



## SHAKER HEIGHTS

### City Council Agenda At City Hall Council Chambers Monday, May 8, 2023, at 7:00 pm

This meeting is being held in person with an option to 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://us06web.zoom.us/j/84317157882?pwd=TE5UY3BpZ1JUQ1c1cWhXemlPbjYrdz09> Password: 33553400: Description: Council Meeting; or join by phone at 833-548-0282 (toll free); Webinar ID: 843 1715 7882, Password: 33553400. International numbers available at <https://zoom.us/u/ahwKbeuA>. The video of the meeting will be available the following day on the City's [website](#).

#### **SPECIAL MEETING**

##### **Public Comment on Agenda Items**

1. To fix the compensation of the Mayor for the term beginning January 1, 2024.

Documents:

[MAYOR SALARY.PDF](#)

2. To fix the compensation of the Council for the term beginning January 1, 2026.

Documents:

[COUNCIL SALARY.PDF](#)

3. Approving and authorizing the City to transfer title to the two parcels comprising the vacant lot at 3393 Warrensville Center Road (Parcel Nos. 736-13-057 and 736-13-058), formerly the Qua Buick property, to a third party and transfer the properties back to the City immediately thereafter, in order to enable Council to subsequently establish Tax Increment Financing on the property, and declaring an emergency.

Documents:

[ARCADIA.PDF](#)

*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.*



# SHAKER HEIGHTS

## Memorandum

To: Members of City Council  
From: Chief Administrative Officer Jeri E. Chaikin  
cc: Mayor David E. Weiss  
Law Director William Ondrey Gruber  
Date: May 2, 2023  
Re: Compensation for the Mayor Effective January 1, 2024

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The City Charter requires that the compensation of the Mayor be fixed by a majority vote of Council on or before the last day of June 2023 (Article VI, Section 9).

Article VI, Section 9 of the Charter of the City provides that the compensation of the Mayor shall be fixed by a majority vote of Council on or before the last day of June, beginning in 2003, and each fourth year thereafter, for the term beginning on the next succeeding first day of January.

Thus, the compensation of the Mayor for the term beginning January 1, 2024, must be established by June 30, 2023.

The current salary of \$87,000/year for the Mayor was enacted by ordinance in 2015 for the term beginning January 1, 2016.

Attached is a chart detailing the recent salary history of the Mayor.

Vice Mayor Sean P. Malone has advised that the proposed ordinance to be adopted will fix the compensation of the Mayor for the term beginning January 1, 2024 at \$103,000/year. This action is recommended to be placed on first reading. The second and third readings will be scheduled for May 16 (12 p.m. noon work session/special meeting) and May 22 (7 p.m. regular meeting).

Attachment

Jec23/Mayor Compensation 2023

### **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**

## SALARY HISTORY – MAYOR

<b>Year</b>	<b>Mayor</b>
<b>2024</b>	<b>TBD</b>
<b>2023</b>	\$87,000
<b>2022</b>	\$87,000
<b>2021</b>	\$87,000
<b>2020</b>	\$87,000
<b>2019</b>	\$87,000
<b>2018</b>	\$87,000
<b>2017</b>	\$87,000
<b>2016</b>	\$87,000
<b>2015</b>	\$75,000
<b>2014</b>	\$75,000
<b>2013</b>	\$75,000
<b>2012</b>	\$75,000
<b>2011</b>	\$75,000
<b>2010</b>	\$75,000
<b>2009</b>	\$75,000
<b>2008</b>	\$75,000
<b>2007</b>	\$63,000
<b>2006</b>	\$63,000
<b>2005</b>	\$63,000
<b>2004</b>	\$63,000
<b>2003</b>	\$63,000
<b>2002</b>	\$63,000
<b>2001</b>	\$63,000
<b>2000</b>	\$63,000
<b>1999</b>	\$60,000
<b>1998</b>	\$60,000
<b>1997</b>	\$55,000
<b>1996</b>	\$55,000

ORDINANCE NO.  
BY:

To fix the compensation of the Mayor for the term beginning January 1, 2024.

WHEREAS, pursuant to Article VI, Section 9 of the Charter of the City of Shaker Heights, the compensation of the Mayor shall be fixed by a majority vote of Council on or before the last day of June, beginning in 2003, and each fourth year thereafter, for the term beginning on the next succeeding first day of January; and

WHEREAS, pursuant to Article VI, Section 9 of the Charter of the City of Shaker Heights, the compensation of the Mayor for the term beginning January 1, 2024, must be established by June 30, 2023; and

WHEREAS, once said compensation is established, it may not be increased until the Mayoral term beginning January 1, 2028; and

WHEREAS, in Ordinance 19-56, enacted on May 28, 2019, the Mayor's compensation was most recently established for the term starting on January 1, 2020 in the amount of EIGHTY SEVEN THOUSAND DOLLARS (\$87,000.00) per annum; and

WHEREAS, the Mayor's compensation was first established in the amount of \$87,000 in 2015, and has not been increased for 8 years and, thus, this Council has determined to increase the compensation of the Mayor.

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

Section 1. Pursuant to Article VI, Section 9 of the Charter of the City of Shaker Heights, the compensation of the Mayor of the City for the term beginning January 1, 2024, shall be ONE HUNDRED THREE THOUSAND DOLLARS (\$103,000.00) per annum. Said compensation shall be paid in bi-weekly installments.

Section 2. The compensation of the Mayor shall also include, in addition to the salary set forth in Section 1, all benefits, including but not limited to hospitalization, medical, dental and life insurance, now made available by the City for its employees, and continued use of a City vehicle, including fuel, maintenance and repair and insurance, but subject to the Internal Revenue Service rules regarding personal use of an employer-provided vehicle, and the cost thereof paid by the City shall not be considered an increase or change in the Mayor's compensation during the term beginning on January 1, 2024.

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

Enacted

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
DAVID E. WEISS, Mayor

Attest:

\_\_\_\_\_  
JERI E. CHAIKIN  
Clerk of Council

Coun23/0508mayorcompensation



## Memorandum

To: Members of Council  
From: Chief Administrative Officer Jeri E. Chaikin  
cc: Mayor David E. Weiss  
Law Director William Ondrey Gruber  
Date: May 2, 2023  
Re: Council Member Compensation Effective January 1, 2026

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The City Charter requires that the compensation of members of City Council be fixed by a majority vote of Council on or before the last day of June 2023 (Article VI, Section 9).

Article VI, Section 9 of the Charter of the City provides that the compensation of members of Council shall be fixed by a majority vote of Council on or before the last day of June, beginning in 2001, and each second year thereafter, and the amounts so fixed shall become effective two (2) years after the next succeeding first day of January.

Thus, the compensation fixed by Council this year goes into effect on January 1, 2026.

The current salary for Council is \$10,440/year. In 2015 Council voted to increase it to \$10,440 beginning January 1, 2018.

Attached is a chart detailing the recent salary history for Council.

Vice Mayor Sean P. Malone has advised that the proposed ordinance to be adopted will fix the compensation for Council members for the term beginning January 1, 2026 at \$12,500/year. This action is recommended to be placed on first reading. The second and third readings will be scheduled for May 16 (12 p.m. noon work session/special meeting) and May 22 (7 p.m. regular meeting).

Attachment

Jec23/Council Compensation 2023

**CITY OF SHAKER HEIGHTS** | *Office of the Chief Administrative Officer*

3400 Lee Road Shaker Heights, Ohio 44120 P 216.491.1424 F 216.491.3163 Ohio Relay Service 711

**shakeronline.com www.shaker.life**

## SALARY HISTORY – COUNCIL

<b>Year</b>	<b>Council</b>
<b>2026</b>	<b>TBD</b>
<b>2025</b>	\$10,440
<b>2024</b>	\$10,440
<b>2023</b>	\$10,440
<b>2022</b>	\$10,440
<b>2021</b>	\$10,440
<b>2020</b>	\$10,440
<b>2019</b>	\$10,440
<b>2018</b>	\$10,440
<b>2017</b>	\$9,000
<b>2016</b>	\$9,000
<b>2015</b>	\$9,000
<b>2014</b>	\$9,000
<b>2013</b>	\$9,000
<b>2012</b>	\$9,000
<b>2011</b>	\$9,000
<b>2010</b>	\$9,000
<b>2009</b>	\$7,200
<b>2008</b>	\$7,200
<b>2007</b>	\$7,200
<b>2006</b>	\$7,200
<b>2005</b>	\$7,200
<b>2004</b>	\$7,200
<b>2003</b>	\$7,200
<b>2002</b>	\$7,200
<b>2001</b>	\$7,200
<b>2000</b>	\$7,200
<b>1999</b>	\$7,200
<b>1998</b>	\$7,200
<b>1997</b>	\$6,000
<b>1996</b>	\$6,000

ORDINANCE NO.

BY:

To fix the compensation of the Council for the term beginning January 1, 2026.

WHEREAS, pursuant to Article VI, Section 9 of the Charter of the City of Shaker Heights, the compensation of members of Council shall be fixed by a majority vote of Council on or before the last day of June, beginning in 2001, and each second year thereafter, and the amounts so fixed shall become effective two years after the next succeeding first day of January; and

WHEREAS, pursuant to the City's Charter, Council must fix the compensation for members of Council by June 30, 2023; and

WHEREAS, pursuant to Ordinance 21-65, enacted on June 28, 2021, this Council most recently established the compensation of Council in the amount of TEN THOUSAND FOUR HUNDRED FORTY DOLLARS (\$10,440.00), beginning January 1, 2024; and

WHEREAS, Council's compensation was first fixed in the amount of \$10,440 in 2015, effective in 2018, so that the compensation will not have been increased for 8 years when the compensation established by this ordinance goes into effect and, thus, this Council has determined to increase the compensation of council members starting in 2026.

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

Section 1. Pursuant to Article VI, Section 9, of the Charter of the City of Shaker Heights, the compensation for members of Council shall be TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00) per year, commencing January 1, 2026. Said compensation shall be paid in monthly installments.

Section 2. In addition to the foregoing compensation, members of Council shall continue to be entitled, at their request, to participate in the hospitalization, disability, life, dental and other insurance benefit plans now made available by the City for its employees, the cost thereof to be paid through payroll deductions from the compensation provided in Section 1 herein. Such participation and the cost thereof shall not be considered an increase or change in compensation during the term beginning on January 1, 2026.

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

Enacted

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
DAVID E. WEISS, Mayor

Attest:

\_\_\_\_\_  
JERI E. CHAIKIN  
Clerk of Council  
coun23/0508councilcomp





# SHAKER HEIGHTS

## Memorandum

To: Members of City Council

From: William M. Ondrey Gruber, Director of Law  
Laura Englehart, Director of Economic Development

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

Date: May 8, 2023

Re: **Legislation Authorizing the City to Transfer Title to the Former Qua Buick Property to SHDC and back to the City in order to facilitate the TIF on the Property**

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It is requested that Council authorize a series of two transactions of the City-owned vacant lot at 3393 Warrensville Center Road, known as the former Qua Buick property, in order to meet the requirements of State law and the Ohio Department of Taxation (ODOTx), to enable the City to establish Tax Increment Financing (TIF) on the property for the purpose of providing critical financing for the proposed Arcadia development project.

Upon receipt of Council authorization, the City will transfer title to the property to the Shaker Heights Development Corporation (SHDC), and then immediately (within a day or two) transfer the property back to the City, to enable the City Council to then adopt legislation to place a TIF on the property---as already agreed to previously by this Council, the City, and the School District in 2016. The SHDC Board has approved this transaction.

As Council is aware, the original Development & Use Agreement (D&U) approved by Council in 2016 for the phased Van Aken District development included tax increment financing (TIF) on a portion of the former Qua Buick site, and Council adopted a TIF Ordinance for that property on April 11, 2016 in Ordinance 16-42. The property was intended to be developed at that time for the Fresh Market grocery store, as part of the first phase of the Van Aken development. However, the development of the Qua Buick site for Fresh Market fell through, and the property has remained vacant.

In August 2022, the City entered into a preliminary agreement with Metropolitan Holdings to create a mixed-use, mixed-income building on the Qua Buick property to be known as Arcadia, and the TIF is a significant part of the financing for the proposed project. With development of the property now slated to begin within the next year, the City intends to ask Council to newly adopt the legislation establishing the agreed upon TIF exemptions for the Qua Buick property in order to include the entire property and to re-set the start date of the TIF exemptions on the property.

In anticipation of Council enacting TIF legislation to establish the Qua Buick property TIF and its commencement date, the City has been advised by legal counsel that in the City's TIF application to the State of Ohio it should be shown that the City acquired the property while engaged in urban redevelopment, and the State may require the City to provide an urban redevelopment plan or development agreement for the TIF parcel that was approved or entered into around the same time as the City acquired the property.

The Ohio Department of Taxation (ODOTx) has interpreted Ohio TIF law (ORC 5709.41) to require that, in order to place a TIF on a city-owned property, it must be shown that the city acquired the property while engaged in urban redevelopment. As part of the TIF application process, ODOTx has required, in some circumstances, evidence of an urban redevelopment plan or development agreement for the TIF parcel that was approved or entered into around the same time *as the city acquired the parcel*.

The City obtained title to the Qua Buick property in 2013, and subsequently demolished the buildings on the site. Since a development agreement is expected to be finalized in 2023, the now-vacant property should be transferred to a third party and then transferred back to the City shortly thereafter, so that there is a recent deed showing the transfer of the property to the City to submit to the State. This will also clearly set the base value of the property under the City's ownership at the land-only value.

In order to avoid any potential delay or disapproval of the City's application to the State of Ohio to place a TIF on the Qua Buick property, the City has been advised that it should transfer title to a third party, and then have title transferred back to the City shortly thereafter, so that there is a recent deed showing the transfer of the property to the City to provide to the State.

We have asked the SHDC to serve as this third party to accept title to the property and to then transfer title back to the City the next day. The City will handle the transactions. The SHDC Board has approved of the organization serving in this role.

The City has had to use this method of providing a recent deed for a property or placing the City briefly in the chain of title in other transactions. Council approved a similar transaction with SHDC for the Farnsleigh Lot development in Ordinance 22-10, enacted on January 24, 2022.

In addition, in order to access County demolition funds the City was required to be briefly in the chain of title for the Le Chaperone Rouge property. Also, to establish a TIF on the Van Aken Development property the City had to be in the chain of title, and so a quick transfer to the City and from the City back to RMS occurred after demolition of the old buildings on that property, and prior to the start of construction on the new development.

Therefore, it is requested that Council authorize the City to transfer the parcels comprising the former Qua Buick site at 3393 Warrensville Center Road to the SHDC, and then transfer the property back to the City within a few days thereafter. It is requested that the authorizing legislation be enacted on first reading and as an emergency in order to allow the transaction to occur in the next couple of weeks, so that the TIF legislation can then be adopted by Council as well as approval of a development agreement with Metropolitan Holdings.

ORDINANCE NO.

BY:

Approving and authorizing the City to transfer title to the two parcels comprising the vacant lot at 3393 Warrensville Center Road (Parcel Nos. 736-13-057 and 736-13-058), formerly the Qua Buick property, to a third party and transfer the properties back to the City immediately thereafter, in order to enable Council to subsequently establish Tax Increment Financing on the property, and declaring an emergency.

WHEREAS, the original Development & Use Agreement (D&U) approved by Council in 2016 for the phased Van Aken District development included tax increment financing (TIF) on a portion of the former Qua Buick site, and Council adopted a TIF Ordinance for that property on April 11, 2016 in Ordinance 16-42, which started the 30-year TIF as of that date; and

WHEREAS, in August 2022, the City entered into a preliminary agreement with Metropolitan Holdings to create a mixed-use, mixed-income building on the Qua Buick property, and the TIF is a significant part of the financing for the proposed project; and

WHEREAS, with development of the former Qua Buick property now slated to begin within the next year, the City intends to ask Council to adopt the legislation establishing the agreed upon TIF exemptions for the Qua Buick property to include the entire property and to re-set the start date of the TIF exemptions on the property; and

WHEREAS, in anticipation of Council enacting TIF legislation to establish the Qua Buick property TIF and its commencement date, the City has been advised by legal counsel that in the City's TIF application to the State of Ohio it should be shown that the City acquired the property while engaged in urban redevelopment, and the State may require the City to provide an urban redevelopment plan or development agreement for the TIF parcel that was approved or entered into around the same time as the City acquired the property; and

WHEREAS, the City obtained title to the Qua Buick property in 2013, and subsequently demolished the buildings on the site, and therefore, since a development agreement is expected to be finalized in 2023, the now-vacant property should be transferred to a third party and then transferred back to the City shortly thereafter, so that there is a recent deed showing the transfer of the property to the City to submit to the State.

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

Section 1. The Mayor is hereby authorized and directed to transfer title to the vacant lot at 3393 Warrensville Center Road (Parcel Nos. 736-13-057 and 736-13-058), formerly the Qua Buick property, to the Shaker Heights Development Corporation (SHDC) and to accept title of the property back to the City in anticipation of the development of the

property. The deeds shall be in the form as approved by the Director of Law.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary so that the related TIF ordinance can be passed promptly and the development of the project can proceed, and therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted

Approved this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
DAVID E. WEISS, Mayor

Attest:

\_\_\_\_\_  
JERI E. CHAIKIN  
Clerk of Council

coun23/0508-3393Warr-QuaTransfertoSHDC