations and extensive smoke and fire detectors. It requires additional horns so that all occupants are notified when the system alarms. It further requires all alarm strobes to be synced so as to prevent causing health hazards when functioning. If the alarm strobes are not in sync, people with certain medical conditions can become extremely ill.

The fire alarm system is not up to date when considering the current usage and layout of City Hall. The last time that the fire alarm system was updated smoking was allowed within City Hall so many heat detectors were installed in areas that would typically have smoke detectors. Many rooms that did not require fire prevention devices (i.e. smoke detectors) at the time are now required by code to have smoke detectors. The limited area fire sprinkler system in the basement boiler room is not monitored by the fire alarm system. The sprinkler system could trip and flood the basement boiler room without the Fire Department or Public Works being notified.

Initially the Engineer's estimate for replacement of the City Hall fire alarm system was \$35,000. Original funding of \$35,000 was appropriated in the 2016 capital budget; the design and public bidding took place in 2018. The received bids were \$69,000 - \$72,000. This was double the Engineer's estimate. Additional funding of \$49,000 was appropriated in the 2020 Capital budget through ordinance 19-122. This funding would provide for the project's engineering fees of \$8,300 and the expected construction costs of approximately \$70,000.

The project was publicly rebid in January 2020. The lowest bid was \$92,015. The lowest bid exceeded the State of Ohio's threshold of \$75,000 for Prevailing Wage public projects so the project had to be rebid as a Prevailing Wage job. The latest public bidding received two bids. The lowest public bid was \$115,000. The highest bid was \$136,324. The prevailing portion of the bid is partially responsible for the significant increase along with the fact that historical buildings are difficult to work in; the contractors in the Cleveland area are very busy, and City Hall must remain open and occupied during construction which increases the required cleanups and after-hours premium rate work. Funds for this request are available in unallocated capital funds.

This request was presented to the Safety & Public Works Committee members at their March 6, 2020 meeting. Chairman Zimmerman stated that this is extremely important to protect City Hall. Councilman Malone asked what led to the price increase. The answer is multifold, one being that contractors are extremely busy and another reason is that it is a historical building which can be difficult to work in. Fire Chief Sweeney also stressed the importance of this project with the upcoming major construction, the building would be vulnerable. This request was unanimously approved.

We are requesting to amend ordinance #19-122 with an appropriation increase of \$39,260 for a total of \$123,260 available for this project. These funds will provide for the engineering costs of \$8,260 and the construction bid of \$115,000. We request that this be passed as an emergency and under suspension of the rules so that the work can begin immediately and be completed before the start of the second floor renovation.

ORDINANCE NO.

BY:

Amending Ordinance No. 19-122 an ordinance appropriating funds from the General Capital Fund 0401 for the acquisition of equipment and various repairs and improvement projects for various City facilities by appropriating an additional \$39,260 from the General Capital Fund 0401 for City Hall Fire Alarm Replacement, and declaring an emergency.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That to provide for the capital expenses of the City of Shaker Heights for the fiscal year ending December 31, 2020, the following appropriation is hereby authorized, amending Ordinance No. 19-122, which was enacted on December 16, 2019.

Section 2. That there be and is hereby appropriated from the General Capital Fund No. 0401 the sum of \$1,205,260 to provide for the acquisition of equipment and the repair, maintenance and improvement of various City facilities as set forth below:

Project	Current Allocation	Revision	Allocation
<u>General Building Maintenance and Repair</u>			
City Facility Repairs and Renovations	\$224,000		\$224,000
Consulting Engineer	8,000		8,000
City Facility Furniture and Equipment	75,000		75,000
<u>City Hall</u>			
Fire Alarm System Replacement/Upgrade	49,000	39,260	88,260
Electrical Distributions System Repairs (Safety)	30,000		30,000
Council Meeting Recording System Upgrade	30,000		30,000
<u>STJ Community Building</u>			
Pitched Roof Replacement	110,000		110,000
Awnings Replacement	25,000		25,000
<u>Fire Station II</u>			
Apparatus Bay Doors & Operator Replacement	20,000		20,000
<u>Police/Court Building</u>			
HVAC Air Louvers & Dampers Replacement	50,000		50,000
Court Probation Area Renovation	80,000		80,000
<u>Service Center</u>			
Yard Concrete Pavement Replacement (Year 2 of 3)	150,000		150,000
Office Area Flooring Replacement	15,000		15,000
Lower Transfer Station Sump Pump Replacement	20,000		20,000
Employee Parking Lot Gate & Operator Replacement	20,000		20,000

Entry Doors Replacement	30,000		30,000
<u>Shaker Family Center Building</u>			
Heating Boilers Replacement	130,000		130,000
<u>The Dealership</u>			
Masonry Repairs	30,000		30,000
<u>Public Space Improvements</u>			
Neighborhood Project	30,000		30,000
Lower Lake Path Planning	40,000		40,000
Total	\$1,166,000	\$39,260	\$1,205,260

Section 3. That all expenditures shall be made within the total appropriation herein provided. "Appropriation" as used means the total amount appropriated for the listed projects. Notwithstanding the financial detail herein presented, the Mayor or Chief Administrative Officer is authorized to transfer budgeted amounts within each project grouping provided that the total amount appropriated for the project grouping is not exceeded. The appropriation herein approved shall lapse only upon completion of all specified projects; therefore, any appropriation balance unexpended at the end of the fiscal year shall be carried forward to subsequent fiscal years.

Section 4. That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations hereinabove set forth upon presentation of proper vouchers.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and this ordinance shall, therefore, take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this ___ day of _____ 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council



Memorandum

To: Members of Council

From: Joyce Braverman, Director, Planning
Dan Feinstein, Senior Planner, Planning

cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin

Date: March 25, 2020

Re: Confirmation of Conditional Use Permit
Harbor Chase/Confluent – 16900 Van Aken Boulevard

It is anticipated that the City Planning Commission will approve a Conditional Use Permit for Confluent Development LLC (developer) and Harbor Retirement Associates as Harbor Chase of Shaker Heights (operator) for an assisted living facility to be located at 16900 Van Aken Boulevard at their March 30, 2020 meeting with conditions. Conditional Use Permits require Council confirmation. The enclosed ordinance confirms the granting of the Conditional Use Permit.

The applicant, Confluent Development, proposes to construct a 108 unit, three story assisted living facility with 80 units of assisted living and 28 units of memory care operated by Harbor Chase of Shaker Heights. The City has an executed Development and Use agreement with the developer, Confluent Development, to purchase the city owned land and construct the project including 82 onsite parking spaces and a realignment of the Winslow Road and Winslow Court intersection.

It is requested that this ordinance be passed on first reading in order for the project construction documents to proceed on schedule and construction to commence in October, 2020.

Should you have any questions, please contact me, or refer to the meeting packet for the March 30, 2020 City Planning Commission meeting attached to the agenda at www.shakeronline.com.

ORDINANCE NO.

BY:

Administrative acceptance of the approval of the City Planning Commission and confirmation of the granting of a Conditional Use Permit for the construction of an assisted living and memory care facility, with Confluent Development LLC, located at 16900 Van Aken Boulevard, pursuant to Section 1213.05 of the City's Zoning Code.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council hereby confirms the decision of the City Planning Commission, including the specific conditions made a part of its decision, duly adopted at its meeting on March 30, 2020, granting a conditional use permit to Confluent Development LLC, applicant, to construct a 108 unit assisted living and memory care facility, at 16900 Van Aken Boulevard, Shaker Heights, Ohio.

Section 2. This ordinance is hereby adopted pursuant to Section 1213.05 of the City's Zoning Code as an administrative measure not subject to referendum, and therefore this ordinance shall take effect immediately upon its enactment and approval by the Mayor, or otherwise as set forth in Article IV, Section 3 of the City's Charter.

Enacted

Approved this ____ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council



Memorandum

To: Members of Council

From: William M. Ondrey Gruber, Director, Law
Joyce G. Braverman, Director, Planning

cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin

Date: March 24, 2020

Re: **16900 Van Aken Boulevard – Amendment to the Purchase, Development and Use Agreement with Confluent Development; Vacation and Dedication of Land; Authorize Transfer of City Land PPN 735-17-018**

This is a recommendation to authorize the City administration to amend a Purchase, Development and Use Agreement with Confluent Development LLC in order to construct a 108 unit Assisted Living and Memory Care facility on the current vacant 3 acre parcel formerly known as Avalon Station 2. City Council approved the Purchase, Development and Use Agreement in July 2019. Since that time, due diligence has taken place which has resulted in additional costs. The amendment makes provisions for:

- Reduction of purchase price by \$150,000 to contribute toward an underground storm water detention system; and
- The transfer of a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of PPN 735-147-018) to Confluent.

This is also a request to vacate right-of-way and dedicate right-of-way, which is necessary in order to allow for the reconfiguration of Winslow Road behind the development parcel.

Avalon Station 2 Background

The 3 acre Avalon Station 2 site, Parcel Numbers 735-17-020 and 735-18-023, was part of land assembled by the City for the Avalon Station development. The City entered into a Development and Use Agreement with Heartpoint to develop the site. One of 3 planned condominium buildings was constructed in 2007 and Heartpoint subsequently defaulted on the agreement.

After many informational meetings with potential developers, the City released an RFQ in 2014 to redevelop the vacant site for multi-family rental or for-sale residential. The City received 3 proposals in response to the RFQ. A Development and Use Agreement with Payne & Payne was executed in June 2016 and later transferred to Knez. Knez selected Ryan Homes as the builder. Due to poor quality design and a weak market for townhomes the project was halted and terminated in September 2018.

The property is within the Shaker Town Center Urban Renewal area in which the City has entered into agreements with private developers and property owners pursuant to Ohio Revised Code Chapter 725, authorizing tax exemption and payments in lieu of taxes (“PILOTs”), which are used to pay for the debt service on urban renewal bonds issued to fund the City’s infrastructure improvements and other development in the area.

Confluent Senior Living

Confluent, based in Denver, develops a wide range of projects from commercial to assisted living.

Confluent proposes to purchase the 3 acre property from the City and develop an Assisted Living and Memory Care building. The project is proposed to be one building with not less than 80 units with at least 50% being assisted living units and the rest are memory care units. Confluent will develop and own the building, and has partnered with Harbor Retirement Associates to operate the facility.

The project will have no less than 80 units and preliminary plans show 108 units, of which 80 units are assisted living and 28 units are memory care. The purchase price is \$13,500 per unit and will total approximately \$1.45 million. This purchase price will be reduced by \$150,000 resulting in a purchase price of approximately \$1.3 million. Annual payroll is estimated at \$2.9 million. The property tax payments made by Confluent will be considered payments-in-lieu of taxes (PILOTs). The property taxes on the new value of the fully-completed development of the property are estimated to be \$760,000 annually. Seventy-five percent (75%) of the PILOTs are paid into a fund to pay off the Urban Renewal Bonds for the Shaker Towne Center Urban Renewal area, which should amount to approximately \$570,000 annually (once the project is completed and stabilized).

Confluent is contracting with Harbor Retirement Associates (HRA), of Vero Beach, Florida, to operate the assisted living and memory care facility once it is completed. HRA operates its facilities as HarborChase assisted living communities. HRA operates 25 senior communities and is partnering on the development or acquisition of 15 more senior communities in 8 states. Confluent and HRA have partnered on 6 other projects; 2 have been completed (including one near Dayton, Ohio), and 4 are in various stages of development. See below.

Project	Location	Open
HarborChase of Wildwood	Wildwood, FL	May 2018
HarborChase of Beavercreek	Beavercreek, OH	November 2018
HarborChase of Germantown	Memphis, TN	August 2019
HarborChase of South Oklahoma City	Oklahoma City, OK	November 2019
HarborChase of Cordova	Memphis, TN	August 2020
HarborChase of Stuart	Stuart, FL	Q3 2020

Purchase, Development and Use Agreement:

On August 30, 2019, the City and Confluent entered into a Purchase, Development and Use Agreement, which had been authorized by Council in on July 22, 2019, in Ordinance 19-66. Below are the major terms of the Agreement and the status of its implementation:

- Confluent shall pay to the City –
 - \$1,080,000, or
 - \$13,500 X number of units (no fewer than 80);
 - Whichever is greater.
- The extended due diligence (“Inspection Period”) period ends on March 31, 2020.
- The transfer of the property is to occur no sooner than 270 days after the end of the Inspection Period, and closing may be extended up to 120 days.
- Construction must commence 180 days after transfer.
- Completion of construction must occur no later than 30 months after commencement.
- Total maximum timeframe is about 4 years, though Confluent has stated that they intend to complete the project much sooner.
- Deposits – Confluent has made two deposits of earnest money totaling \$50,000; another deposit of \$50,000 is due at the end of the Inspection Period; an additional deposit is required to extend the transfer deadline.

- Condition to Closing: Confluent must have all final approvals from the City Planning Commission, BZA, ABR and Council.
- Confluent must pay the City's legal expenses up to a maximum amount of \$15,000.
- Guarantees and Transfers:
 - The completion of the Project is guaranteed by Confluent, subject to the City's review and approval of its financial statements.
 - After completion of construction of the Project, if Confluent wants to sell the property, the City has a first right to purchase the property.
 - Confluent may not transfer title or enter into a long-term ground lease for the Property prior to completion of construction of the Project.
 - Prior to the completion of the Project, Confluent may not transfer control of the company.

Plans and Approvals:

- Plans have been reviewed by the Architectural Board of Review three times, including two preliminary reviews, and a formal review on March 16, 2020. Minor items remain for final approval, but design direction was approved.
- Review and approval by the Board of Zoning Appeals/City Planning Commission is anticipated to occur on March 30, 2020, prior to the Council meeting, including approval of a Conditional Use Permit for an Assisted Living Facility, variances to parking, setback, and signage, and the site plan.
- The Conditional Use permit requires Council approval.

March 2020 Update:

Through the due diligence phase several conditions were discovered and rectified:

- Flood Plain—a small portion of the site is located in the flood plain. Confluent hired an engineer to make application to FEMA to remove that section. After the structure is built an additional application to FEMA is required.
- Storm Water Detention—NEORSD ruled that on-site storm water detention is required. Cost of an underground system is estimated to be \$360,000. The City is recommending that the purchase price be reduced by a maximum of \$150,000 to share in the cost, which was not anticipated.
- The odd shaped parcel can be squared off in the rear of the site which will provide additional land for parking on the Confluent site and improve the overall site plan. Confluent will construct the road at their expense. This requires vacation and dedication of a portion of the Winslow Road right-of-way.
- Schedule – Confluent proposes to break ground in October, 2020, so that the closing of the transfer will occur as soon as all approvals are final.
- Amendment – The agreement to reduce the purchase price in order to pay part of the cost of the underground storm water detention, and to transfer a small City-owned parcel of land behind Shaker Towne Center along Winslow Court, must be approved by Council.

Vacation and Dedication of Land/Authorizing Transfer of Land:

In order to square off the rear of the parcel and transfer it to Confluent, the following steps must occur:

- Vacation of a portion of Winslow Road.
- Dedication of a new piece of Winslow Road – which is presently part of PPN 735-17-018.
- Transfer of a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of PPN 735-147-018) to Confluent Development LLC.

These actions must be approved by Council.

Recommendation:

Council has previously approved of the development of this highly visible and long-vacant property, which will contribute to strengthening the Shaker Town Center area, through the sale of the property at 16900 Van Aken to Confluent.

In order to facilitate and improve the project, we recommend the following:

- Approval of the amendment to the Purchase, Development and Use Agreement to:
 - reduce the purchase price by a maximum of \$150,000 to pay for a portion (no more than 50%) of the cost of the construction of an underground storm water detention system; and
 - to transfer a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of PPN 735-147-018) to Confluent to allow for the construction by Confluent, at their cost, of a re-routed Winslow Road and to expand their property to improve the site plan.
- Approval of the vacation and dedication of a portion of Winslow Road in order to straighten the road.

We request that this item be approved on first reading and as an emergency so that the property closing can be expedited in order to allow Confluent to proceed with an October 2020 groundbreaking.

ORDINANCE NO.

BY:

Approving and authorizing execution of an Amendment to the Purchase, Development and Use Agreement entered into on August 30, 2019 with Confluent Development, LLC, in order for the City to contribute a portion of the cost of an underground storm water detention system required by NEORSD by reducing the purchase price, and to authorize the transfer of a portion of City-owned property on Winslow Court behind Shaker Town Center to Confluent, and declaring an emergency.

Whereas, on August 30, 2019, the City and Confluent Development, LLC, entered into a Purchase, Development and Use Agreement (the "Agreement"), as authorized by Council in Ordinance 19-66, enacted on July 22, 2019, for the sale of the City-owned parcel at 16900 Van Aken Boulevard for the construction and operation of an assisted living and memory care facility; and

Whereas, Confluent has agreed to purchase the 3 acre site at 16900 Van Aken Boulevard (Parcel Numbers 735-17-020 and 735-18-023) (the "Property"), for a price of \$13,500 per unit, and the project must have no fewer than 80 units, with preliminary plans indicating a project of 108 units, so that Confluent will pay up to a total of approximately \$1.45 million for the Property; and

Whereas, the Northeast Ohio Regional Sewer District (NEORSD) has determined that Confluent must construct an underground storm water detention system on the Property, which is estimated to cost about \$360,000, and the City has agreed, subject to Council approval, to share in the cost of the system up to 50% of the cost, or a maximum of \$150,000, whichever is less, which amount would be applied to the final purchase price; and

Whereas, the City and Confluent have agreed, subject to Council approval, that the site plan for the development of the Property would be enhanced if the existing Winslow Road were straightened as it enters Winslow Court, and the remaining property north of the newly dedicated right-of-way and adjacent to 16900 Van Aken Boulevard were to be transferred to Confluent and consolidated with the property to be transferred to Confluent under the existing Agreement; and

Whereas, Confluent has agreed to construct new right-of-way at its expense, and to incorporate the additional land for parking and landscaping as a part of its development, subject to City approval; and

Whereas, the re-routing of Winslow Road and addition of land to the Property requires the vacation and dedication of a portion of the Winslow Road right-of-way, and the transfer of a portion of a small, vacant and unused City-owned property on Winslow Court behind Shaker Town Center (a portion of Parcel No. 735-17-018), which actions are the subject of separate legislation; and

Whereas, this Council has determined that it is in the best interests of the City to amend the Agreement with Confluent to (a) authorize the reduction of the purchase price for the Property by up to 50% of the cost of the construction of a storm water detention system, or a maximum of \$150,000, whichever is less, and (b) to authorize the transfer of a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of Parcel No. 735-17-018), other than the portion of said Parcel dedicated for right-of-way and the portion remaining as a City-owned parcel (Parcel 2), should be transferred to Confluent in order to facilitate the re-routing of Winslow Road and enhancement of the Confluent site plan.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, Ohio, as follows:

Section 1. The Mayor is hereby authorized and directed to enter into an Amendment to the Purchase, Development and Use Agreement entered into on August 30, 2019 with Confluent Development, LLC, in order for the City to (a) reduce the purchase price for the Property by up to 50% of the cost of the construction of a storm water detention system, or a maximum of \$150,000, whichever is less, and (b) to transfer a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of Parcel No. 735-17-018), other than the portion of said Parcel dedicated for right-of-way and the portion remaining as a City-owned parcel (Parcel 2), to Confluent Development LLC in order to facilitate the re-routing of Winslow Road and enhancement of the Confluent site plan. The Amendment shall be in the form as approved by the Director of Law.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and further, so that the property closing can be expedited in order to allow Confluent Development LLC to proceed with an October 2020 groundbreaking, and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

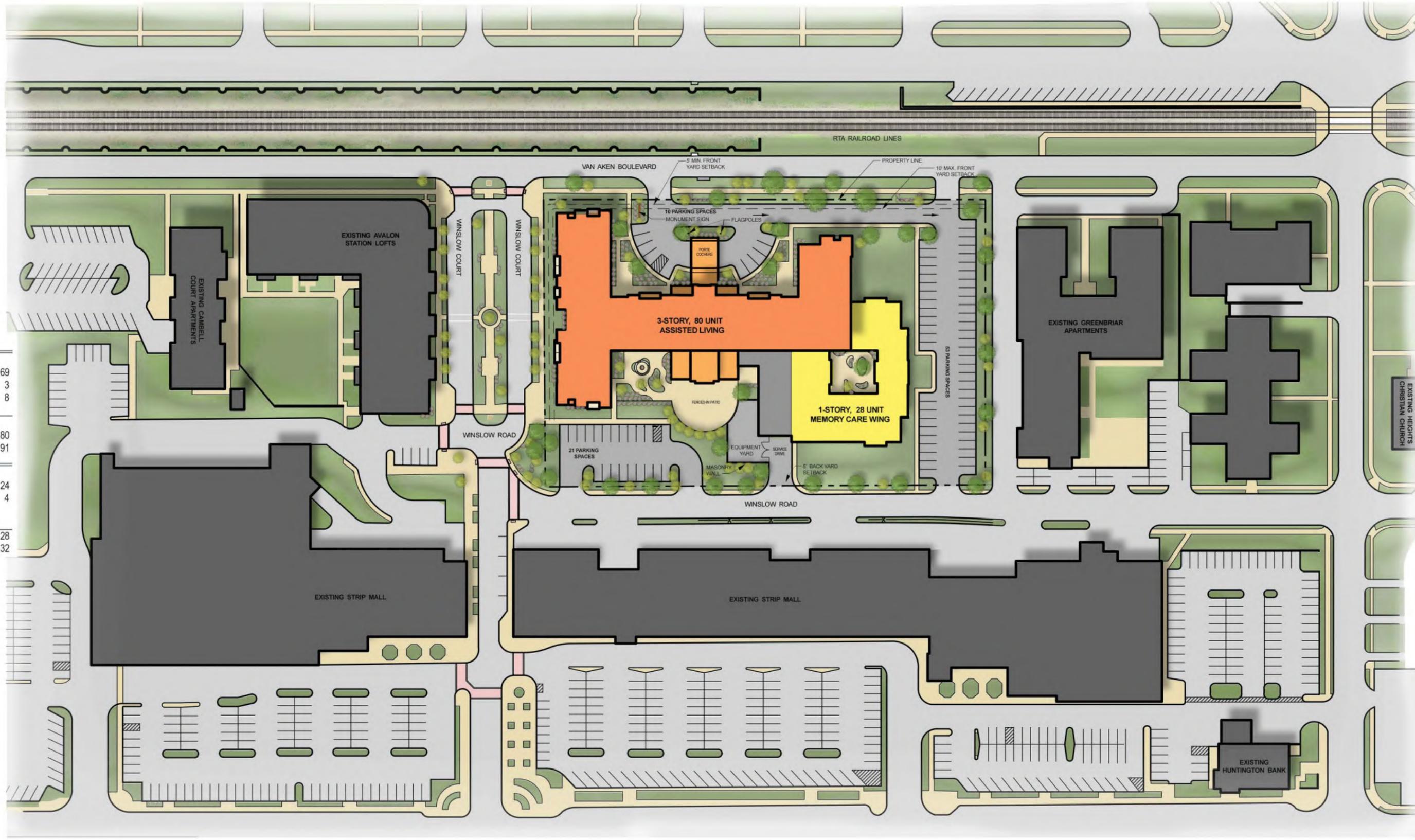
Approved this ____ day of _____ 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council

Coun20/0330-CONFLUENT-AMENDMENT



UNIT MIX:

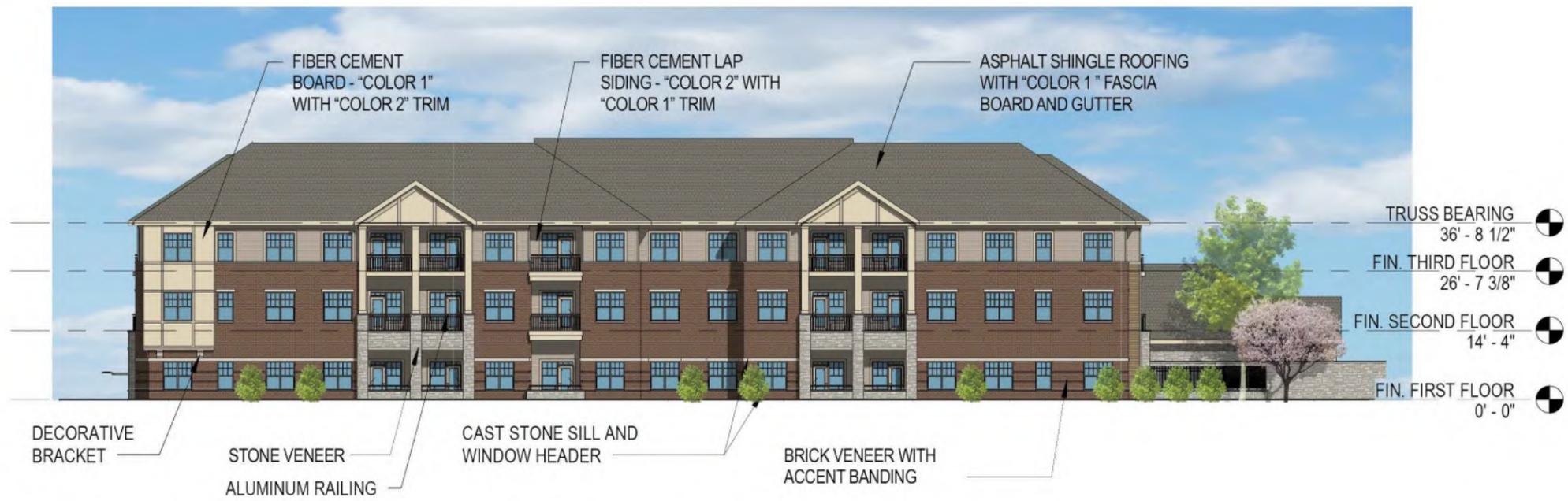
ASSISTED LIVING UNITS	
- 1 BEDROOM	69
- 2 BEDROOM	3
- 2 BEDROOM CORNER	8
TOTAL ASSISTED LIVING	
- UNITS	80
- BEDS	91
MEMORY CARE UNITS	
- 1 BEDROOM	24
- 2 BEDROOM	4
TOTAL MEMORY CARE	
- UNITS	28
- BEDS	32

EXTENDED OVERALL SITE PLAN





1 NORTH ELEVATION - VAN AKEN BLVD
1" = 30'-0"



2 WEST ELEVATION - WINSLOW COURT
1" = 30'-0"



1 SOUTH ELEVATION
1" = 30'-0"



2 EAST ELEVATION
1" = 30'-0"



Memorandum

To: Members of Council

From: William M. Ondrey Gruber, Director, Law
Joyce G. Braverman, Director, Planning

cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin

Date: March 24, 2020

Re: **16900 Van Aken Boulevard – Amendment to the Purchase, Development and Use Agreement with Confluent Development; Vacation and Dedication of Land; Authorize Transfer of City Land PPN 735-17-018**

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The project will have no less than 80 units and preliminary plans show 108 units, of which 80 units are assisted living and 28 units are memory care. The purchase price is \$13,500 per unit and will total approximately \$1.45 million. This purchase price will be reduced by \$150,000 resulting in a purchase price of approximately \$1.3 million. Annual payroll is estimated at \$2.9 million. The property tax payments made by Confluent will be considered payments-in-lieu of taxes (PILOTs). The property taxes on the new value of the fully-completed development of the property are estimated to be \$760,000 annually. Seventy-five percent (75%) of the PILOTs are paid into a fund to pay off the Urban Renewal Bonds for the Shaker Towne Center Urban Renewal area, which should amount to approximately \$570,000 annually (once the project is completed and stabilized).

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- The transfer of the property is to occur no sooner than 270 days after the end of the Inspection Period, and closing may be extended up to 120 days.
- Construction must commence 180 days after transfer.
- Completion of construction must occur no later than 30 months after commencement.
- Total maximum timeframe is about 4 years, though Confluent has stated that they intend to complete the project much sooner.
- Deposits – Confluent has made two deposits of earnest money totaling \$50,000; another deposit of \$50,000 is due at the end of the Inspection Period; an additional deposit is required to extend the transfer deadline.

- Condition to Closing: Confluent must have all final approvals from the City Planning Commission, BZA, ABR and Council.
- Confluent must pay the City’s legal expenses up to a maximum amount of \$15,000.
- Guarantees and Transfers:
 - The completion of the Project is guaranteed by Confluent, subject to the City’s review and approval of its financial statements.
 - After completion of construction of the Project, if Confluent wants to sell the property, the City has a first right to purchase the property.
 - Confluent may not transfer title or enter into a long-term ground lease for the Property prior to completion of construction of the Project.
 - Prior to the completion of the Project, Confluent may not transfer control of the company.

Plans and Approvals:

- Plans have been reviewed by the Architectural Board of Review three times, including two preliminary reviews, and a formal review on March 16, 2020. Minor items remain for final approval, but design direction was approved.
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- The Conditional Use permit requires Council approval.

March 2020 Update:

Through the due diligence phase several conditions were discovered and rectified:

- Flood Plain—a small portion of the site is located in the flood plain. Confluent hired an engineer to make application to FEMA to remove that section. After the structure is built an additional application to FEMA is required.
- Storm Water Detention—NEORSD ruled that on-site storm water detention is required. Cost of an underground system is estimated to be \$360,000. The City is recommending that the purchase price be reduced by a maximum of \$150,000 to share in the cost, which was not anticipated.
- The odd shaped parcel can be squared off in the rear of the site which will provide additional land for parking on the Confluent site and improve the overall site plan. Confluent will construct the road at their expense. This requires vacation and dedication of a portion of the Winslow Road right-of-way.
- Schedule – Confluent proposes to break ground in October, 2020, so that the closing of the transfer will occur as soon as all approvals are final.
- Amendment – The agreement to reduce the purchase price in order to pay part of the cost of the underground storm water detention, and to transfer a small City-owned parcel of land behind Shaker Towne Center along Winslow Court, must be approved by Council.

Vacation and Dedication of Land/Authorizing Transfer of Land:

In order to square off the rear of the parcel and transfer it to Confluent, the following steps must occur:

- Vacation of a portion of Winslow Road.
- Dedication of a new piece of Winslow Road – which is presently part of PPN 735-17-018.
- Transfer of a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of PPN 735-147-018) to Confluent Development LLC.

These actions must be approved by Council.

Recommendation:

Council has previously approved of the development of this highly visible and long-vacant property, which will contribute to strengthening the Shaker Town Center area, through the sale of the property at 16900 Van Aken to Confluent.

In order to facilitate and improve the project, we recommend the following:

- Approval of the amendment to the Purchase, Development and Use Agreement to:
 - reduce the purchase price by a maximum of \$150,000 to pay for a portion (no more than 50%) of the cost of the construction of an underground storm water detention system; and
 - to transfer a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of PPN 735-147-018) to Confluent to allow for the construction by Confluent, at their cost, of a re-routed Winslow Road and to expand their property to improve the site plan.
- Approval of the vacation and dedication of a portion of Winslow Road in order to straighten the road.

We request that this item be approved on first reading and as an emergency so that the property closing can be expedited in order to allow Confluent to proceed with an October 2020 groundbreaking.

ORDINANCE NO.

BY:

Authorizing the vacation and accepting the dedication of right-of-way along a portion of Winslow Road adjacent to 16900 Van Aken Boulevard (Parcel Nos. 735-17-020 and 735-18-023) and adjacent to City-owned property on Winslow Court behind Shaker Towne Center (Parcel No. 735-17-018), and authorizing the transfer of a portion of said City-owned property on Winslow Court to Confluent Development LLC without competitive bidding, and declaring an emergency.

WHEREAS, pursuant to the authority granted by City Council in Ordinance 19-66, enacted on July 22, 2019, the City entered into a Purchase, Development and Use Agreement on August 30, 2019 with Confluent Development LLC for the sale of City-owned property and development of an assisted living and memory care facility at 16900 Van Aken Boulevard (Parcel Nos. 735-17-020 and 735-18-023); and

WHEREAS, in order for Confluent Development LLC to provide for additional parking and improve the overall development of the site plan, Confluent and the City have agreed that a portion of the Winslow Road right-of-way should be vacated, so that Confluent can construct, at its cost, a new roadway and adjacent right-of-way in a newly dedicated segment of Winslow Road (which is presently a part of Parcel No. 735-17-018); and

WHEREAS, in order for Confluent Development LLC to provide for additional parking and improve the overall development of the site plan, Confluent and the City have agreed that a portion of the small unused vacant parcel of City-owned property on Winslow Court behind Shaker Town Center (Parcel No. 735-17-018), other than the portion of said Parcel dedicated for right-of-way by this ordinance and the portion remaining as a City-owned parcel (Parcel 2 on the Vacation and Dedication Plat attached hereto as Exhibit A) should be transferred to Confluent Development LLC; and

WHEREAS, the vacation and dedication of said right-of-way was approved by the City Planning Commission at its meeting on March 30, 2020; and

WHEREAS, this Council finds that there is good cause to approve the vacation and dedication of said right-of-way, as shown on the proposed preliminary Vacation and Dedication Plat attached hereto as A, and that said vacation and dedication of right-of-way are in the public interest and will not be detrimental to the general interest; and

WHEREAS, this Council finds that a portion of the small unused vacant parcel of City-owned property on Winslow Court behind Shaker Town Center (a portion of Parcel No. 735-17-018), other than the portion of said Parcel dedicated for right-of-way by this ordinance and the portion remaining as a City-owned parcel (Parcel 2 on the Vacation and Dedication Plat attached hereto as Exhibit A), is no longer needed for municipal purposes and should be transferred without competitive bidding to Confluent Development LLC as a part of the development agreement previously entered into between the City and Confluent, for consolidation with the City-owned property at 16900 Van Aken Boulevard that is intended to be transferred to Confluent as a part of the development agreement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. The dedicated portion of right-of-way along a portion of Winslow Road adjacent to 16900 Van Aken Boulevard (Parcel Nos. 735-17-020 and 735-18-023) and adjacent to City-owned property on Winslow Court behind Shaker Towne Center (Parcel No. 735-17-018), as shown on the proposed preliminary Vacation and Dedication Plat attached hereto as Exhibit A, is hereby vacated.

Section 2. The portion of Winslow Road (presently part of Parcel No. 735-17-018) shown on the proposed preliminary Vacation and Dedication Plat attached hereto as Exhibit A, is accepted for dedication as public right-of-way for municipal purposes.

Section 3. The Mayor is hereby authorized to enter into an agreement to transfer, and to thereafter transfer, a portion of City-owned property on Winslow Court behind Shaker Town Center (a portion of Parcel No. 735-17-018), other than the portion of said Parcel dedicated for right-of-way by this ordinance and the portion remaining as a City-owned parcel (Parcel 2 on the Vacation and Dedication Plat attached hereto as Exhibit A), to Confluent Development LLC without competitive bidding. Said agreement shall be in the form as approved by the Director of Law.

Section 4. The Director of Planning is hereby instructed to present a final Vacation and Dedication Plat, that is submitted to the City by Confluent Development LLC in accordance with this ordinance, for endorsement by the Clerk of Council, who shall endorse upon said Vacation and Dedication Plat the action of this Council vacating and dedicating certain right-of-way in the City, and to cause such plat to be recorded in the office of the Recorder of Cuyahoga County, Ohio, upon the fulfillment of the conditions precedent set forth herein.

Section 5. This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare for the reason that it is necessary in the current operation of the City, and for the additional reason so that the property closing can be expedited in order to allow Confluent Development LLC to proceed with an October 2020 groundbreaking, and therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

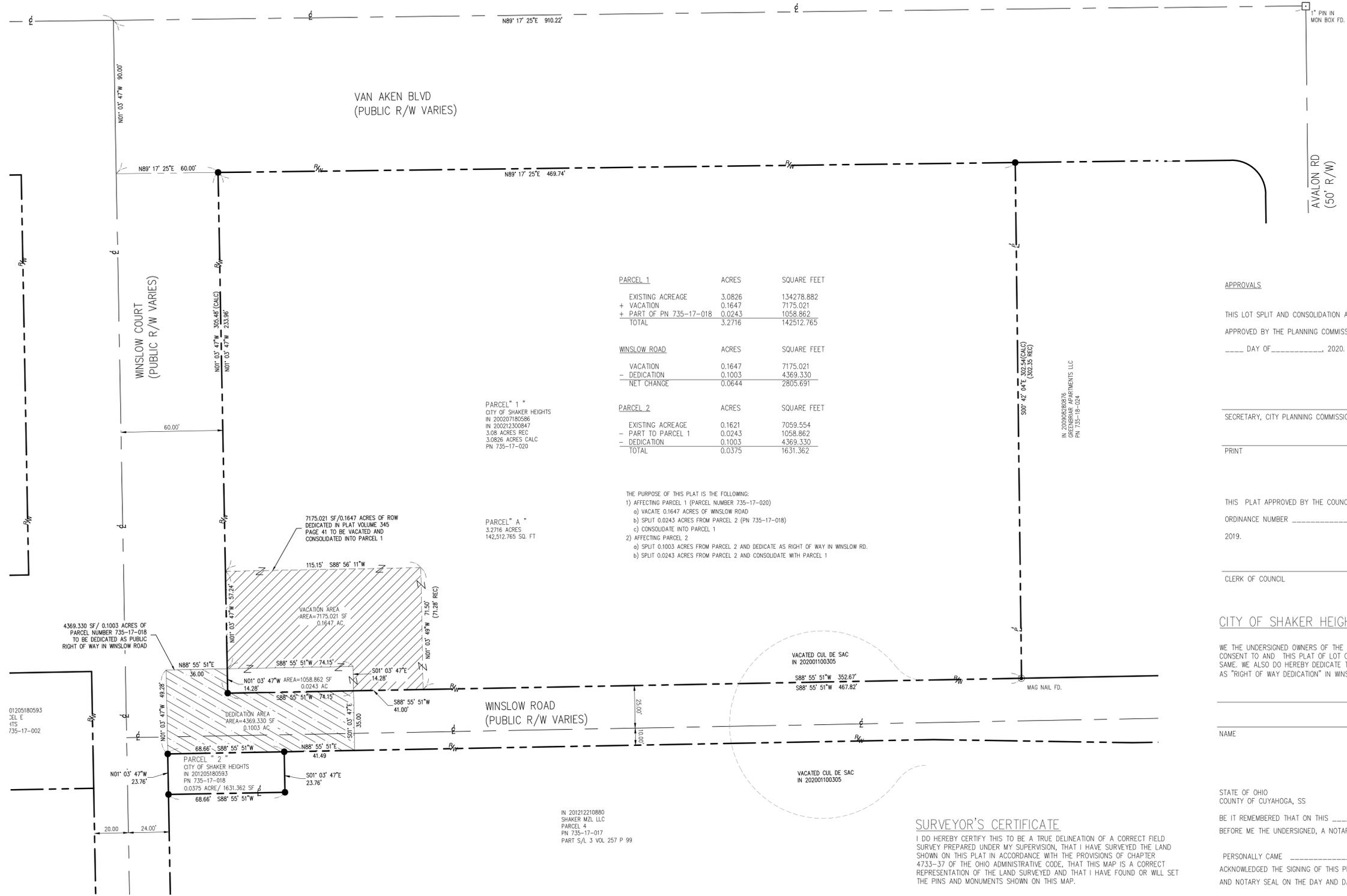
Approved this ____ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council

**LOT SPLIT, CONSOLIDATION,
VACATION AND DEDICATION PLAT**
PORTION OF WINSLOW ROAD
PART OF ORIGINAL WARRENSVILLE TOWNSHIP LOT NUMBER 43
CITY OF SHAKER HEIGHTS, CUYAHOGA COUNTY, OHIO
FEBRUARY 24, 2020



PARCEL 1	ACRES	SQUARE FEET
EXISTING ACREAGE	3.0826	134278.882
+ VACATION	0.1647	7175.021
+ PART OF PN 735-17-018	0.0243	1058.862
TOTAL	3.2716	142512.765

WINSLOW ROAD	ACRES	SQUARE FEET
VACATION	0.1647	7175.021
- DEDICATION	0.1003	4369.330
NET CHANGE	0.0644	2805.691

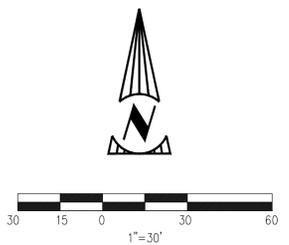
PARCEL 2	ACRES	SQUARE FEET
EXISTING ACREAGE	0.1621	7059.554
- PART TO PARCEL 1	0.0243	1058.862
- DEDICATION	0.1003	4369.330
TOTAL	0.0375	1631.362

PARCEL 1
CITY OF SHAKER HEIGHTS
IN 200207180586
IN 200212300847
3.08 ACRES REC
3.0826 ACRES CALC
PN 735-17-020

PARCEL 2
CITY OF SHAKER HEIGHTS
IN 201205180593
IN 201205180593
0.0375 ACRES / 1631.362 SF
PN 735-17-017
PART S/L 3 VOL 257 P 99

THE PURPOSE OF THIS PLAT IS THE FOLLOWING:
1) AFFECTING PARCEL 1 (PARCEL NUMBER 735-17-020)
a) VACATE 0.1647 ACRES OF WINSLOW ROAD
b) SPLIT 0.0243 ACRES FROM PARCEL 2 (PN 735-17-018)
c) CONSOLIDATE INTO PARCEL 1
2) AFFECTING PARCEL 2
a) SPLIT 0.1003 ACRES FROM PARCEL 2 AND DEDICATE AS RIGHT OF WAY IN WINSLOW RD.
b) SPLIT 0.0243 ACRES FROM PARCEL 2 AND CONSOLIDATE WITH PARCEL 1

- LEGEND**
- MAG NAIL FOUND
 - MONUMENT BOX FD.
 - DRILL HOLE FOUND
 - IRON PIN FOUND
 - MONUMENT SET
 - MONUMENTS SET WILL BE READING "MANNIK SMITH GROUP" OR 1" MAG NAIL WHEN CORNER IS IN CONCRETE
 - PROPERTY LINE
 - EXISTING ROW
 - CENTER LINE
 - ▨ DEDICATION AREA
 - ▨ VACATION AREA
 - REC RECORD
 - CALC CALCULATED
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT



NOTE:
OHIO REVISED CODE SECTION 723.041 PERMANENT EASEMENT IN VACATED STREET FOR PUBLIC UTILITY FACILITIES. WHEN ANY STREET, ALLEY, OR PUBLIC HIGHWAY, OR A PORTION THEREOF, IS VACATED OR NARROWED BY A MUNICIPALITY PURSUANT TO THE PROVISIONS OF ANY SECTION OF CHAPTER 723 OF THE REVISED CODE, AND THE RELOCATION OF ANY CONDUITS, CABLES, WIRES, TOWERS, POLES, SEWER LINES, STEAM LINES, PIPELINES, GAS AND WATER LINES, TRACKS, OR OTHER EQUIPMENT OR APPLIANCES OF ANY RAILROAD OR PUBLIC UTILITY, WHETHER OWNED PRIVATELY OR BY ANY GOVERNMENTAL AUTHORITY, LOCATED ON, OVER, OR UNDER THE PORTION OF THE STREET, ALLEY OR HIGHWAY AFFECTED BY SUCH A VACATION OR NARROWING, IS NOT REQUIRED, FOR PURPOSES OF THE MUNICIPALITY, INCLUDING URBAN RENEWAL, ANY AFFECTED RAILROAD OR PUBLIC UTILITY SHALL BE DEEMED TO HAVE A PERMANENT EASEMENT IN SUCH VACATED PORTION OR EXCESS PORTION OF SUCH STREET, ALLEY, OR HIGHWAY FOR THE PURPOSE OF MAINTAINING, OPERATING, RENEWING, RECONSTRUCTING, AND REMOVING SAID UTILITY FACILITIES AND FOR PURPOSES OF ACCESS TO SAID FACILITIES.
EFFECTIVE DATE: 10-16-1961

SURVEYOR'S CERTIFICATE
I DO HEREBY CERTIFY THIS TO BE A TRUE DELINEATION OF A CORRECT FIELD SURVEY PREPARED UNDER MY SUPERVISION, THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE, THAT THIS MAP IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND THAT I HAVE FOUND OR WILL SET THE PINS AND MONUMENTS SHOWN ON THIS MAP.

FOR THE MANNIK & SMITH GROUP, INC.
STEVE BARLOW P.S.
LICENSED PROFESSIONAL SURVEYOR
OHIO LICENSE NO. 8744

APPROVALS

THIS LOT SPLIT AND CONSOLIDATION AND ROAD VACATION AND DEDICATION PLAT APPROVED BY THE PLANNING COMMISSION OF THE CITY OF SHAKER HEIGHTS, OHIO, THIS ____ DAY OF _____, 2020.

SECRETARY, CITY PLANNING COMMISSION, CITY OF SHAKER HEIGHTS OHIO

PRINT

THIS PLAT APPROVED BY THE COUNCIL OF THE CITY OF SHAKER HEIGHTS, OHIO, BY ORDINANCE NUMBER _____ PASSED THIS ____ DAY OF _____ 2019.

CLERK OF COUNCIL _____ PRINT

CITY OF SHAKER HEIGHTS ACCEPTANCE

WE THE UNDERSIGNED OWNERS OF THE LANDS SHOWN HEREON, DO HEREBY VOLUNTARILY CONSENT TO AND THIS PLAT OF LOT CONSOLIDATION, VACATION AND DEDICATION OF THE SAME. WE ALSO DO HEREBY DEDICATE TO THE PUBLIC USE THE LANDS SHOWN HEREON AS "RIGHT OF WAY DEDICATION" IN WINSLOW ROAD.

NAME _____ TITLE _____ PRINT _____

STATE OF OHIO
COUNTY OF CUYAHOGA, SS

BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, 2019 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,

PERSONALLY CAME _____ AND ACKNOWLEDGED THE SIGNING OF THIS PLAT. IN WITNESS WHEREOF, I HAVE SET MY HAND AND NOTARY SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC FOR OHIO _____

MY COMMISSION EXPIRES _____

NO.	DATE	BY	DESCRIPTION
1	11/04/2019	SSB	COMMENTS FROM CLIENT
2	03/09/2020	SEB	ADDRESS COMMENTS FROM COUNTY
3	03/11/2020	SEB	ADD ROW DIMENSIONS PER CITY ENGINEER COMMENTS

23225 MERCANTILE ROAD
BEACHWOOD, OH 44122
TEL: 216-278-1490
FAX: 216-278-1497

PROJECT DATE: 09/10/2019
PROJECT NO.: C4800005
DRAWN BY: SSB
CHECKED BY: SEB

Mannik & Smith GROUP
CREATIVE SPIRIT.
www.MannikSmithGroup.com

PREPARED FOR:
CITY OF SHAKER HEIGHTS

LOT SPLIT AND CONSOLIDATION, DEDICATION AND VACATION OF PART OF WINSLOW ROAD AND LOT SPLIT FOR THE CITY OF SHAKER HEIGHTS



Memorandum

To: Members of City Council

cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin

From: John J. Potts, Director of Finance

Date: March 30, 2020

Re: Then and Now Approval

Section 5705.41 (D) (1) requires in part that the fiscal officer certify that amounts required to meet obligations have been lawfully appropriated and are available for expenditure prior to the obligations being incurred. If this is not done the fiscal officer may make such certification, after the fact (commonly referred to as “Then and Now”), however if the amount of the obligation is \$3,000 or more City Council must approve payment within 30 days of such certification.

City Council is requested that Then and Now Certificate presented be authorized on first reading and as an emergency for the transactions listed on Exhibit A and the payments be approved.

EXHIBIT A
Then and Now Certification Summary
February 1, 2020 - March 30, 2020

Dep't	PO #	PO Date	Invoice Date	Warrant	Amount	Vendor	Reason
PW	20000737	2/10/20	2/7/20	022820	\$15,582	Lykins Oil Company	Snow emergency made it necessary to purchase fuel before the PO was approved. The remaining balance on the 2019 PO was insufficient.
Rec	20000672	2/3/20	12/6/19	032020	\$6,490	Senior Transportation Connection	There were not enough funds remaining on the 2019 PO when the final bill was received.

ORDINANCE NO.

BY:

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.

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the City may not enter into any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the City's Director of Finance that the amount required to meet the obligation has been lawfully appropriated for such purpose and is in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, Ohio Revised Code Section 5705.41(D)(1) further provides that in such circumstances when no certificate is furnished as required and the expenditure is for \$3,000 or more, the City's Council, as the City's taxing authority, may authorize the drawing of a warrant in payment of amounts due upon such contract or order upon certification by the Director of Finance that there was at the time of the making of such contract or order and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, such certificate of the Director of Finance is known as a "Then and Now Certificate," meaning that the funds were available when the contract was made and when the amount due under the contract is paid; and

WHEREAS, the City is issuing Then and Now Certificates in connection with payments due and owing, as shown on Exhibit A attached hereto; and

WHEREAS, this Council's approval is necessary for the execution by the Director of Finance of Then and Now Certificates and to authorize the payment of amounts due under the contracts or orders, requiring the expenditure of \$3,000 or more, subject to the Council-approved Then and Now Certificates.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. The Council of the City of Shaker Heights, pursuant to Section 5705.41(D)(1) of the Ohio Revised Code, hereby approves the execution of Then and Now Certificates by the Director of Finance and authorizes payments due and owing, in accordance with the schedule attached hereto as Exhibit A and incorporated herein.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City in order to meet the requirements of state law and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this ___ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council

coun20/0324thenandnowmarch2020

EXHIBIT A
Then and Now Certification Summary
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SHAKER HEIGHTS

Memorandum

To: Members of City Council

From: William M. Ondrey Gruber, Director of Law

cc: David E. Weiss, Mayor
Jeri E. Chaikin, Clerk of Council

Date: March 26, 2020

Re: Application for New Liquor Permit
TIRL, LLC, (Cilantro Taqueria) 20090 Van Aken Boulevard

Attached is the application for a new liquor permit for TIRL, LLC, (Cilantro Taqueria) 20090 Van Aken Boulevard.

The liquor permit in question is a D1, beer only on premises consumption or in original sealed containers for carry out only until 1:00 a.m., a D2, wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00 a.m., and a D3, spirituous liquor for on premises consumption only until 1:00 a.m.

The Planning, Police, Fire, Economic Development and Building and Housing Departments have no objections to the liquor permit.

Please contact me if you have any questions.

attachment

cc Mayor David E. Weiss
Jeri E. Chaikin, Clerk of Council

liq/2020/0326tirl200090vanakencounc

**NOTICE TO LEGISLATIVE
AUTHORITY**

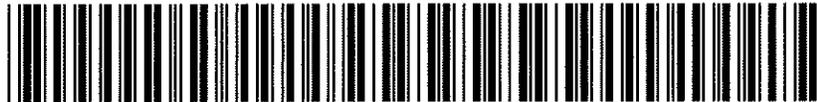
OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

8933927		NEW		TIRL LLC 20090 VAN AKEN BLVD SHAKER HGTS OH 44122
PERMIT NUMBER		TYPE		
ISSUE DATE				
03 05 2020				
FILING DATE				
D1 D2 D3		PERMIT CLASSES		
18	528	C	C66473	
TAX DISTRICT			RECEIPT NO.	

FROM 03/11/2020

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT			RECEIPT NO.



MAILED 03/11/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 04/13/2020

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **C NEW 8933927**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF SHAKER HGTS CITY COUNCIL
3400 LEE RD
SHAKER HGTS OHIO 44120**

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA	
Permit Number	<input type="text" value="8933927"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 8933927; Name: TIRL LLC; DBA: ; Address: 20090 VAN AKEN BLVD SHAKER HGTS 44122		
LUIS MARTINEZ	MANAGE MEM	
IGNACIA T GALINDO	MANAGE MEM	

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- [Ohio Department of Commerce](#)

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