CITY COUNCIL MEETING AGENDA
SEPTEMBER 10, 2019

PLEDGE ALLEGIANCE TO THE FLAG

TIME: __________
ROLL CALL: ALEXANDER, HENRY, HURST, KUMIN, LENTINE, LEWIS, URSU

PRESENT: _______ ABSENT: _______

Motion was made by _________ seconded by _________ to excuse ___________

ROLL CALL: ALEXANDER, HENRY, HURST, KUMIN LENTINE, LEWIS, URSU

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion, which motion suspends the Council’s rules requiring three separate readings of legislation, and there will be no separate discussion of these items when so adopted. If any Councilperson desires discussion, the particular item will be removed from the Consent Agenda and will be considered separately by Council with full discussion and individual action therein.

1. Minutes of the City Council Meeting from August 27, 2019.
2. RESOLUTION NO.: 88 -2019, INTRODUCED by Mayor Roche and All of Council: A RESOLUTION RECOGNIZING THE OUTSTANDING EFFORTS OF THE RICHMOND HEIGHTS DIVISION OF POLICE, DIVISION OF FIRE, RECREATION DEPARTMENT, SERVICE DEPARTMENT, AND RICHMOND HEIGHTS LOCAL SCHOOL DISTRICT FOR THE “NATIONAL NIGHT OUT EVENT” HELD ON AUGUST 6, 2019, AND TO EXPRESS APPRECIATION FOR THEIR EFFORTS

MOTION

Motion was made by __________ seconded by __________ to accept the Consent Agenda as submitted.
REPORTS:

Mayor David H. Roche:

Fire Chief, Marc Neumann:

Police Chief, Thomas Wetzel:

Building Commissioner, Jim Urankar:

Finance Director, Jim Teknipp:

Recreation Director, Rick Dula:

Economic Development Director, Brian Gleisser:

City Engineer, Lee Courtney:

Service Director, Donald Kerniskey:

Audience:
OLD BUSINESS:  -NONE-

NEW BUSINESS:

RESOLUTION NO.: 83-2019, INTRODUCED BY LENTINE, FIRST READING
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIO AWNING & MANUFACTURING COMPANY FOR THE PURCHASE OF AN ENTRANCE AWNING FOR THE CITY FIRE STATION.

SUSPENSION: ___________  ___________
PASSAGE: _________  ___________
KEPT ON: _________ READING IN ________ COMMITTEE

RESOLUTION NO.: 84-2019, INTRODUCED BY MAYOR ROCHE, FIRST READING
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSULTING AGREEMENT WITH CODE CONSULTATION & PLAN REVIEW SERVICES, LLC FOR STATE OF OHIO CERTIFIED PLANS EXAMINATION SERVICES.

SUSPENSION: ___________  ___________
PASSAGE: _________  ___________
KEPT ON: _________ READING IN ________ COMMITTEE

RESOLUTION NO.: 85-2019, INTRODUCED BY ALEXANDER, FIRST READING
A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS GRANTING A VARIANCE FROM THE REQUIRED NUMBER OF PARKING SPACES AT 1 INTEGRITY PARKWAY.

SUSPENSION: ___________  ___________
PASSAGE: _________  ___________
KEPT ON: _________ READING IN ________ COMMITTEE

ORDINANCE NO.: 86-2019, INTRODUCED BY MAYOR ROCHE, FIRST READING
AN ORDINANCE AMENDING CHAPTER 951.07 OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS TO SPECIFY COLLECTION, DISPOSAL, AND RECYCLING FEES AND THEIR COLLECTION; AND DECLARING AN EMERGENCY.

SUSPENSION: ___________  ___________
PASSAGE: _________  ___________
KEPT ON: _________ READING IN ________ COMMITTEE
ORDINANCE NO.: 87- 2019, INTRODUCED BY LENTINE, FIRST READING
AN ORDINANCE AMENDING CHAPTER 303.99 OF THE CODIFIED ORDINANCES OF
THE CITY OF RICHMOND HEIGHTS FOR GENERAL TRAFFIC CODE PENALTIES AND
DECLARING AN EMERGENCY.

SUSPENSION: ___________ ___________
PASSAGE: ___________ ___________
KEPT ON: ___________ READING IN ___________ COMMITTEE

ADDITIONS:

CORRESPONDENCE:

ADJOURNMENT:
MOTION WAS MADE BY __________ SECONDED BY __________ TO ADJOURN
THIS SEPTEMBER 10, 2019 CITY COUNCIL MEETING AT __________ P.M.
RESOLUTION NO. 83-2019
INTRODUCED BY: Lentine

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIO AWNING & MANUFACTURING COMPANY FOR THE PURCHASE OF AN ENTRANCE AWNING FOR THE CITY FIRE STATION

WHEREAS, the Division of Fire has requested, and the Council’s Safety Committee and Finance Committee have recommended, the purchase and installation of an awning at the front entrance of the fire station at a cost not to exceed $7,000.00;

WHEREAS, the materials and labor to install the awning are available at a reasonable cost from Ohio Awning & Manufacturing Company, Cleveland, Ohio.

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

Section 1: The Mayor is authorized to enter into an agreement with Ohio Awning & Manufacturing Company, Cleveland, Ohio for the purchase of an entrance awning for the City Fire Station at a cost not to exceed $7,000.00, in accordance with the quote from Ohio Awning & Manufacturing Company.

Section 2: If necessary, the Director of Finance is authorized to appropriate to a proper account the amount deemed necessary to cover the cost for the purchase of the equipment as set forth in Section 1 above.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _________________________  _________________________________
David H. Roche, Mayor

APPROVED: ______________________

ATTEST: _________________________  ________________________________
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council
A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSULTING AGREEMENT WITH CODE CONSULTATION & PLAN REVIEW SERVICES, LLC FOR STATE OF OHIO CERTIFIED PLANS EXAMINATION SERVICES.

WHEREAS, upon recommendation of the Commissioner of Building, Zoning and Housing and pursuant to law, the Mayor has determined there is a need to contract with a State of Ohio certified plans examiner for review and certification of plans for building construction in the City and that the principal of Code Consultation & Plan Review Services, LLC, Paul Kowalczyk, a State of Ohio certified Master Plans Examiner, has the experience to provide these plans examination services on an “as needed” basis in 2019 and beyond;

WHEREAS, this Council desires to authorize the Mayor to enter into the aforesaid consulting agreement on an “as needed” basis to be determined by the Commissioner of Building, Zoning and Housing with the cost thereof not exceeding Ten Thousand Dollars ($10,000.00) in calendar year 2019, and thereafter subject to annual appropriations of Council therefor.

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

Section 1: The Mayor is authorized to enter into a professional services agreement with Code Consultation & Plan Review Services, LLC for Ohio certified building plans examination services on an as-needed basis in an amount not to exceed Ten Thousand Dollars ($10,000) in 2019, and thereafter subject to annual appropriations of this Council therefor.

Section 2: If necessary, the Director of Finance is authorized to appropriate to a proper account a sum sufficient to cover the cost of the agreement set forth in Section 1 above.

Section 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: ____________________________ ____________________________________
David H. Roche, Mayor

APPROVED: _________________________

ATTEST:_____________________________ ____________________________________
Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council
RESOLUTION NO.: 85-2019
INTRODUCED BY: Alexander

A RESOLUTION CONFIRMING THE ACTION OF THE ZONING BOARD OF APPEALS GRANTING A VARIANCE FROM THE REQUIRED NUMBER OF PARKING SPACES AT 1 INTEGRITY PARKWAY

WHEREAS, Selman & Company, LLC, for property located at 1 Integrity Parkway in the City of Richmond Heights, filed an application with the Zoning Board of Appeals (Case No. ) requesting a variance from the off-street parking requirements in Section 1175.05(c) of the City’s Zoning Code in order to permit the construction of an additional building for an office use;

WHEREAS, pursuant to Section 1185.07 of the Zoning Code, the Zoning Board of Appeals recommended that the Council grant the variance as set forth above and as set forth in the minutes of the Board's public hearing for Case No. ; and

WHEREAS, the Planning and Zoning Committee of this Council recommended at its September 3, 2019 meeting that the requested variance be granted;

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The action of the Zoning Board of Appeals of the City in recommending the granting of the requested variance to the applicant, Selman & Company, LLC, from Codified Ordinance Section 1175.05(c) to have 252 off street parking spaces instead of the Code-required 275 parking spaces for the proposed office use, based upon the reasons set forth in the August 2019 minutes of said Board, is hereby confirmed.

Section 2: This Council finds a practical difficulty exists which outweighs the limitations set forth in the Zoning Code and the granting of the requested variance is not contrary to the public purpose and intent of the Code.

Section 3: The Clerk is instructed to mail a copy of this Resolution to the applicant.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: ________________________________

APPROVED: ________________________________

ATTEST: ________________________________

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council

David H. Roche, Mayor
ORDINANCE NO.: 86 -2019
INTRODUCED BY: Mayor Roche

AN ORDINANCE AMENDING CHAPTER 951.07 OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS TO SPECIFY COLLECTION, DISPOSAL, AND RECYCLING FEES AND THEIR COLLECTION; AND DECLARING AN EMERGENCY

WHEREAS, Amended Substitute House Bill Number 166 (Am. Sub. H.B. 166) was passed by the General Assembly, signed into law by the governor, and becomes effective on October 17, 2019;

WHEREAS, Am. Sub. H.B. 166 amended multiple sections in the Ohio Revised Code and purports to restrict the ability of a municipal corporation to assess and collect charges for waste collection and related services;

WHEREAS, the City of Richmond Heights desires to preserve its ability and home rule authority to assess and collect charges for waste collection; and

WHEREAS, Council determines that the proposed amendment should be adopted as furthering the public necessity, public health, general welfare, and as being sound civic and fiscal practices.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. Existing Section 951.07, titled “Collection, Disposal, And Recycling Practices and Fees,” of the Codified Ordinances of the City of Richmond Heights is amended at subsection (a)(2) only as follows:

“951.07 COLLECTION, DISPOSAL, AND RECYCLING PRACTICES AND FEES.

(a) All garbage, rubbish and refuse accumulated in the Municipality by occupants of one-family, two-family and attached one-family dwellings, as defined in Section 1223.03 of the City's Planning and Zoning Code, shall be accumulated by the occupants and collected by the authorized collection entity holding a contract with the City, and the City is authorized to charge, or cause to be charged, a fee to the owners of the single-family, two-family and attached one-family dwellings for such collection and for the disposal and/or recycling of such garbage, rubbish, and refuse.

* * *

(2) Notwithstanding the provisions of subsection (1) above, the City shall be authorized to certify the any collection, disposal and/or recycling fees provided for in subsection (a), regardless of amount, commencing with such fees to be
incurred by the City on and after January 1, 2013, to the Fiscal Officer of Cuyahoga County to be placed on the tax duplicate for each single-family, two-family and attached one-family dwelling in the City for the purpose of making the same a lien upon the lands of said premises and to be collected as other taxes and returned to the General Fund of the City. The Director of Finance shall, no later than the date required by the County Fiscal Officer for receipt of certification of assessments each year, advise Council of the next year's estimated costs for collection, disposal and/or recycling and the projected assessment for each premises. In calculating said costs, the Director of Finance may factor in the delinquency percentage experienced by the County Fiscal Officer in the prior tax collection cycle. A listing of all parcels and collection, disposal and/or recycling fees shall be certified to the County Fiscal Officer in time for such fees to be added to the tax duplicate and collected in the next tax collection cycle.”

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety, such necessity existing by reason of the fact that the foregoing amendment to the Codified Ordinances must be adopted immediately so as to comport with the law, to facilitate administration and daily operations, and to avoid practical and legal entanglements; wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.

PASSED:__________________________________________

David H. Roche, Mayor

APPROVED:__________________________________

ATTEST:__________________________________________

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council
ORDINANCE NO.: 87-2019
INTRODUCED BY: Lentine

AN ORDINANCE AMENDING CHAPTER 303.99 OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS FOR GENERAL TRAFFIC CODE PENALTIES AND DECLARING AN EMERGENCY

WHEREAS, the City of Richmond Heights has established a Traffic Code for the enforcement of vehicular offenses within its borders, pursuant to the authority granted by the Ohio Constitution and the Ohio Revised Code;

WHEREAS, the City desires to establish uniform penalties for violations of the Traffic Code, in the interest of public safety and consistency of law; and

WHEREAS, Council determines that the proposed amendment should be adopted as furthering the public necessity, and general welfare.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, County of Cuyahoga, State of Ohio, that:

SECTION 1. Existing Chapter 303.99, titled “General Traffic Control Code Penalties,” at subdivision (a), of the Codified Ordinances of the City of Richmond Heights is amended as follows:

“303.99 GENERAL TRAFFIC CODE PENALTIES.

(a) General Misdemeanor Classifications. Whoever violates any provision of this Traffic Code for which violation no penalty is otherwise provided, is guilty of a minor misdemeanor misdemeanor of the first degree.”

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and general welfare, such necessity existing by reason of the fact that the foregoing amendment to the Codified Ordinances must be adopted immediately so as to facilitate the administration and enforcement of the City’s traffic laws and daily operations; wherefore, this Ordinance shall take effect immediately upon its passage and approval by the Mayor.
PASSED: ___________________________                   David H. Roche, Mayor

APPROVED: __________________________

ATTEST:

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council
RESOLUTION NO.: 88-2019
INTRODUCED BY: Mayor Roche and All of Council

A RESOLUTION RECOGNIZING THE OUTSTANDING EFFORTS OF THE RICHMOND HEIGHTS DIVISION OF POLICE, DIVISION OF FIRE, RECREATION DEPARTMENT, SERVICE DEPARTMENT, AND RICHMOND HEIGHTS LOCAL SCHOOL DISTRICT FOR THE “NATIONAL NIGHT OUT EVENT” HELD ON AUGUST 6, 2019, AND TO EXPRESS APPRECIATION FOR THEIR EFFORTS.

WHEREAS, the Mayor and Council desire to recognize the outstanding efforts and express appreciation to the public officials and employees for the Richmond Heights Division of Police, Division of Fire, Recreation Department, Service Department and the Richmond Heights Local School District for the “National Night Out Event” held on August 6, 2019;

WHEREAS, the National Night Out Event is a country-wide annual community-building campaign that promotes police-community partnerships and neighborhood camaraderie to make our neighborhoods safer and a more caring place to live;

WHEREAS, National Night Out enhances the relationship between neighbors and law enforcement while bringing back a true sense of community, and provides a great opportunity to bring police personnel, local government agencies, and neighbors together under positive circumstances;

WHEREAS, millions of neighbors take part in National Night Out in communities all across the United States, U.S. territories and military bases worldwide on the first Tuesday in August by hosting block parties, festivals, parades, cookouts and various other community events with safety demonstrations, seminars, youth events visits from emergency personnel, and much more.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Richmond Heights Police Department, Richmond Heights Division of Fire, Richmond Heights Recreation Department, Richmond Heights Service Department and the Richmond Heights Local Schools Mayor David H. Roche and this Council, on behalf of the City of Richmond Heights and its citizens, officially recognize and express their most sincere appreciation, praise, and congratulations to the Richmond Heights Division of Police Department, Division of Fire, Recreation Department, Service Department and the Richmond Heights Local School District for their outstanding efforts in making the National Night Out Event held on August 6, 2019 in Richmond Heights a huge success in furthering the goals of this National Event.

Section 2: This Resolution shall take effect and be in force at the earliest period allowed by law.

PASSED: ___________________________________________  David H. Roche, Mayor

APPROVED: __________________________________________

ATTEST: __________________________________________

Betsy Traben
Clerk of Council

Eloise Cotton-Henry
President of Council

Councilmembers:

Mark Alexander
Juanita Lewis

Frank L. Lentine
Jeremy Kumin

J. Barry Hurst
Daniel J. Ursu