



SHAKER HEIGHTS

City Council Agenda
Via Zoom Due to COVID-19
Public Health Emergency
Tuesday, September 29, 2020 at 7:00 pm

For the safety of staff and residents, in-person attendance is not permitted. Join the Zoom meeting online as a viewer or listener and to provide public comment during the meeting from a PC, Mac, iPad, iPhone or Android device at <https://zoom.us/j/99998014599?pwd=eIFnNWdJeWJ1bjBkN3VPa2hwdnVJQT09>, Password: 33553400; Description: Council Meeting; or join by phone at 833-548-0282 (toll free); Webinar ID: 999 9801 4599, Password: 33553400. International

numbers available at <https://zoom.us/u/ahwKbeuA>. Residents may also submit comments/questions regarding items on the agenda or other items not on the agenda 6 hours in advance of the meeting by emailing Jeri E. Chaikin at jeri.chaikin@shakeronline.com or by calling (216) 491-1424. Comments or questions submitted prior to the meeting will be read into the record at the meeting. The audio of the meeting will be available the following day on the City's [website](#).

REGULAR MEETING

1. Approval of the minutes of the regular meeting of August 24, 2020 (attached herewith).

Documents:

[COMN082420.PDF](#)

Public Comment on Agenda Items

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

2. Authorizing the City's application for and acceptance of a grant of \$100,000 from the Northeast Ohio Areawide Coordinating Agency's ("NOACA") Transportation for Livable Communities ("TLCI") program for support in funding a Lee Road Corridor Connections Actions Plan, and declaring an emergency. (NRD), (FIN)

Documents:

[NOACA.PDF](#)

3. Authorizing a personal services contract with John H. Moore & Associates for advertising management services for Shaker Life magazine, for a period of up to four years, at a rate of

commission of 20% of advertising sales, paid in full, which commission is estimated to total THIRTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS (\$35,800) per year. (ADM), (FIN)

Documents:

[SHAKER LIFE.PDF](#)

4. Accepting a proposal and authorizing a personal services contract for professional design services with DLZ Corporation, in the total not to exceed amount of \$46,182, for the Aldersyde Road Waterline Project, and declaring an emergency. (SPW), (FIN)

Documents:

[DLZ.PDF](#)

5. Accepting a proposal and authorizing a personal services contract for professional design services with GPD Group, in the total not to exceed amount of \$49,871, for the Brantley Sewer Improvement Project, and declaring an emergency. (SPW), (FIN)

Documents:

[GPD.PDF](#)

6. Accepting the recommendations of the City's Tax Incentive Review Council ("TIRC") to continue the existing development and community reinvestment area agreements for tax exemption and payments in lieu of taxes (PILOTs), pursuant to Ohio Revised Code Section 5709.85, and declaring an emergency. (FIN)

Documents:

[TIRC.PDF](#)

7. Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer. (FIN)

Documents:

[TAX RATES.PDF](#)

8. Requesting the County Fiscal Officer to draw and the County Treasurer to pay on such draft, all money in the county treasury to the account of the City from all 2020 real property taxes and applicable to the purposes of the fiscal year 2021, and declaring an emergency. (FIN)

Documents:

[TAX ADVANCE.PDF](#)

Public Comment on other items

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

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

Committees:

ADM: Administration Committee

FIN: Finance Committee
NRD: Neighborhood Revitalization and Development Committee
SPW: Safety and Public Works Committee

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.



**Council Minutes
Via Zoom Due to COVID-19
Public Health Emergency
August 24, 2020**

The Council of the City of Shaker Heights met in a regular session at 7:30 p.m., Mayor David E. Weiss presiding.

Council Members Present: Mr. Malone
Mrs. Moore
Mr. Roeder
Ms. Anne Williams
Ms. Carmella Williams
Mr. Earl Williams
Mr. Zimmerman

Council Members Absent: None

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Audio of this meeting may be found [here](#) through November 24, 2020.

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It was moved by Ms. Carmella Williams, and seconded by Mrs. Moore, that the minutes of the regular meeting of July 27, 2020, be approved as recorded.

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

Nays: None

Motion Carried

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Mayor Weiss stated that tonight we will start with any comments that have been submitted prior to the meeting to be read into the record. Then after that if there is someone that has joined us live who wishes to make a comment, we're going to give it our best shot to un-mute them and enable them to make any comments. He asked Clerk of Council Ms. Chaikin to read into the record public comments received on any of the agenda items.

CITY OF SHAKER HEIGHTS

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

Clerk of Council Ms. Chaikin then informed attendees that they may use the “raise their hand” feature in Zoom to be recognized to make public comments on agenda items. No comments were offered.

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Ordinance No. 20-64, by Mrs. Moore, enacting new Section 135.17 of the Administrative Code of the Shaker Heights Codified Ordinances relative to providing maternity and paternity leave to certain City employees.

Human Resources Manager Sandra Middleton stated that in October 2019 non-bargaining employees completed a perception survey. One of the many questions on that survey was what forms of compensation or benefits they would like to see the City offer that we do not currently offer. One of the many responses was for the City to provide maternity/paternity leave. We gathered information from other cities and found that numerous cities and counties do offer some form of maternity/paternity leave. In particular, Beachwood, Newburg Heights, Cincinnati, Columbus, and Dayton each offer maternity/paternity leave, as well as Lakewood and several other cities in the greater Cleveland area. However, each of the municipalities differs in the number of weeks they offer and compensation, anywhere from 4 weeks to 12 weeks and in compensation from 70% of their pay to a 100%. We checked back in 2019 to see how many newborns we added to our insurance policy, and found there were 11 newborns added. We took the average salary of our non-bargaining employees of \$69,703 and multiplied it by six weeks to gauge the potential impact on the budget for a total of \$88,469. After this went before the Finance Committee and Administration Committee we took a deeper look at that number. We would not anticipate this new benefit to cost that number because currently if an employee wanted to take a maternity/paternity leave, they would apply for FMLA and use any accrued but unused time they have on the books. For example, they would use a combination of vacation, sick or comp time. So that current employee, 99% of the time would have enough time to cover their leave and would be compensated a hundred percent of the time. By adding this paid benefit, the employee still will be paid but from a paid benefit standpoint versus using their accrued time. So, we would never hit the \$88,000 because people are already receiving compensation by using their accrued time. Ms. Middleton also wanted to point out that this recommendation is for non-bargaining employees only, both the OPBA Police and Firefighters unions have maternity leave language in their contracts. That benefit is not as rich as what we're proposing for non-bargaining, but we do feel that that is something that should be negotiated in contracts. This item recommends the City offer a non-bargaining employee paid maternity/paternity leave, as outlined where to qualify an employee must have worked 1,250 hours in the preceding months that corresponds with FMLA. It is for the purpose of birth, adoption or foster placement of a child. The six weeks of paid leave does not need to be taken all at one time, but employees can use this benefit for up to 12 months from the time of the event or from the time of the birth. This item also recommends that this benefit pay a hundred percent of that person's salary for the six weeks. This item is requested with a suspension of the rules.

Council member Ms. Carmella Williams stated that this item was reviewed and approved by the Administration Committee and thanked Ms. Middleton for summarizing their entire conversation very well as well as the policy. She would like to add that she agrees with the summary and the Administration Committee thought this was more than appropriate to bring our policies in alignment

with other communities. She commended Ms. Middleton as well as the Administration for responding to feedback that they received from the staff. She thanked everyone for their work on this.

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

It was moved by Mrs. Moore, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-64 be placed upon its final enactment.

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

Motion Carried

Moved by Mrs. Moore, and seconded by Ms. Anne Williams, that Ordinance No. 20-64 be enacted as read.

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

Ordinance Enacted

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Ordinance No. 20-65, by Mr. Malone, 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 3646 Daleford Road, Shaker Heights, Ohio (Parcel No. 735-30-049), 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 this month the City received an application from the resident of 3642 Daleford who is interested in acquiring the adjacent City-owned vacant lot, located at 3646 Daleford, to expand her property and use it as an enlarged side lot. She does not have any immediate plans, but would like to expand the driveway and potentially the garage down the line. The applicant acquired her home in Shaker at the end of July 2020, just last month. She moved here from the Pittsburgh area and became familiar with the Shaker community while renting elsewhere, and decided to buy in Shaker. Her property is not in foreclosure, current in all property taxes, there have been no criminal nuisance activity complaints, and no outstanding housing or Zoning Code violations, so the applicant meets the criteria for the program. The applicant's 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. The City has no redevelopment plans for this vacant lot on

Daleford, and we have received no other applications for this lot nor any recent inquiries related to this property. The property was acquired by the City in March 2016 as a donation and the previous home was demolished in July 2016. So far through the side lot program, we have sold 25 vacant lots. This item is requested as an emergency and with a suspension of the rules in order to enable the applicant to immediately commence moving forward with the next step, which would be to go to the City Planning Commission in September.

Council member Mr. Zimmerman stated that he was interested in the fact that this is a new resident, someone who recently made a purchase, and asked if Director Lewis is seeing any kind of a trend that the possibility of side lots with an adjoining lot is helping move other properties or otherwise an enticement.

Director Lewis responded absolutely. In fact, we have two current inquiries from people who are buying properties, who have indicated that they'd like to buy the adjacent side lot. Council will probably get those next month because one closes in August and the other applicant we are meeting with this week to identify if it will work for what they propose to do.

Council member Mr. Zimmerman asked if the availability of the side lot, which was sort of serendipitous, is affecting purchase price of the other property.

Director Lewis responded she does not know.

Council member Mr. Roeder stated that Director Lewis mentioned there had been no other recent solicitations and asked if there had been any other at all since the City acquired this property.

Director Lewis stated that since we acquired the property in 2016 she cannot say with certainty that no one has ever called to ask about this, but no one has ever applied. She can say with certainty that we have no calls related to this property since January of this year.

Council member Mr. Roeder stated that because of the new policy this year this property did not go before the Neighborhood Revitalization and Development Committee and also there has been some discussion on the side lot program in the last week primarily focused on development and which of these properties are going to be set aside for development so there remains some questions. Members of Council have heard from people in the community and he is aware that the Administration has had conversations with a number of residents who have some questions about that as well. He does not think that impacts this particular property because it is not being held aside for development and it is a discussion with an individual resident.

Council member Mr. Malone stated that anecdotally at the City Planning Commission meeting a resident informed them that she had learned about the side lot program through her realtor, so it sounds like realtors are promoting it, which he took to be a positive sign. He asked if Director Lewis could briefly give an update on when Council can expect further discussion on the side lot policy. It was touched on at prior Council meetings and he seems to recall the Neighborhood Revitalization and Development Committee would first discuss it. He asked about the timeline for recommendations coming back to Council.

Director Lewis stated that she would have to defer that question to Mayor Weiss.

occasionally have bags in there, but we did not want that and we didn't want to pay the higher premium. The other concern we had is that although the market is not good now with the exception of fiber, because of all the home deliveries with Amazon and all the cardboard, we also felt that the market will pick up. We didn't want to go into a long-term contract like we typically do, which is at least five years. We proposed a two-year contract with two, one-year renewals for four years all together. The winning contractor with the lowest price is our current recycler and we've had great luck with them. In fact, one of the owners came to our Transfer Station to see what we do because our recycling is always so much cleaner than most communities. We have had great results with them and they are not far away. We are requesting approval to enter into this contract with Kimble for four years at the cost stated in the memo distributed. This item is requested as an emergency and with a suspension of the rules as our current contract expires next month. We knew that we'd have to pay for recycling so we had \$30,000 added to this year's budget, so we will be fine financially for this year, but it will be a \$60,000 increase going forward for a total of \$90,000 in our budget. Next year she will request \$60,000 more to cover the whole year.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. Director Speese provided a good summary and he appreciates her comment in the memo about how sometimes you have to pay money to do the right thing. Really the discussion was mostly focused on the economics of it, not whether this was a good idea or not. We got a little bit of an explanation of how contamination works and the blue bags, but this was an easy vote.

Council member Mrs. Moore stated that this item was reviewed and approved by the Finance Committee. The discussion mainly involved two questions: why there was such a divergence between the bid amounts and why there were just two bids. The other feeling among the Finance Committee was that our City is really deserving of praise because now the plain facts are that it costs more to recycle than it does to put the City's waste in a landfill. That will come down to a terrible environmental consequence. We are proud of the City of Shaker Heights for taking the bite in the budget to do the right thing environmentally.

Council member Mr. Earl Williams asked about the City's recycling opportunity a couple of weeks ago for computer parts, as he has some parts to donate, and asked if that program is in any way connected with this vendor.

Director Speese stated that event is not connected with Kimble, but connected with the Cuyahoga County Solid Waste District. She just got the nicest email from the vendor, who is a nonprofit vendor we have used for years. The Cleveland Foundation has reached out to them with 7,000 computers. With COVID-19 people do not have computers in their homes and they need them. The email was how Shaker Heights knocks it out of the park with the volume of recycled computers and cell phones. We're always one of the top three in the entire County, and we're a small community compared to Westlake, Parma and Cleveland. This is handled through the Cuyahoga County Solid Waste District, not this vendor, but it's a very well received program.

Director Speese stated that we only accept computer parts at the event. However, because of the tremendous need right now, we are looking at perhaps hosting another collection event sometime in the early fall.

Council member Ms. Anne Williams stated on behalf of the Sustainability Committee, that we really appreciate the support of the Council members on both the Neighborhood Revitalization and Development and Finance Committees on this initiative. We do see communities around us who are not able to continue their recycling program.

It was moved by Mr. Earl Williams, and seconded by Mr. Zimmerman, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-66 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Earl Williams, and seconded by Mr. Zimmerman, that Ordinance No. 20-66 be enacted as read.

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

Ordinance Enacted

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Ordinance No. 20-67, by Mrs. Moore, authorizing an Agreement of Cooperation with Cuyahoga County for the emergency repair of South Woodland Road Culvert No. 3, and declaring an emergency.

Public Works Director Patricia Speese stated that in March after the snow melted one of the road crews noticed a big void in South Woodland east of Green Road. After some research we found out that the culvert was collapsing. The City owns the parcel which used to be a wooded lot and it cannot be built on because it is above the culvert. We did an inspection, hired a firm to come in and do an evaluation, and the culvert needed to be replaced. Since South Woodland is a County road, we reached out to them to see if they were willing to protect their road by helping us pay for this culvert. It was an emergency project. The County agreed and extended an offer of 50% up to \$100,000 in funds. The culvert replacement will be about \$250,000 and the remaining funds come out of the Sewer Fund, which we have set aside. We plan on starting the project very soon and have gone out to bid. This item is requested on first reading and as an emergency so that we can submit to the County and get our funding.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. They understood the work had to be done.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. She praised Public Works for getting the cost share from the County and the City for having a Sewer Fund that is not spent down to the last dollar, hence enough to cover this repair in the ninth month of the fiscal year. Kudos to wise planning.

It was moved by Mrs. Moore, and seconded by Mr. Zimmerman, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-67 be placed upon its final enactment.

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

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Zimmerman, that Ordinance No. 20-67 be enacted as read.

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

Ordinance Enacted

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Ordinance No. 20-68, by Mr. Zimmerman, authorizing an amendment to the contract between the City and Greenman-Pederson, Inc. (GPI) to extend the term of the contract for the Warrensville Center Road Streetscape Improvements Project, and to modify the cost for services in the amount of \$8,589, which will bring the total contract amount to \$242,533, and declaring an emergency.

Planning Director Joyce Braverman stated that this is a contract with GPI for inspection engineering services for the Warrensville path. The Warrensville path, as you may know, is about a mile long path, and 10-foot wide. Construction is about 99% complete. The unfinished work had to do with products that were back ordered due to COVID-19. We did hear late last week that those products were finally delivered and onsite. The delay did require our inspector to put in extra time and they are asking for an increase of \$8,589. The funds are in the capital budget and have previously been appropriated. In addition, 80% of this cost will be reimbursed by ODOT at the end of the project. This item is requested as an emergency and on first reading as construction is almost finished.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. It was a relatively administrative contract amendment.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. It is a reimbursable expense within the project budget.

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

Mayor Weiss added that this is the last piece of traffic improvements that were brought to Council's attention and the Administration that we have been working through. It is nice to see us make progress on each one of these.

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. 20-69 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Zimmerman, and seconded by Ms. Carmella Williams, that Ordinance No. 20-69 be enacted as read.

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

Ordinance Enacted

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Ordinance No. 20-70, by Mrs. Moore, authorizing the acceptance of a \$177,487.68 grant, on behalf of 33 communities, from the Federal Emergency Management Agency, through the Assistance to Firefighters COVID-19 Grant funding program, to purchase personal protective equipment, and declaring an emergency.

Fire Chief Patrick Sweeney stated that early in the pandemic FEMA recognized that fire departments were in dire need of personal protective equipment and made grant dollars available through an Assistance to Firefighters grant as a COVID-19 supplement to firefighters to help offset the costs to procure more equipment. Historically when you are able to make application for a FEMA grant in a regional partnership your chances for receiving funds are greatly improved. It requires one agency to take the lead on the application process and act as the fiduciary for any funds that are awarded. We received positive input from 33 communities that they wanted to participate in a regional application. After an analysis of how much equipment they collectively would need, they came up with a grant request to FEMA of a total project cost of \$195,000 for personal protective equipment (PPE). This requires a 10% match from each participating community. The Law Department prepared a Memorandum of Understanding (MOU) between the City of Shaker Heights and all of the participating communities that outlines the application

process, total dollar amount requested, and what equipment each municipality would receive along with their required match. All of the cities have signed the MOU, we submitted our application to FEMA, and were awarded \$177,487.68 in grant dollars along with the required match of 10% or \$17,748.77 for a total project cost of \$195,236. The only cost to Shaker Heights is \$868.34 for our 10% match of \$8,600 of PPE. This item is requested as an emergency and with a suspension of the rules so that we can move quickly on appropriating the funds.

Council member Mr. Zimmerman stated that this item was reviewed and unanimously approved by the Safety and Public Works Committee. At the committee meeting Council member Mr. Malone asked about any administrative burdens and Chief Sweeney responded very little.

Council member Mrs. Moore stated that this item was reviewed and unanimously approved by the Finance Committee. They commented about the regional cooperation being exemplary and that it showed the terrific fiduciary leadership of Shaker Heights.

Council member Mr. Malone reiterated his concern although he fully supports this. He thinks it is terrific that Law Director Gruber and Chief Sweeney have taken the lead on this. It is obviously extremely important to have the safety equipment for our first responders and he hopes this is a one-time application, but to the extent we apply for these kinds of funds in the future he thinks it should be handled at the county level. He does not think it is the City's responsibility to be the fiduciary on this although he thinks it is terrific we are taking the initiative. He hopes the county will take the lead in the future, but he fully supports the application and appropriation.

Fire Chief Sweeney stated that this is a FEMA assistance to firefighter grant program so no one agency other than a fire department can make application, but the county did help out with the application process. Knowing that we have these funds, the county will help identify vendors to see if we can get good pricing on equipment. The county is doing the best they can to help, but a fire department had to submit the application.

It was moved by Mrs. Moore, and seconded by Mr. Roeder, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-70 be placed upon its final enactment.

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

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Roeder, that Ordinance No. 20-70 be enacted as read.

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

Nays: None

Ordinance Enacted

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Ordinance No. 20-71, by Mr. Zimmerman, approving acceptance of a 2020-2021 State Board of Emergency Medical, Fire and Transportation Services Grant from the Ohio Department of Public Safety, Division of Emergency Medical Services, for the purchase of EMS supplies for the Fire Department Rescue Squads, and declaring an emergency.

Fire Chief Patrick Sweeney stated that this grant has been available for quite a few years. We make application for it annually when funds become available from seatbelt violations that police departments' levy against individuals driving without seatbelts. The fines go to the Ohio Department of Public Safety and the amount they collect determines how much is available. This year the Fire Department was awarded \$2,846.43 and we use this money to offset the cost of equipment on the rescue squads, including EKG pads, and immobilization equipment. There is no match required. This item is requested as an emergency and with a suspension of the rules so that the Fire Department can spend the dollars before the end of the year.

Jeri E. Chaikin, Chief Administrative Officer, stated that there was a policy change in the past year or two so that when there is no match required and no impact on the budget Council would support applying for these grant funds and bringing the acceptance and appropriation directly to Council without going to Committees.

It was moved by Mr. Zimmerman, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-71 be placed upon its final enactment.

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

Nays: None

Motion Carried

Moved by Mr. Zimmerman, and seconded by Mrs. Moore, that Ordinance No. 20-71 be enacted as read.

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

Nays: None

Ordinance Enacted

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Ordinance No. 20-72, by Mrs. Moore, amending Ordinances No. 19-121 and No. 20-09, ordinances appropriating funds from the Sewer Capital Improvements Fund No. 402 to provide funding for the repair of mainline sewers, laterals and culverts, by appropriating an additional \$100,000, and declaring an emergency.

Finance Director John Potts stated that as Director Speese explained earlier this evening, this ordinance appropriates emergency funding of \$100,000 for the South Woodland culvert. This item is requested as an emergency and with a suspension of the rules.

Council member Mr. Zimmerman stated that this item was reviewed and approved by the Safety and Public Works Committee

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

It was moved by Mrs. Moore, and seconded by Mr. Zimmerman, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-72 be placed upon its final enactment.

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

Nays: None

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Zimmerman, that Ordinance No. 20-72 be enacted as read.

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

Nays: None

Ordinance Enacted

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Ordinance No. 20-73, by Mr. Zimmerman, amending Ordinance No. 20-46 making appropriations for the current expenses and other expenditures of the City of Shaker Heights, Ohio for the year ending December 31, 2020, in Fund No. 0101, the General Fund, and declaring an emergency.

Finance Director John Potts stated that this item is to amend the current operating ordinance to add \$195,236 to the Fire Department operating budget as well as \$2,846 to the “Other” line item for a total of \$198,084. This item is requested as an emergency and with a suspension of the rules.

Council member Mr. Zimmerman stated that this item was reviewed and approved by the Safety and Public Works Committee.

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

Council member Mr. Earl Williams asked about the match required and any requirement trends for COVID-19 funds.

Director Potts stated that the guidance allows the match for something related to COVID-19, which is also true for other municipalities, to be placed in the COVID-19 cost bucket. Earlier this year, he provided an update to Council or the Finance Committee on the approximate \$760,000 COVID-19 costs which we have cleared.

It was moved by Mr. Zimmerman, and seconded by Mrs. Moore, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-73 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Zimmerman, and seconded by Mrs. Moore, that Ordinance No. 20-73 be enacted as read.

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

Ordinance Enacted

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Council member Mrs. Moore stated that the current assessment for street lighting which is not being raised is approximately a \$250,000 General Fund subsidy to pay for the street lighting and in the long run this kind of subsidy from the General Fund is not sustainable. We have gone many, many years without an increase. We are very sensitive to the economic plight of many of our residents and stressors created through the Coronavirus pandemic, and the subsidy is done with due cognizance now, but in the future unless our efforts at sustainability, specifically retrofitting certain lighting poles for LED lights happens in a sustainable way that is economically advantageous to the City, inevitably the current subsidy will have to be reduced.

It was moved by Mr. Earl Williams, and seconded by Ms. Carmella Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 20-75 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Earl Williams, and seconded by Ms. Carmella Williams, that Ordinance No. 20-75 be enacted as read.

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

Ordinance Enacted

* * * *

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

CAO Chaikin stated that no comments were received on other items by email or phone.

Sara Schiavoni of 2940 Morley Road thanked Council for working so hard to get the Warrensville and now South Woodland intersections addressed. These have been long in the making but she is pleased to see them moving forward. She is hoping that the City can help the residents make use of the fields in a way that can help kids, as well as the ice rink for hockey parents who are really interested in being able to use the ice rink. She is particularly interested in being able to use the soccer fields, hoping they can have assistance in getting the fields lined and used. Speaking for her family, it has been hard for the kids not to have schedules, looking forward to playing with their team, while engaging with their classmates in a safe way outside. She is hoping we can move this forward and are able to use those fields for games this fall.



Memorandum

To: City Council Members

From: Joyce G. Braverman, Director, Planning
Kara O'Donnell, Principal Planner, Planning
Laura Englehart, Director, Economic Development

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

Date: September 22, 2020

Re: 2020 NOACA Transportation for Livable Communities (TLCI) Grant Program
Application for the **Lee Road Corridor Connections Action Plan**

This is a request to authorize a grant application to and to accept a grant from NOACA's Transportation for Livable Communities Initiative (TLCI) program for the **Lee Road Corridor Connections Action Plan**, a visionary reinvestment plan for the Lee Road commercial corridor. The **Lee Road Corridor Connections Action Plan** will provide detailed recommendations for transportation enhancements such as: traffic calming; access plan – including pedestrian and bike amenities within the district and connections with surrounding neighborhoods and corridors; urban design strategies to achieve a corridor transformation; an economic development and facilities strategy; and robust community engagement.

The Lee Road plan sets up investment in a part of the community that has not seen large-scale reinvestment since work was completed in 2005 at the Shaker Town Center shopping center area. Due to resident-led efforts, particularly through the Moreland Rising project, the predominantly Black residential neighborhoods adjacent to the Lee Road commercial district have become stronger and more vibrant. The City should help foster the same spirit and be intentional in creating equitable, inclusive approaches to planning and development in the neighboring commercial district. Investment and connectivity between the business district and adjacent residential neighborhoods, between businesses and residents, and between residents and potential jobs is important. Accordingly, the plan will involve diverse resident and stakeholder participation from the adjacent neighborhoods and from current business owners in the commercial corridor. The proposed plan will also satisfy a recently passed NOACA resolution calling for equity in transportation planning.

The NOACA Transportation for Livable Communities Initiative (TLCI) program provides assistance to communities and public agencies for transportation projects that strengthen community livability, including projects that enhance economic viability and quality of life. The NOACA Governing Board has allocated approximately \$500,000 of federal funds for the competitive planning grant program.

The City has completed traffic studies and plans in the Lee Road area in the past. With this grant application, the City seeks to not repeat but to build on those plans by seeking funding to complete a comprehensive, detailed plan for transforming the area into a thriving commercial district that is attractive, walkable, and bikeable. Other previously prepared studies that address portions of the Lee Road corridor are available at www.shakeronline.com/442/City-Plans-Documents:

- *Joint Facilities Vision Plan (2019)*
- *Lee Road Traffic Study & Corridor Plan (2012)*
- *Economic Development Strategy (2010)*
- *Lee/Van Aken Transit-Oriented Development Plan (2008)*
- *Strategic Investment Plan (2000)*

The **Lee Road Corridor Connections Plan** will address four critical elements:

- 1) **Urban Design and Streetscape Plan**—consider and improve the overall physical design and appearance of the corridor.
- 2) **Economic Development and Facilities Strategy**—develop a place-based economic development strategy to optimize development opportunities along the Lee Road corridor and create an environment where business can thrive; consider best use and redevelopment of public facilities along the corridor.
- 3) **Transportation Plan**—Establish a multi-faceted plan for all modes of transportation using data and information collected in previous traffic studies; study traffic calming, access management, pedestrian and bicycle infrastructure; enhance connectivity between the business district and neighborhoods, businesses and residents, and between residents and jobs.
- 4) **Community and Stakeholder Engagement**—implement a robust process to gather input from residents, neighborhood associations, business owners and property owners.

Applying for TLCI grant funding this year will allow the City to complete advanced planning now in order to pave the way for implementation funding and meet the expected 2025 construction year. The City has requested implementation funding from NOACA for road resurfacing, a multipurpose path and streetscape in funding year 2025. The plan would also prepare us to request State capital funds and other grant sources in 2022-24. The plan and funding strategy uses the same techniques as other successful projects, most recently the Chagrin/Warrensville intersection reconfiguration and public improvements in the Van Aken district.

The City will request a \$100,000 grant from NOACA. This competitive application does not require a match however, city participation is encouraged. Based on past TLCI grant awards, a city match of \$25,000 is proposed to achieve a budget of \$125,000. This will support a targeted plan that will address all aspects of transportation and redevelopment for the Lee Road Corridor and work with the community to craft this vision. The match funds will come from the available balance in the capital fund. The grant application and supporting legislation are due on October 16, 2020.

The City has previously received TLCI grants for the *Van Aken District Connections Plan*; *Lee/Van Aken Transit-Oriented Development Plan (2007)*; the *Warrensville-Van Aken Transit-Oriented Development Plan (2008)*; and the *Warrensville/Van Aken Intermodal Transit Center Plan (2009)* and the *Lee Road Traffic Study & Corridor Plan (2011)*.

The Planning and Economic Development Departments presented the project to the Neighborhood Revitalization and Development Committee on September 9, 2020. The committee discussed that the plan will incorporate a key initiative of the Forward Together Vision Plan and study public facilities along Lee Road. The committee also supported stronger neighborhood connections and neighborhood and stakeholder engagement. Discussion points also included how this plan is needed to assemble multiple implementation grants and funding sources, which was the strategy used for the Van Aken District redevelopment.

The Planning and Economic Development Departments also presented the project to the Finance Committee on September 21, 2020. The committee commented on the plan serving as the first step toward achieving funding to implement the plan. The committee also discussed the need to coordinate with Lee Road in Cleveland to achieve one corridor and to link to jobs for minorities in Cleveland. It was also stressed that support from outside agencies is helpful for state capital requests.

Recommendation. We recommend approval and authorization to submit a grant application to and to accept a grant from NOACA's Transportation for Livable Communities Initiative (TLCI) program for the **Lee Road Corridor Connections Action Plan**, a visionary transportation and reinvestment plan for the Lee Road commercial corridor, in the amount of \$100,000 with a grant match of \$25,000 for a total project cost of \$125,000. We request that this item be passed on first reading and as an emergency in order to meet the grant deadline of October 16, 2020.

ORDINANCE NO.

BY:

Authorizing the City's application for and acceptance of a grant of \$100,000 from the Northeast Ohio Areawide Coordinating Agency's ("NOACA") Transportation for Livable Communities ("TLCI") program for support in funding a Lee Road Corridor Connections Actions Plan, and declaring an emergency.

WHEREAS, the City's Director of Planning has recommended that the City apply to the Northeast Ohio Areawide Coordinating Agency (NOACA) under the Transportation for Livable Communities Initiative (TLCI) for support in funding a Lee Road Corridor Connections Actions Plan in the total amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000); and

WHEREAS, if awarded the NOACA funds, the City will provide a 25% match in the total amount of TWENTY-FIVE THOUSAND DOLLARS (\$25,000), to enhance the City's application and the Plan.

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

Section 1. This Council hereby authorizes the Mayor, to apply for and accept a grant from the Northeast Ohio Areawide Coordinating Agency, Transportation for Livable Communities Program, in a total amount of ONE HUNDRED THOUSAND DOLLARS (\$100,000) to fund a Lee Road Corridor Actions Plan, and hereby authorizes the Mayor to accept any related grant awards for the purposes set forth in the authorized grant application.

Section 2. The Mayor is hereby authorized and directed to work cooperatively with NOACA, abide by all NOACA polices, and to enter into such agreements with NOACA and other agencies as may be necessary for the application for and receipt of NOACA grant funds and related funding, as provided by law. Said agreements shall be in the form 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 in order to meet the grant deadline of October 16, 2020, 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

coun20/0924noacaTLCIgrant-leeroadcorridor



Memorandum

To: Members of Council
From: Julie McGovern Voyzey, Communications and Marketing
cc: Mayor David E. Weiss
Chief Administrative Officer Jeri E. Chaikin
Date: September 21, 2020
Re: Contract for Advertising Management, Shaker Life

Shaker Life magazine has always been the City's primary communications "retain" tool used to remind residents of their reasons for choosing to live in Shaker Heights. In the past two years, in conjunction with our Shaker365 marketing campaign, it has also been used as a key "attract" tool for prospective residents.

The Communications and Marketing Department publishes the magazine and acts as Editor in Chief. In addition to department staff who work on the magazine, the department outsources a managing editor, art director, advertising manager and advertising representative, a proofreader, and a team of freelance writers and photographers.

The Ad Manager must have experience in magazine advertising sales either as an independent contractor or as part of an ad sales firm. The manager receives a commission of net advertising sales, based on accounts paid in full. Advertisers whose accounts are delinquent do not generate a commission payment for the Ad Manager.

John H. Moore & Associates has been the advertising management for *Shaker Life* since 2005. His current contract expires in December 2020, coinciding with ad sales for the winter 2021 issue.

The department prepared and distributed an RFQ on July 27, then posted it on the City's website and its Facebook page. A link to the RFQ documents was sent directly to shark and minnow, the departments PR firm, for distribution through their contacts and directly to John Moore. In addition, I contacted Stephanie Silverman, publisher and chief revenue officer of *Your Teen* magazine and Jen Proe, an independent consultant and freelance writer, in an effort to find the names of additional Ad Managers in the region. Lastly, we conducted a search on LinkedIn and on WBE/SBE lists in an attempt to find contacts. None of our efforts resulted in finding names/contacts for this position. We attribute this to the fact that the publishing and advertising industry has changed significantly. There are very few independent Ad Managers still in business. Most ad sales are done through full service publishing companies.

John H. Moore & Associates was the only proposal we received. Moore offers considerable expertise in attracting the quality advertiser with which *Shaker Life* has long been associated. Moore's

CITY OF SHAKER HEIGHTS

3400 Lee Road Shaker Heights, Ohio 44120 P 216.491.1400 F 216.491.1465 Ohio Relay Service 711
shakeronline.com www.shaker.life

experience enables him to understand and communicate about a highly desirable target advertising audience.

Moore has a deep understanding for the sort of advertiser that suits *Shaker Life*. He also sells advertising for the Cleveland Orchestra programs. Moore has been able to introduce *Shaker Life* to these advertisers and capitalize on our magazine's brand of excellence. He is a good partner and close collaborator even agreeing to sell Shop Shaker ads at a substantially reduced rate for the Spring 2020 issue in order to give our smallest businesses a chance to advertise in an issue focused on Shaker's business boom. In addition, in the first half of 2020, Moore worked closely with long time advertiser Karlovec & Company and their ad agency, to plan a substantial three issue campaign celebrating the company's 25th anniversary. We are particularly grateful for his skill and experience in this unusual year as he has been able to keep advertising sales high through the pandemic.

Moore's proposal commits to retaining the services of Rebecca Wong, a sales representative and Shaker resident, with a long history of customer service to *Shaker Life*'s business advertisers. Moore further proposes a continuation of his 20 percent commission.

Moore's key strengths are:

- Reputation: The publishing industry in Northeast Ohio regards John Moore as a supremely professional and highly effective advertising representative, esteemed for his sales skills.
- Dedication: Moore has Shaker's brand uppermost in mind. He is watchful of ads that may impinge on that quality and never asks that we bend editorial or standards to placate advertisers.
- Value: Moore's commission is affordable. The Department projects advertising sales in 2020 at \$179,000, which would pay a 20 percent commission of \$35,800.

The request to approve a contract was presented to the Administration Committee on September 8. Mr. Zimmerman asked how the 20 percent commission for this contract compares to the commission in Mr. Moore's previous contract. It was explained that it is the same rate and the desire for a three year contract is intended to lock in that rate. Mr. Rosenfelt and Ms. Williams asked about the search process for other potential Ad Managers. It was explained that there are very few independent Ad Managers in the business today due to the changing nature of the magazine industry. Most magazines are published through large, full service publishing companies that produce the entire magazine and sell ads. Shaker Life is produced independently to maintain editorial control and therefore we need an independent Ad Manager. We work to find specific names of other Ad Managers with no success. At Ms. Williams' suggestion, we will in the future contact organizations such as the NAACP and Urban League to ask for names of vendors and contractors. The Administration Committee unanimously recommended approval of the contract with John H. Moore & Associates.

The request to approve the contract was presented to the Finance Committee on September 21. Ms. Lalley asked if ad sales are the only source of revenue for the magazine. It was explained that the schools and the library pay a fee for their sections in the magazine. The Finance Committee unanimously recommended approval of the contract.

The Communications and Marketing Department requests Council's approval to enter into a personal services contract with John H. Moore & Associates for the Advertising Management of *Shaker Life* paying a 20 percent commission for a three-year term, renewable for a fourth, at the City's discretion. It is requested that this be approved upon first reading as it has been publically presented and discussed in two previous meetings.

ORDINANCE NO.

BY:

Authorizing a personal services contract with John H. Moore & Associates for advertising management services for Shaker Life magazine, for a period of up to four years, at a rate of commission of 20% of advertising sales, paid in full, which commission is estimated to total THIRTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS (\$35,800) per year.

WHEREAS, on July 27, 2020, the City solicited requests for qualifications for advertising management personal services for Shaker Life magazine, and the City received one proposal; and

WHEREAS, John H. Moore & Associates submitted a proposal for advertising management personal services for Shaker Life magazine; and

WHEREAS, John H. Moore & Associates has been the advertising manager for Shaker Life since 2005, and his most recent contract expires at the end of 2020; and

WHEREAS, the Director of Communications and Marketing has recommended the acceptance of the proposal submitted by John H. Moore & Associates for advertising management personal services for Shaker Life magazine, for up to four years, at a commission rate of 20% of advertising sales revenue, paid in full, which commission amount is estimated to total THIRTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS (\$35,800) per year; and

WHEREAS, Section 141.03 of the Codified Ordinances of Shaker Heights authorizes Council, pursuant to the Charter of the City, to approve the expenditure of funds in an amount greater than \$25,000 without formal competitive bidding for personal services.

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

Section 1. This Council hereby accepts the proposal submitted by John H. Moore & Associates for advertising management personal services for Shaker Life magazine, for up to four years, at a commission rate of 20% of advertising sales revenue, paid in full, which commission amount is estimated to total THIRTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS (\$35,800) per year.

Section 2. The Mayor is hereby authorized and directed to enter into a personal services contract with John H. Moore & Associates in accordance with the proposal herein approved. Said contract shall be in the form as approved by the Director of Law.

Section 3. This ordinance shall take effect from and after the earliest time allowed by law.

Enacted

Approved this _____ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council

coun20/0923johnhmoore&associates



Memorandum

To: Members of City Council
From: Director of Public Works, Patricia Speese
cc: David Weiss, Mayor
Jeri Chaikin, CAO
Date: September 22, 2020
Re: **Professional Services for Aldersyde Rd. Water main Replacement design**

After applying in the competitive process in the spring of 2020 to Cleveland Water, Public Works received funding through the Cleveland Water Suburban Water Main Renewal program to replace the water mains on Aldersyde Road (Lee Road to Onaway Road). Cleveland Water (CWD) has agreed to pay for this project on the condition that the City of Shaker Heights design and manage the project. CWD will pay the City the total costs of the design and construction. The City agreed to administer this project but must first have the waterline designed.

Request for Proposals were sent to five (5) firms who have either performed professional services in the City before or have demonstrated an interest and the qualifications in waterline design along with posting on the city's website. The scope of work entails that the consultant prepare construction documents for the replacement of the waterline on Aldersyde Road. On July 31, 2020 the City of Shaker Heights received five (5) proposals.

The proposals were reviewed by Public Works staff using the following criteria:

- Technical approach (40 points): Proposals are initially ranked on technical approach. Proposals show the firm understands the project scope and how the firm intends to solve the design problem. Also included are any alternate design / construction methodologies especially those that could save the City money in the construction phase of the project.
- Project team experience (30 points): This section includes information on each team member's experience on similar projects and an organizational chart. Firms only include team members who will be available to work on the project once the project begins. This section also includes the firm's quality control methodology.
- Firm project experience (30 points): This section includes the firm's project experience on similar projects. The firm provides estimated construction costs for the project including data for estimated costs of the project.

The review scores and fees are as follows:

FIRM	AVERAGE SCORE	FEE
DLZ (MBE)	96	\$46,182
GPD	94	\$45,300
MS Consultants	93	\$53,745
Karpinsky Eng.	90	\$23,225
Partners	81	\$37,200

As we follow a Quality Based Selection (QBS) process, the proposed fee was not part of the scoring criteria. Quality Based Selection is a process to determine the most qualified consultant based on their project technical approach, staff and firm experience. A crucial factor to the QBS process is the proposed fee is not a criterion in determining which consultant should be award the contract. After review of the proposals, it was determined that the DLZ's understanding of the project requirements and technical approach was the most comprehensive of the five proposals received.

The factors that differentiated DLZ from the other consultants consisted of:

1. DLZ's proposed staff has successfully performed multiple waterline design projects for the City and staff at Cleveland Water. On previous projects, DLZ has meet project milestones and have a good relationship with CWD.
2. It was clear that DLZ had invested a high level of effort to review existing data and perform site visit(s). This was demonstrated with showing potential conflicts with the water connections at Shaker Heights High School and Laurel Road tie-in. Both of these conditions will be better defined during detailed design.

On August 27, Public Works had a virtual meeting with DLZ's team to review the project and better understand their approach. During the conversation, it was clear that DLZ understands the City expectations, knows the process for submitting plans to CWD, and has the availability to start the project immediately after the contract is executed. DLZ's project approach is consistent with other waterline designs that have been completed by the City.

After scoring the different firms, Public Works reviewed the proposed fees. The estimated construction cost for the Aldersyde water main replacement is \$593,153. For design services, CWD will pay eight percent of estimated construction cost; applying 8% to \$593,153 yields \$47,453. DLZ's proposed fee is within CWD's range of allowable costs and is reasonable given the scope of work.

This request was unanimously approved at the Safety & Public Works Committee meeting held on September 4, 2020. Council Representative Carmella Williams asked if we seek out minority businesses when soliciting proposals and it was explained that we do and we also use the County and City of Cleveland's minority business listing. Council Representative Malone asked if Cleveland Water would pay for the design, and the answer was yes, they would. He also asked if the RFP process was the same as public bidding. It was explained that with public bidding we identify a specific item that everyone bids on; with professional services there is a scoring process that is based on the criteria identified in the proposal and each professional can have a different suggestion so the process is different.

This request was also passed unanimously at the September 21, 2020 Finance Committee meeting. The question was raised as to when the construction would take place. Due to the challenges of parking at the High School, it is the intent of Public Works for this project to take place in the summer of 2021.

Based on their understanding of the project, proposed project team and technical approach, we request approval to award the contract to DLZ for design services for the Aldersyde Road Waterline Project in the amount of \$46,182. We request that this legislation be passed as an emergency and under suspension of the rules so that so the City can meet the timeline for construction to take place next summer.

ORDINANCE NO.

BY:

Accepting a proposal and authorizing a personal services contract for professional design services with DLZ Corporation, in the total not to exceed amount of \$46,182, for the Aldersyde Road Waterline Project, and declaring an emergency.

WHEREAS, on July 3, 2020, the City issued a request for proposals for design services and received five proposals for such services, including one from DLZ Corporation; and

WHEREAS, the Director of Public Works has recommended the acceptance of the proposal submitted by DLZ Corporation in the total not to exceed amount of FORTY-SIX THOUSAND ONE HUNDRED EIGHTY-TWO DOLLARS (\$46,182).

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

Section 1. This Council hereby accepts the proposal of DLZ to provide professional design services, in the total not to exceed amount of FORTY-SIX THOUSAND ONE HUNDRED EIGHTY-TWO DOLLARS (\$46,182).

Section 2. The Mayor is hereby authorized to enter into a personal services contract with DLZ Corporation as set forth in this ordinance. Said contract shall be in the form 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 in order to begin design work on this project as soon as possible so that the City can meet the timeline for construction to take place next summer, 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

coun20/0922DLZAldersydewaterlinedesign



Memorandum

To: Members of City Council
From: Director of Public Works, Patricia Speese
cc: David Weiss, Mayor
Jeri Chaikin, CAO
Date: September 22, 2020
Re: **Professional Services for Brantley Road Sewer Improvements design**

In June of 2015, Public Works received multiple complaints about basement flooding on Brantley Road after a significant rain event. The City used a contractor to clean and inspect both the sanitary & storm mains. Both mains had heavy root infiltration but the pipe was in relatively good condition considering its age. Various spot repairs were performed on select pipe segments that were structurally deficient.

In early 2020, DEO was starting a major gas main replacement project on Brantley and the surrounding streets. Since the project involved boring, the contractor was required to perform an internal inspection of the sewers per the city's right-of-way permit. They were not able to complete their inspection (cleaning is not part of their scope of work) and contacted Public Works to notify us of the poor condition of the sewers on Brantley. Shortly thereafter, we had used our sewer inspection company to complete the cleaning & inspection. In short, roughly 85% of the sewers are structurally deficient. Given the rapid rate of deterioration over the past five years, we sent out request for proposals to six (6) consulting firms and posted on the city's website for design services on July 20, 2020.

The general scope of work was

1. Evaluate existing internal inspections of the sanitary and storm mains.
2. Determine the most beneficial, cost effective approach to rehabilitate and / or replace the sanitary and storm mains based on review of the inspection reports and existing underground utilities. The need to rehabilitate laterals within the right of way and manhole may also need to be analyzed.
3. Design and preparation of construction contract documents and probable cost of construction.

4. Construction will be administered by Shaker Heights Department of Public Works. Limited construction services would include attendance to the pre-construction meeting, review of shop drawings and responses to Requests for Information.

On August 7, 2020 the City of Shaker Heights received seven (7) proposals.

The proposals were reviewed by Public Works staff using the following criteria:

- Technical approach (40 points): Proposals are initially ranked on technical approach. Proposals show the firm understands the project scope and how the firm intends to solve the design problem. Also included are any alternate design / construction methodologies especially those that could save the City money in the construction phase of the project.
- Project team experience (30 points): This section includes information on each team member’s experience on similar projects and an organizational chart. Firms only include team members who will be available to work on the project once the project begins. This section also includes the firm’s quality control methodology.
- Firm project experience (30 points): This section includes the firm’s project experience on similar projects. The firm provides estimated construction costs for the project including data for estimated costs of the project.

The review scores and fees are as follows:

FIRM	AVERAGE SCORE	Fee
GPD	95	\$49,871
AECOM	93	\$81,532
MS Consultants	90	\$68,458
DLZ	89	\$44,162
Wade Trim	87	\$182,788
Karpinsky Eng.	83	\$29,034
Partners	79	\$35,400

As we follow a Quality Based Selection (QBS) process, the proposed fee was not part of the scoring criteria. Quality Based Selection is a process to determine the most qualified consultant based on their project technical approach, staff and firm experience. A crucial factor to the QBS process is the proposed fee is not a criterion in determining which consultant should be award the contract. After review of the proposals, it was determined that the GPD’s understanding of the project requirements and technical approach was the most comprehensive of the proposals received.

The factors that differentiated GPD Group from the other consultants consisted of:

1. GPD's proposed staff has successfully performed multiple sewer improvement design projects for the City to include the Fernway SSO, Huntington SSO and Kendall-Cheshire sewer replacement project, among others.
2. It was clear that GPD had invested a high level of effort to review existing data and perform site visit(s). This was demonstrated with showing potential utility conflicts, the need for coordination University School. Both of these conditions will be better defined during detailed design.

Staff had a virtual meeting with GPD's project team. Having used GPD on multiple other sewer improvement projects, we were familiar with the project team. They provided an overview of their technical approach which was consistent with Public Work's expectations. GPD demonstrated a firm understanding of the project, potential conflicts and schedule requirements. Their staff has the availability to start the project after the contract is awarded.

GPD's proposed fee is consistent with other sewer improvement designs and is fair & reasonable and funding for this improvement is in the Sewer Capital fund as part of the northeast quadrant repairs.

This request was unanimously approved by the Safety & Public Works Committee at the September 4, 2020 meeting. Ms. Chaikin stated that a sewer presentation will be made to Council at an upcoming meeting.

This request was also unanimously approved by the Finance Committee at the September 21, 2020 meeting. The question was raised as to the availability of funding for this project. The funding for the design is included in the 2020 Sewer Capital and the construction funding is included in the 2021 Sewer Capital.

Based on their understanding of the project, proposed project team and technical approach, we request approval to award the contract to GPD for design services for the Brantley Sewer Improvement project at a cost of \$49,871. We request that this legislation be passed as an emergency and under suspension of the rules so that so the City can proceed with this crucial project.

ORDINANCE NO.

BY:

Accepting a proposal and authorizing a personal services contract for professional design services with GPD Group, in the total not to exceed amount of \$49,871, for the Brantley Sewer Improvement Project, and declaring an emergency.

WHEREAS, on July 20, 2020, the City issued a request for proposals for design services and received seven proposals for such services from GPD Group; and

WHEREAS, the Director of Public Works has recommended the acceptance of the proposal submitted by GPD Group in the total not to exceed amount of FORTY-NINE THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS (\$49,871).

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

Section 1. This Council hereby accepts the proposal of GPD Group to provide professional design services, in the total not to exceed amount of FORTY-NINE THOUSAND EIGHT HUNDRED SEVENTY-ONE DOLLARS (\$49,871).

Section 2. The Mayor is hereby authorized to enter into a personal services contract with GPD Group as set forth in this ordinance. Said contract shall be in the form 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 in order to begin design work on this crucial project as soon as possible, 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

coun20/0922GPDBrantleysewerimprovementdesign



Memorandum

To: Members of Council

From: Laura Englehart, Director of Economic Development
John Potts, Director of Finance

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

Date: September 29, 2020

Re: **Recommendation of the City's Tax Incentive Review Council (TIRC)**

The City of Shaker Heights Tax Incentive Review Council (TIRC) held its state-required, annual meeting on July 9, 2020. The TIRC is charged with reviewing current tax incentive agreements on an annual basis and ensuring transparency and accountability on the part of the City and developer in the management of each of the agreements. The meeting and activities of this state-mandated body are controlled by the Ohio Revised Code per §5709.85, and City Ordinance.

The meeting was attended by Laura Englehart, Economic Development Director, John Potts, Finance Director, Cheryl Arslanian, Assistant Finance Director, Citizen Members Patricia Barz and Neil Dick, and School Board Treasurer Bryan Christman. The County TIRC members and staff included Chairperson Lisa Rocco, Gregory Huth, Prentis Jackson, Jr., and Susan Infeld.

By statute, the TIRC must meet and review annually certain legislatively authorized, active agreements that grant tax exemptions. During 2019, the City had (and still has) three categories of active exemptions: Urban Renewal per Ohio Revised Code §725; Tax Incremental Financing per §5709; and Community Reinvestment Areas per §3735.66. At the TIRC meeting, each of these three categories was reviewed for 2019, including compliance with active agreements, financial reports, and general project information as required per state law.

Urban Renewal, Ohio Revised Code §725

Chapter 725 projects involve the payment by the property owner of the full amount of the taxes owed for the property, which are then collected by the County as payments in lieu of taxes (also referred to as PILOTs); this is why such projects are categorized as “tax exempt” or “tax incentive” programs. Each project has a controlling Development Agreement, between the developer and the City, that spells out various terms and conditions, including the collection of PILOTs.

There is one §725 project in the City that was created for developments in the Shaker Towne Center area, for which bonds were issued, and the PILOTs derived from the property taxes paid by owners of the various developments included in the 725 program are used to pay the bond indebtedness. The development agreements where PILOTs are being collected are: Sussex Court, Avalon Station (Phase I); CVS, Library Court and Compass Storage.

While the original agreements for Sussex Court and Avalon Station were more complicated, at this point, the major obligation of each developer and/or current owner of the property is to ensure that they pay their full property taxes, which are deemed as PILOT payments, which are then distributed to the City to assist in the payment of debt service on the bonds that funded the public improvements in the district.

The agreements for Library Court, CVS, and Compass Storage also contain similar provisions that the developers/owners agree to pay their taxes as PILOTs which are also distributed to the City to fund the annual debt service requirement, as these projects continue to benefit from the public improvements made in the district.

PILOTs collected for 1st half 2019 were \$462,122, and the 2nd half collection was \$395,210, for a total of \$857,322. The debt service obligation was \$1,297,451, which left a deficit of \$440,119, which was subsidized by the City.

Tax Incremental Financing (TIF), §5709.40-41

The City has two TIF agreements with RMS and the School District relating to various portions of the Van Aken District that include provisions for disbursement of PILOTs between the developer and the school district. The Shaker Plaza TIF, per §5709.40, generated \$168,075, with 24% being distributed to the developer and 76% going to the schools, per the agreement. The second TIF, known as the Van Aken TIF, per §5709.41, generated \$242,398, with 82% being distributed to the developer and 18% going to the schools, per the agreement.

Community Reinvestment Areas (CRAs)

There are a total of three areas in the City that have been designated by City Council as Community Reinvestment Areas (CRAs), meaning that the area contains housing facilities or structures of historical significance, and new housing construction and repair of existing structures are discouraged. These areas are the Warrensville-Farnsleigh CRA, Transit Village CRA, and Southern Moreland CRA.

The Warrensville-Farnsleigh CRA contains 2 projects involving commercial CRA agreements between the developer and the City: Le Chaperon Rouge and Shaker Rocks. The TIRC reviewed the terms of each agreement (specifically: new construction, number of jobs created, payroll) for compliance.

The Transit Village CRA is a residential CRA – meaning, newly constructed single family units may be eligible for 100% property tax exemption for up to a 10-year period. Twelve units have been built. Four tax abatement applications were certified in 2019. By the end of 2020 the City estimates that all 12 units will be certified for tax abatement. All of the units are now sold.

Southern Moreland CRA is also a residential CRA with similar exemption terms for new single family construction. During 2019 there was no eligible construction and therefore no numbers to report.

TIRC Conclusion

After presentations by City staff, including a thorough budgetary review by City staff and discussion by TIRC members, the TIRC voted and found that the City is in compliance with its agreements as outlined above. The TIRC then voted that the City should continue the agreements without modification and convey such recommendation to Council. Both votes passed unanimously.

The TIRC has communicated its approval through a transmittal letter received by the City on September 17, 2020. The next step is for City Council to vote and act on the TIRC's recommendations within 60 days (no later than November 17, 2020).

Council Action

This item was presented and approved by the Finance Committee on September 21, 2020. Per state law, City Council must act on the TIRC recommendations within 60 days of its recommendation being transmitted to the Clerk of Council. Therefore, it is requested that City Council vote to approve the TIRC's recommendations regarding the aforementioned exemption agreements. We request that this item be approved on first reading and as an emergency in order to meet the timing requirements of state law.

ORDINANCE NO.

BY:

Accepting the recommendations of the City's Tax Incentive Review Council ("TIRC") to continue the existing development and community reinvestment area agreements for tax exemption and payments in lieu of taxes (PILOTS), pursuant to Ohio Revised Code Section 5709.85, and declaring an emergency.

WHEREAS, the City has entered into several development and use agreements and/or service payment 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 areas covered by the agreements, and those agreements are as follows:

- a. Shakergate Investments LLC entered into an Amended and Restated Development Agreement with the City dated December 17, 2001, as authorized by Ordinance No. 01-131, enacted on November 26, 2001, which agreement provided for the redevelopment of property in accordance with the Sussex Area Revitalization Plan, which involved the construction of a housing development known as Sussex Courts Condominiums on Chagrin Boulevard at Lomond Boulevard; and
- b. Heartpoint Devco LLC entered into a Development Agreement with the City on July 3, 2002, as authorized by Ordinance No. 02-66, enacted May 28, 2002, which agreement provided for the redevelopment of property in accordance with the Shaker Towne Centre Community Development Plan, which involved the construction of a residential building known as The Lofts at Avalon Station, located at 16800 Van Aken Boulevard; and the parties entered into an Amended Development Agreement on November 22, 2005, as authorized by Ordinance No. 05-64, enacted June 27, 2005, and a First Amendment to the Amended Development Agreement on August 30, 2011, as authorized by Ordinance No. 11-87, enacted on August 22, 2011, and said First Amendment resulted in, inter alia, a change of ownership to The Residences at Avalon Station LLC; and
- c. Blue Water Capital Partners, LLC entered into a Service Payment Agreement with the City on December 3, 2009, as authorized by Ordinance No. 09-111, enacted November 23, 2009, as part of the development of a CVS pharmacy at 17120 Chagrin Boulevard, in accordance with the Shaker Town Centre Community Development Plan Area, which was adopted in May, 1988, and was amended in November 2001 and May 2002, as part of the City's long-term revitalization efforts; and
- d. Library Court Senior Housing LP entered into a Development Agreement with the City on March 29, 2010, as authorized by Ordinance No. 10-23, enacted March 22, 2010, in accordance with the Shaker Town Centre Community Development Plan Area for the construction of Library Court Apartments, providing senior housing at 16301 Chagrin Boulevard; and
- e. Amsdell Storage Ventures XVIII, LLC, DBA Compass Self Storage, LLC entered into a Service Payment Agreement with the City on February 4, 2015, as authorized by Ordinance No. 15-46, enacted May 26, 2015, in accordance with the Shaker Town Centre Community Development Plan Area

regarding the development of a Compass Self Storage business at 16500 Chagrin Boulevard; and

WHEREAS, on September 2, 2015, the City entered into an interim development and use agreement for the Shaker Plaza shopping center with Shaker Plaza Development LLC, pursuant to Ohio Revised Code Chapter 5709.40, which authorized tax exemption resulting from the declaration of public purpose improvements, as authorized by Ordinance No. 15-51, enacted on July 27, 2015, which Agreement was subject to a compensation agreement with the Shaker Heights School District dated August 3, 2015, and the interim development and use agreement was terminated and the tax exemption incorporated into a development and use agreement with Van Aken Shopping Center LTD. dated August 12, 2016, as authorized by Ordinance No. 16-02, for the Van Aken District Development, and the compensation agreement with the Shaker Heights School District for Shaker Plaza was amended and restated in an agreement dated April 14, 2016, as authorized by Ordinance 16-19, enacted on February 22, 2016; and

WHEREAS, on August 12, 2016, the City entered into a development and use agreement for the Van Aken District Development, including the Van Aken shopping center, with Van Aken Shopping Center LTD., as authorized by Ordinance No. 16-02, and in Ordinance 17-21, enacted on February 27, 2017, this Council authorized tax exemption resulting from its declaration that certain improvements were for a public purpose and made provision for the collection of service payments in lieu of taxes, pursuant to Ohio Revised Code Section 5709.41 for the Van Aken Shopping Center Project, and the development and use agreement was amended twice, the first amendment being authorized by Ordinance No. 16-137, and the second authorized by Ordinance No. 17-03, and the City and the Shaker Heights School District also entered into a compensation agreement for the Van Aken Center on April 14, 2016, as authorized by Ordinance 16-19, enacted on February 22, 2016, which compensation agreement was amended on July 24, 2018; and

WHEREAS, in Ordinance 14-52, enacted on September 22, 2014, this Council created the "Warrensville-Farnsleigh Community Reinvestment Area (CRA)", pursuant to Chapter 3735 of the Ohio Revised Code (ORC), and effective December 5, 2014, the Director of the Ohio Development Services Agency determined that the CRA contained the characteristics set forth in ORC Section 3735.66 and confirmed the designated area as a CRA pursuant to ORC Chapter 3735; and

WHEREAS, in Ordinance 16-34, enacted on March 18, 2016, this Council approved a CRA agreement for Stella of Shaker Heights, LLC, DBA Le Chaperon Rouge, at 3350 Warrensville Center Road, as a part of the Warrensville-Farnsleigh CRA, and said owner entered into a CRA Agreement on April 13, 2016, with a tax abatement of 50% of the increased value of the property for 15 years, beginning tax year 2018; and

WHEREAS, in Ordinance 16-126, enacted on November 28, 2016, and Ordinance 17-100, enacted on October 23, 2017, this Council approved a CRA agreement for Maximar Properties, LLC, for the operation of Shaker Rocks, at 3377 Warrensville Center Road, as a part of the Warrensville-Farnsleigh CRA, and said owner entered into a CRA Agreement on November 30, 2017, with a tax abatement of 50% of the increased value of the property for 15 years, beginning tax year 2019; and

WHEREAS, in Ordinance 14-97, enacted on February 23, 2015, this Council enacted Ordinance 173.05 of the City's Codified Ordinances, creating the Transit Village CRA, and the CRA was approved by the State of Ohio on April 21, 2015, and this CRA provides the owner of newly constructed, for-sale, single family homes and condominiums, built with a minimum investment of \$125,000, with the ability to apply for a property tax exemption of 100% of the increase in the assessed valuation of the property resulting from new construction, as defined in R.C. Section 3735.67, for a period of 10 years; and

WHEREAS, in Ordinance 16-33, enacted on March 28, 2016, this Council enacted Ordinance 173.06 of the City's Codified Ordinances, creating the Southern Moreland CRA, and the CRA was approved by the State of Ohio on April 22, 2016, and this CRA provides the owner of newly constructed, for-sale, single family homes and condominiums, built with a minimum investment of \$125,000, with the ability to apply for a property tax exemption of 100% of the increase in the assessed valuation of the property resulting from new construction, as defined in R.C. Section 3735.67, for a period of 10 years; and

WHEREAS, the City's Tax Incentive Review Council ("TIRC"), established pursuant to Ohio Revised Code Section 5709.85, is required to annually review all agreements granting exemptions from property taxation, to determine with regard to each such agreement whether the owner of the exempted property has complied with the agreement, and to submit to City Council written recommendations for continuation, modification or cancellation of the agreement; and

WHEREAS, at its meeting on July 9, 2020, the City's TIRC voted unanimously to recommend that this Council should vote to continue the City's existing CRA and development agreements for tax exemption and PILOTs with each of the entities listed above, and such recommendation has been reported in writing to the Clerk of Council in the Minutes of the aforesaid TIRC Meeting, dated September 17, 2020; and

WHEREAS, this Council has determined that it is in the best interests of the City and its citizens to continue the existing CRAs and development agreements for tax exemption and PILOTs as described above.

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

Section 1. This Council hereby accepts the recommendations of the City's Tax Incentive Review Council ("TIRC") to continue the City's existing Community Reinvestment Areas (CRAs) and development agreements for tax exemption and payments in lieu of taxes ("PILOTs") as set forth in this Ordinance.

Section 2. This Council hereby authorizes and directs the Mayor, Director of Law, and Director of Finance to take such additional steps, execute such documents, and provide such information and certifications as are necessary and appropriate to carry out and implement the recommendations of the City's TIRC.

Section 3. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were taken in meetings open to the public in accordance with the law.

Section 4. This ordinance is 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, that it is necessary in order for the City to meet the deadline for this Council to hold a meeting and vote to accept, reject, or modify all or any portion of the recommendations of the City's TIRC and submit such action of Council to the State Director of Development, pursuant to the requirements of Ohio Revised Code Section 5709.85 and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted September __, 2020.

Approved this ____ day of _____, 2020.

DAVID E. WEISS, Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council



SHAKER HEIGHTS

Memorandum

To: Members of City Council

From: John J. Potts, Director of Finance

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

Date: September 29, 2020

Re: 2020 Property Tax Rates

The County Budget Commission has set the City's 2020 Property Tax Rate, to be collected in 2021, at 9.9 mills. State law requires that the City adopt the tax rate determined by the Budget Commission before the taxes can be levied. In order to be included for collection with the 2020 property taxes collected in 2021, the County has set a deadline of Monday, September 30, 2020 for adoption of the rates by City Council and filing of the rate with the County Budget Commission.

The total property tax rate for tax year 2020 (for collection in calendar year 2021) as determined by the Cuyahoga County Budget Commission will again be 9.90 mills. The City's property tax rate has remained unchanged since 1993. The City's property tax rate has not changed since 1993 because the City has not sought a property tax increase to fund operations or issued any new voter approved debt during that time.

The City's debt portfolio is currently comprised of:

- The 2012 & 2016 Urban Renewal Bonds for the Shaker Towne Center and Sussex areas economic development projects and the Firehouse No. 1 construction project (debt service funded by tax increment financing and the General Fund).
- The 2013 Van Aken Sewer Line Improvement Bonds funded by the General Fund.
- The 2017 Various Purpose Improvement Bonds for various sanitary and storm sewer system improvements (funded by the General Fund).
- Loans from the Ohio Public Works Commission (OPWC) for the Hildana-Ludgate sanitary sewer project and the South Woodland sewer project and loans for two Waterline Improvement projects (funded by the General Fund).
- The City's obligation to pay debt service from non-tax revenues on debt issued in 2017 by the Cleveland Cuyahoga County Port Authority to pay certain costs for the Van Aken project (paid from the General fund).
- The 2020 Sewer and Street Improvements Bank Anticipation Notes for street and sewer improvements (funded from the Sewer Maintenance Fund and the General Fund).
- Lease purchase agreements for the purchase of two fire trucks (2016 Quint Aerial Ladder Truck and 2019 Pumper Truck) for the Fire Department, the purchase of a Street Sweeper (2017) for the Public Works Department and the purchase of City Hall copiers (2018).

The following details the property tax rates for the years 1993 through 2019.

General Fund

Inside Millage	3.80
Charter Millage	5.50

Police Pension Fund

Inside Millage	0.30
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Fire Pension Fund

Inside Millage	0.30
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Total Property Tax Rate 9.90

Total real property tax revenues through August 31, 2020, including State rollback and homestead reimbursements, are approximately \$5.86 million. Same time last year we had received \$7.74 million. In 2019 by the end of August we had received all of our property tax receipts for the year (\$7.74 just mentioned). Due to the pandemic in 2020, the 2nd half deposit schedule was moved back by a month. We expect to receive our final 2020 distributions by the end of September.

In order to insure timely collection of property taxes, the County requires the proposed rate be adopted by City Council and returned to the Budget Commission by September 30, 2020.

This item was presented and approved by the Finance Committee on September 21, 2020. The Finance Department is requesting that Council accept the amounts and rates as determined by the Budget Commission and authorize the necessary tax levies to the County Fiscal Officer. We ask that this be approved on first reading and as an emergency so that we can submit to the County Fiscal Office by September 30, 2020.

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(CITY COUNCIL)
Revised Code, Secs. 5705.34-5705.35

The Council of the City of Shaker Heights, Cuyahoga
County, Ohio, met in Regular session on the 29th day of September
(Regular Or Special)
2020, Via ZOOM Meeting Due to COVID-19 Public Health Emergency with the following members

present:

_____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2021; and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has
certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate
of each tax necessary to be levied by this Council, and what part thereof is without, and what part
within the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Shaker Heights,
Cuyahoga County, Ohio, that the amounts and rates, as determined
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate
of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET
COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund			3.80	5.50
General Bond Retirement Fund				0.00
Police Pension			0.30	
Park Fund				0.00
Recreation Fund				
Fire Pension Fund			0.30	
Fund				
Fund				
TOTAL	\$0	\$0	4.40	5.50

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Total General Fund outside 10m. Limitation.		
Park Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Recreation Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.		
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	

and be it further

RESOLVED, That the Clerk of this Council be and she is hereby directed to certify a copy of this

Resolution to the Fiscal Officer of said County.

_____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Nancy Moore, Tres Roeder
Carmella Williams, Anne Williams
Earl Williams, Rob Zimmerman
Sean P. Malone

Adopted the 29th day of September 2020.

Approved this ____ day of _____ 2020.

Attest:

Mayor David E. Weiss

Jeri E. Chaikin, Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Cuyahoga County, ss.

I, Jeri E. Chaikin, Clerk of the Council of the City

of Shaker Heights within and for said County, and in whose custody the Files

and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby

certify that the foregoing is taken and copied from the original Resolution No. _____

now on file, that the foregoing has been compared by me with said original document,

and that the same is a true and correct copy thereof.

WITNESS my signature, this ____ day of September 2020.

Jeri E. Chaikin Clerk of Council

Resolution No. _____

COUNCIL OF THE CITY OF

Shaker Heights

Cuyahoga County, Ohio

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY FISCAL OFFICER

Shaker Heights City Council

Adopted September ____, 2020.

Jeri E. Chaikin, Clerk of Council

Filed _____, 20 ____

County Fiscal Officer

By _____
Deputy



Memorandum

To: Members of City Council
From: John J. Potts, Director of Finance
cc: David E. Weiss, Mayor
Jeri E. Chaikin, Chief Administrative Officer
Date: September 29, 2020
Re: Resolutions Requesting the County to Advance 2020 Property Tax Funds
Collected by the County During 2021

Finance prepares legislation for Council to request the County Fiscal Office to make periodic advance payments to the City of property taxes as the taxes are collected by the County. Without this request, the County would remit the revenue only twice a year. Participation in this program will provide the City with multiple payments spread throughout the year. The Property Tax Advance program improves the City's cash flow by providing quicker access to property tax revenue.

Each year, the County Fiscal Office requires the City to formally request to participate in the County Fiscal Office tax advance program for the following year. Under this program, the County will make periodic advances of property taxes collected on the City's behalf. Generally, the City would expect to receive five periodic distributions under this program. Without these requests, the County Fiscal Office will hold all of the City's funds until final settlement, meaning that the City would receive only two lump-sum distributions a year. This resolution is presented each year to City Council for approval.

The Budget Commission has stated that the Tax Advance Schedule for 2021 will be as follows.

- First Half Advance #1 Deposit Date: Jan 15
- First Half Advance #2 Deposit Date: Feb 14
- First Half Settlement Deposit Date: Mar 16
- Second Half Advance #1 Deposit Date: Jul 15
- Second Half Settlement Deposit Date: Aug 14

This item was presented and approved by the Finance Committee on September 21, 2020. The Finance Department is requesting that Council adopt the proposed resolution requesting advances of the 2020 property taxes collected in 2021 and that that this be approved on first reading and as an emergency so the resolution and request can be sent to the County Fiscal Office along with the Tax Rate legislation by September 30, 2020.

RESOLUTION NO.

BY:

Requesting the County Fiscal Officer to draw and the County Treasurer to pay on such draft, all money in the county treasury to the account of the City from all 2020 real property taxes and applicable to the purposes of the fiscal year 2021, and declaring an emergency.

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

Section 1. This Council requests the County Fiscal Officer of Cuyahoga County to draw and the County Treasurer of said county to pay on such draft at the earliest legally permissible date, all monies, including but not limited to all 2020 real property taxes collected by the County Treasurer during the 2021 tax collection year on the behalf of the City of Shaker Heights and in the County treasury to the account of this City applicable to the purposes of the fiscal year 2021.

Section 2. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare for the reason that said money is required in the current operation of the City government, and this resolution shall, therefore, take effect immediately upon adoption and approval by Mayor.

Adopted September __, 2020.

Approved this ____ day of _____, 2020.

David E. Weiss Mayor

Attest:

JERI E. CHAIKIN
Clerk of Council