



Council Minutes
March 7, 2023

Via Zoom Pursuant to Chapters 113 and 115 of the
Codified Ordinances (as amended in Ordinance 23-28), and
Resolution No. 23-29, enacted March 22, 2022.

The Council of the City of Shaker Heights met in a special meeting at 12:02 p.m., Mayor David E. Weiss presiding.

Council Members Present: Mrs. Moore
Ms. Anne Williams
Mr. Earl Williams
Mr. Claytor
Mr. Malone

Council Members Absent: Mr. Roeder
Ms. Carmella Williams

* * * *

Video of this meeting may be found [here](#) through March 7, 2026.

* * * *

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

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

Mayor Weiss offered those participating the opportunity to “raise their hand” to provide public comment.

No comments were offered.

* * * *

Ordinance No. 23-16, by Mrs. Moore, authorizing a lease agreement between the City and Early Childhood Enrichment Center Inc. (ECEC) for the City-owned property known as the Shaker Family Center at Sussex, located at 19824 Sussex Road, for the period January 1, 2023 through June 30, 2024, and payment to ECEC of \$200,000 for the maintenance and repair of the property, and declaring an emergency.

CITY OF SHAKER HEIGHTS

Chief Administrative Officer Jeri E. Chaikin stated that the Early Childhood Enrichment Center (ECEC) has been a long-time tenant in the Shaker Family Center building. Beginning January 1, 2021 after Family Connections left, ECEC became a tenant and the lessee. The City entered into an agreement with them for the period of January 1, 2021 through December 31, 2022. This item recommends a new lease beginning January 1, 2023 through June 30, 2024 for ECEC to be the tenant and to manage the Shaker Family Center building. The proposed terms of the lease are for one and a half years. The City will give written notice to ECEC of our intent on whether to renew by September 30, 2023 and any additional term length would be determined. For the calendar year 2023, the City will provide a flat fee subsidy of \$200,000 which Council included in this year's budget to pay for a number of maintenance and repair items listed in the proposed lease. ECEC will deposit additional sublessee rent and some utility reimbursements which ECEC states will total a little more than \$195,000 toward paying responsibilities of maintenance, repairs and operation of the building. Also included in the lease is that ECEC will not undertake any maintenance and repairs estimated to cost more than \$10,000 without first obtaining the City's written approval. If an expenditure exceeding \$1,000 is required and the City's \$200,000 is exhausted, the City will determine whether the maintenance or repair item may be deferred. If not the City will pay for it. The proposed lease allows for the City and ECEC to discuss any proposed subsidy for 2024 and renewal terms as part of the budget process for next year. Council would have to vote on any additional funds. Based on that information and the long relationship the City has had with ECEC in this building, this lease is requested for the period January 1, 2023 through June 30, 2024 with the terms and dollar amounts as described. This item is requested as an emergency with a suspension of the rules as the official lease expired on December 31, 2022, and to provide the funding for the maintenance and repairs that ECEC is undertaking in the building.

Mayor Weiss added that the City continues to have discussions with ECEC on the longer term potential arrangement which is why the lease is for one year and a half. The discussions have been productive. This lease reflects some of the structure as the discussions have evolved.

Council member Mrs. Moore stated that she lives in the Sussex area and so many residents in that neighborhood use either ECEC or Carol Nursery in the Shaker Family Center building. She knows what an economic engine it has been for housing in particular. Over the years it has been very important to have that viable use of the building. She thanked the Administration for the terms of this lease and the negotiations that the terms involved. She asked about the new arrangements of the lease with ECEC managing the building and the City contributing separate amounts, and what accounting updates or reports if any the City has arranged as part of the lease agreement with ECEC. Monitoring the scope of different repairs would be important to track.

CAO Ms. Chaikin stated that there will be detailed accounting each quarter.

Mayor Weiss stated that there will be one account that ECEC will use for their operating expenses, and a separate account for the City's money for maintenance or repairs. There are a couple backstops including quarterly reporting on what has been spent. If they want to spend more than \$10,000 on any item they need permission from the City and the City would do an evaluation with ECEC to determine the best option. If they run out of funds that the City has provided and there is an item costing more than \$1,000 then they may ask the City to decide whether that item may be deferred, replaced, or does not need repair, and the City could decide to pay for that particular item.

Council member Mr. Earl Williams asked about capital expenditures for those items which rise above \$10,000. He asked if the Administration is aware of any capital expenses necessary before the first year of the lease expires.

Mayor Weiss stated that the lease does reference capital items in the Exhibit listed under the City's Responsibilities which include capital improvements and capital replacement costs.

Director Gruber stated it is also referenced in the section listing the responsibilities of ECEC for maintenance and repair of all capital equipment including major portions of the building such as the roof, and utility systems such as sewer, water and heating, etc. The replacement of those items would be the City's responsibility.

Council member Mr. Malone stated that it is great that the parties have made progress and reached agreement on the short term. He looks forward to hearing updates about the long-term discussions. He hopes that the Shaker Heights School District is involved and will stay involved in some of those discussions. It would be great if we can continue to have a long-term solution that keeps early childhood education in this building. Regarding capital improvement costs, he sees the City's responsibility as listed for capital improvements in the 10-year capital plan as approved by City Council. He believes it is worth continuing in a responsible manner making capital repairs for items on the list to check them off as we go in the hopes that these discussions continue to bear fruit and we can find a long-term solution where early childhood education remains in this building, and the long-term repairs are taken care of. It is a great asset for that neighborhood in particular, and the community as a whole. He believes Council should continue to approve, within reason, the capital costs that are set forth in the 10-year plan.

It was moved by Mrs. Moore, and seconded by Mr. Claytor, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 23-16 be placed upon its final enactment.

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

Motion Carried

Moved by Mrs. Moore, and seconded by Mr. Claytor, that Ordinance No. 23-16 be enacted as read.

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

Ordinance Enacted

* * * *

Ordinance No. 23-17, by Mr. Earl Williams, authorizing a contract with Statewide Ford, without competitive bidding, for the emergency purchase of up to eleven fully-equipped police vehicles, in the total not-to-exceed amount of \$595,000 for the Police Department, and declaring an emergency.

Police Commander Richard Mastnardo stated that this item is requesting emergency approval by the Shaker Heights Police Department (SHPD) for police vehicles from Statewide Ford for no more than eleven vehicles, and to forego the formal bidding process due to availability of inventory and the need to secure vehicles within a timely manner. Capital funds for fleet vehicles from 2022 and 2023 were appropriated for use by the Police Department for a total appropriation amount of \$595,000. Over the past three years supply chain disruptions have challenged the procurement initiatives for the fleet, and due to this auto manufacturers have experienced global shortages of semi-conductors which have dramatically affected the production of Police vehicles. This has delayed the ability to get vehicles. The SHPD currently drives each vehicle about 20,000 miles/year which gives a lifespan of about three to five years per vehicle. With the supply chain shortage they are putting excessive miles on the vehicles which is not only causing maintenance to increase but creating more down time for vehicles. This means they operate fewer vehicles more often. They were notified recently of an opportunity that Statewide Ford, not the state procurement bid holder, had an allocation of over 200 Police vehicles which the City could purchase. If we are able to go to contract and purchase them they will guarantee to fill our allotment of Police vehicles from 2022 and 2023 by the third quarter of this year. The only stipulation is that we would need to outfit and put all of the emergency equipment in the vehicles using them as a vendor to make it a road ready package. They will sell us the vehicles for \$1.00 under the state procurement contract pricing so we would be essentially paying the same by using them. Their outfitting costs are comparable to other vendors. This item is requested as an emergency with a suspension of the rules.

Mayor Weiss stated that we are all well aware of the challenges that Shaker as well as so many other communities have had particularly with Police vehicles. We are hopeful this will work out for us.

Council member Mrs. Moore asked if the color of the vehicles are somewhat less desirable.

Commander Mastnardo stated that they decided a couple years ago to switch back to black vehicles due to availability. When they order for the state contract, 90% of Police vehicles are ordered in black. The design of the vehicle will be similar less one of the stripes, it just has the lettering. These are sport utility vehicles and the Crown Victoria vehicles have been phased out. A majority of Police vehicles are Ford Interceptors because Dodge and Chevy do not manufacturer the number of vehicles that Ford does. Ford holds the majority share of the market.

Council member Mr. Malone asked if the appropriation amount is enough to cover the purchase of eleven vehicles with the outfitting. It seems like some of the dealers have not been as forthcoming as they could have been and asked what assurances we have in securing the vehicles from this vendor.

Commander Mastnardo stated that they have some funds for capital projects that would cover the overages. He does not know the total for outfitting for equipment, which is why the purchase is for up to eleven vehicles. He is waiting on pricing for pieces and parts for outfitting the vehicles. Depending on the prices and supply chain issues with aftermarket equipment, he is not sure where they will be. It may be closer to ten vehicles than eleven to stay within the budget. They have enough funds from other capital projects that they may exceed the \$595,000 with aftermarket equipment such as cages for K-9 inserts or light bars, etc. The way that the manufacturer works when they take orders is that each fleet manager

Moved by Mr. Earl Williams, and seconded by Ms. Anne Williams, that Ordinance No. 23-17 be enacted as read.

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

Ordinance Enacted

* * * *

The Mayor asked the Clerk of Council to read into the record public comments received on other items. Clerk of Council Ms. Chaikin stated that no comments were received on other items by email or phone. Mayor Weiss offered those participating the opportunity to “raise their hand” to provide public comment. No comments were offered.

* * * *

There being no further business before Council, the Mayor adjourned the meeting at 12:34 p.m.

DAVID E. WEISS, Mayor

JERI E. CHAIKIN, Clerk of Council