

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

Nays: None

Motion Carried

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Mayor Weiss stated that in March 2023, a group of residents proposed a number of amendments to the City Charter relating to City policing matters. These changes were proposed by means of a petition which would've placed these proposals on the November 2023 ballot. The City had a variety of significant concerns with a number of the proposed charter amendments. However, in a welcomed recent development following a series of discussions between the City of Shaker Heights and the Shaker Citizens for Fair Ticketing PAC, an alternate agreement has been reached. This agreement provides for two key components. First the PAC will withdraw its proposed charter amendment petition from the November 2023 ballot. Second the parties have agreed on a document that has been called, the "Framework for Maintaining a Safe and Just Shaker," which addresses a number of issues going forward. Among other things, the framework contemplates the following four items: a community-wide listening project to encourage residents to speak out about any concerns and suggestions about police policies and practices; a commitment by the City to continue working towards an expansion of our existing mental health response program; the creation of a community advisory group to advise the Mayor, Police Chief, Chief Administrative Officer and City Council on a wide range of policing and related topics; and the posting online of certain Police Department public documents and reports through an online repository. The framework also contemplates Council's enactment of a resolution adopting the framework at this evening's meeting.

Law Director William Ondrey Gruber stated that Council and the public has a copy of the City's brief memo posted on the City's website to consider. On July 28th, the Shaker Citizens for Fair Ticketing PAC submitted petitions, and the Board of Elections found that they had sufficient signatures to place the charter amendment petition on the ballot in November. This would have required an ordinance be enacted by Council before September 8th. This is the last regular meeting of Council before that date. Instead of that ordinance before Council tonight, a resolution that incorporated the framework the Mayor referred to has been agreed upon. On August 21st, in response to the framework being agreed upon, the PAC submitted a letter to the City withdrawing the charter amendment petition which means Council won't be considering the ordinance tonight. Instead, they'll be considering the resolution on which the framework is conditioned. There is a tentative timeline in the memo that was distributed and posted online of the steps that are needed in order to implement various aspects of the framework that has been agreed upon.

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The Mayor invited members of the audience and those participating via Zoom the opportunity to "raise their hand" to provide public comment on agenda Item No. 2.

Ethan Khorana stated that today marks a new dawn in Shaker Heights, a first step in following the footsteps of the social justice advocates and organizations that have helped to formulate our City.

Today when the votes are tallied and the City of Shaker Heights passes the biggest proposal for public safety and police reform in the State of Ohio, it will be a commitment to not only equitable patrolling, but it will enshrine equitable patrolling within our City. It will make a statement that it doesn't matter if you live in Moreland or you live in Malvern, you'll be patrolled fairly. Today the first municipal database in Ohio that tracks use of force and demographic data, and ensures transparency and accountability, will be created in Shaker Heights. Today, one of the only groups to advise government officials on equitable public safety will be created, a first of a kind listening project to ask Shaker residents what just policing means to them will be conducted. Today, we will set forth on being one of the only cities in America to establish a 24/hour, 7/day a week crisis intervention team. This is all made possible because of Shaker Heights residents. We do not scale back our aspirations, even with complexity and controversy. We rise to the occasion. We have the tough conversations. We don't hide our issues. We face our issues. That is who we are and that is what it means to live in Shaker Heights. A lot of people will try and take credit for this initiative. He thanked the folks who were courageous enough to have the tough conversations and to exemplify what it means to live in Shaker Heights. He thanked volunteers, donors and endorsers of the Shaker Citizens for the Fair Ticketing campaign who helped to gather over a thousand signatures and who shaped this conversation, knowing that none of this would be possible without them. He thanked Mayor Weiss, who has shown even in the chaos of discourse, good things can come. He thanked Council member Ms. Carmella Williams, who represented City Council in conversations. He thanked Hamilton Brooks from the Vera Institute for their pursuit of more just public safety systems. Although he is suspending the charter amendment campaign, he asked they stay engaged throughout the implementation of this policy. Together we have and will show that change can come. Change isn't easy. Democracy isn't easy. We move into uncharted territories not because it makes us look good, but because it is important that we keep moving forward. Today they have shown that it doesn't matter if you are Gen Z or Gen X, White or a POC, liberal or moderate. We can work together to make policy that impacts people's lives for the better. Today we set a standard for surrounding cities that policy doesn't have to answer only one call. The policy we pass today will ensure that Black, brown, and POC residents of Shaker are treated just the same as everyone else. The policy we pass today will ensure that officers in Shaker are not unfairly tasked with the job of a social worker. It will ensure that the residents of Shaker on their worst day, when they are forced to call 911, we get the best response possible. Today, we will pass policy that creates a public safety system for all people. We do this not because of differences, but because of our similarities. We do this not as a City, nor as a campaign, but as one united Shaker.

Andrea Boyd of 3619 Lindholm Road stated that she is hopeful that with the passing of this resolution by the City of Shaker Heights and the Shaker Citizens for Fair Ticketing, it will bring a new hope to the City. In the words of Coretta Scott King, the greatness of a community is most accurately measured by the compassionate actions of its members. Adopting the framework will hopefully be the driver to create the equitable and just policing the community needs to see from the Police Department. She applauds the Mayor, Council, the Police Department, the DEI Department, and anyone else who helped to put this together. The City and the POC community members need them. This is a momentous occasion. We are one of the community governments in the entire state that will have a model like this. This matters. She has a 19-year old son who is scared to death to be stopped, and she is scared to let him drive his new car because she doesn't know if someone will have a bias against his skin color. She does not want racism, bias, or discrimination. She wants her son to grow up like everyone else's kids. She wants to see her grandkids. She hopes everyone can understand that.

Peter Hoffman of 3435 Colton Road stated that he is on the Executive Committee for the Cuyahoga Democrats. He strongly supports the resolution. Residents are very fortunate to live in Shaker Heights

with the leadership of Mayor Weiss and Ethan Khorana to come together in the spirit of compromise, pull all of us together in Shaker Heights, and move forward. One other thing he loves about Shaker Heights is that diversity makes his life much better. He is glad everyone came together as fellow Shaker Heights citizens.

Ann Barnett of Claythorne Road stated that she wished to personally thank everyone who was involved in keeping the petition off the ballot, and that includes the petitioners themselves, Mayor Weiss, and Council. She also wished to publicly applaud the courageous leadership shown by Black City leadership, including Police Chief Wayne Hudson, Police Commander John Cole, Chief Prosecutor Randy Keller, and Chief DEI Officer Colleen Jackson, alongside the hard work of Law Director Bill Gruber. While this petition will not be on the local ballot, they are in the throes of local campaigns for Council and the School Board, as well as a school levy. Very soon the City will be tasked with implementing this proposed framework, including appointing volunteer citizens to the Citizens Advisory Group. Next year they will gather as a community as a part of the proposed listening project to openly discuss views on policing and our local Police Department. While many people have talked about one Shaker, she has been on the receiving end of the other side of that. She asked that the City not only commit to the “what” of the proposed framework as outlined, but also to the “how,” ensuring that we conduct ourselves in a way that fully embraces City values, including inclusivity, transparency, partnership, and most of all respect. She asked that the City strongly consider a code of conduct that accompanies the framework, especially amongst future members of the Citizens Advisory Group. She asked that the City formally ask the listening project RFP respondents to fully outline how they would engage the community in productive discourse as well as a requirement to provide a proven track record of such. She would be remiss not to acknowledge that today is the 60th anniversary of the March on Washington. Dr. King himself said the following words that rang louder then, but are still true today. “We must forever conduct the struggle on the high plane of dignity and discipline. We must not allow our creative protests to degenerate.” While some in the audience may disagree with her, they all agree that we have an amazing community that we should not take for granted. If they look in, we have an incredible force of men and women on the Shaker Heights Police Department. She is looking forward to what is ahead as we move forward together for this just and safe City.

Scott Schelfer of 2832 Weybridge Road stated that he agrees with everything that's been said tonight. It is an absolute joy and pleasure to live in this City. He thanked Mr. Khorana for making these proposals. He thanked the Police Chief, Mayor Weiss, and Council who worked together to move this progress forward. It's an honor to live here with great leaders.

Kim Bixenstine of 2666 Wicklow Road applauded and thanked the proponents of the charter amendment, the Mayor, Council and City officials for reaching this momentous agreement. She agrees with everything that's been said. It's a terrific compromise. She is a professional mediator and believes in the power, strength and benefits of compromise. This is really a great outcome. Our diversity is precious, it is special, and it is a strength in this community. She wants to work to promote racial equity, responsible police reform, and true inclusivity.

State Representative for Shaker Heights Juanita Brent stated that she is glad to be at this meeting. She thanked Mayor Weiss, Council, Chief of Police, and all the concerned citizens. This is an amazing effort of what they should be doing at the State House. Conversations like this will continue to happen within the State of Ohio, but Shaker is setting an example of what they need to do when they work together for people. She is hoping to show this to her colleagues when she goes back to Columbus whenever they have session. They have canceled most of their sessions. That is why she is able to be

at this meeting on a Monday night instead of in Columbus at the State House. We can do everything together, but the moment we feel like we can do it by ourselves, nothing is possible. It's vital that we work like a fist to make sure that people feel seen, and people feel safe in the community. She has had numerous conversations with the Mayor about this, and he is very determined to get to that point as a community. She is proud that we are where we are when it comes to getting things done. Shaker has an awesome Police Chief who she has gotten to know, and there's a lot of great people in the City of Shaker Heights. She may seem new to those who have not seen her before, but she has been a State Representative for five years. Because of redistricting, she has only been the State Representative for Shaker Heights since January 5th of this year. We will be experiencing redistricting again starting September 13th, so there's a possibility there will be another State Representative in a couple months. Regardless of the State Representative of District 22, Shaker residents are the light bearers of the standards for all of the cities around it. The light Shaker has shown of compromise and working together, she will take with her to whatever part of the state she is fortunate to represent.

Hamilton Brooks of Brooklyn, New York stated that he works at the Vera Institute of Justice to end mass incarceration, protect immigrant rights, and build safe, thriving communities. Vera has studied traffic stops and is currently leading a learning cohort of cities and counties from across the country who are interested in safely reducing these stops. Through their involvement in this program, Ethan, Khorana and Shaker Citizens for Fair Ticketing have engaged with police chiefs, council members, district attorneys, and advocacy groups from across the country who have already successfully deprioritized non-safety related stops in their jurisdictions. Backed by the evidence, cities from Philadelphia to Memphis, and states from Virginia to Oregon have enacted policies that remove police from enforcement of at least some minor traffic infractions. Research shows that these policies provide four key benefits in this recommendation. They improve road safety by shifting enforcement to unsafe driving behavior. They limit non-safety related stops that promote public safety and community trust as the frequency of these stops compound distrust with government institutions such as Police Departments and prosecutors' offices, which depend on public cooperation to solve crimes. These policies spare more drivers the physical, psychological, and economic harms caused by traffic stops. These policies reduce harmful racial disparities. Eliminating these stops works. After Philadelphia instituted its policy on non-safety related stops, traffic stops involving Black men went down 54%. They've seen in testimonies across the country that opponents tend to argue that these stops are necessary for fighting crime and keeping the road safe, both of which are demonstratively false in statistics. Evidence from around the country shows that these stops result in the recovery of guns or other contraband 1% or less in these stops. It is exciting that Shaker Heights is moving forward and moving away from a needle in a haystack approach. Limiting non-safety related stops does not prevent police from stopping impaired or visibly reckless drivers. This framework really takes a meaningful yet common sense approach to the harms of non-safety related traffic stops, curtailing police enforcement for a targeted and evidence-backed list of minor infractions unrelated to safety. He appreciates the opportunity to contribute testimony and support.

The Mayor asked the Clerk of Council Pro Tem to read into the record public comments received by email or phone on agenda Item No. 2.

Clerk of Council Pro Tem Mr. Gruber stated that no comments were received on agenda Item No. 2 by email or phone.

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Resolution No. 23-67, by Mr. Claytor, adopting a Framework for Maintaining a Safe and Just Shaker Heights.

Council member Mr. Malone stated that for a number of reasons he is very glad to see this compromise reached. The framework is valuable for a number of reasons, some of which have been mentioned. It presents an opportunity to highlight some of the good work that our law enforcement officers have been doing in Shaker for many years under Chief Prosecutor Randy Keller, Police Chief Wayne Hudson, and his predecessor, Police Chief Jeff DeMuth. The law enforcement officers in Shaker have long had a commitment to doing things right as best they can constitutionally and looking to continuously improve. These are commitments that are not found in all departments across northeast Ohio or the nation. The framework offers us a chance to strengthen our partnership between law enforcement and the community. The advisory board in particular is consistent with a tradition we've followed in Shaker government, where we've often sought advice from resident experts and concerned citizens on various topics. The framework also should help us keep attracting and retaining great officers. He appreciates Chief Hudson's commitment to greater transparency and accountability. He's talked quite a bit about expanding the community policing model into all our neighborhoods, using all our officers. Our police officers certainly are not perfect, but they are part of a top tier department, and constantly trying to do a very hard job better. Council and the Administration support them. Some of the work is pretty innovative to keep them out of situations where they're not needed and to set them up for success when they are needed. Through the proposed listening project, the framework will give Council and the Administration a chance to keep looking for ways to improve themselves. It's troubling to hear the statistics brought to their attention. He is not yet persuaded that the disparities which have been highlighted are caused by biased officers or police practices, but the listening project can help them investigate and find out more about these disparities. He suspects that at least some of it will be due to the fact that some of our most dangerous intersections and most dangerous roads are located in a section of town where the majority of tickets are being written currently, particularly along Lee Road and Chagrin Boulevard. Council's work on the Lee Road plan is going to be even more important. They want to make that road safer. They want new businesses coming to that part of town, new houses, and new amenities in the Chagrin/Lee district. All of that will contribute to a reduction in some of the disparities they're seeing statistically. He appreciates everyone present this evening and listening to them. He thanked everybody who worked on the framework and looks forward to implementing it in partnership with the law enforcement community and the residents.

Council member Mr. Claytor stated that he echoes some of Vice Mayor Mr. Malone's sentiments. He is happy that they were able to come to a resolution and some actions that will make the City of Shaker Heights safer. Conversations of public safety are difficult, especially considering changes that may be made, how they affect current staff, how they may bring new staff or change responsibilities for current staff, and how the community and other staff may feel. He is excited for the opportunities and the work moving forward. He is grateful they are able to move forward in a way that's positive for the City of Shaker Heights.

Council member Ms. Anne Williams stated that she is hopeful. This framework is a very positive step forward. She is thankful they were able to reach this resolution and have this framework to take these steps forward to improve our City. She thanked everyone present tonight who supports this and who offered comments which are very valuable. She looks forward particularly to the listening project because they can learn a lot directly from the community. They need to hear from all the community. She is hopeful that the consultant they hire will be able to dig deep into the communities that perhaps

have not participated or they have not been able to reach in ways before. The framework will move them forward at a pace maybe a little faster than might otherwise be expected. She wholeheartedly supports this framework.

Council member Mrs. Moore stated that she would like to add a few facts that everyone in the room and listening may not be aware of. The City has been working for a long, long time at creating a police force that is not biased, and that knows how to de-escalate a conflict. We have allocated a full-time prosecutor for the last 20 years who works to help police officers as well as staff to understand de-escalation techniques and to work with people who come through our courts who believe that they are there only because of biased policing. This is different from many communities in northeast Ohio that have part-time prosecutors. For many, many years we have been a CALEA certified Police Department, which is a fractional percentage of all police departments in the United States. In addition to this, we undertook a national search when Police Chief Jeff DeMuth retired for our next police chief and as a result of that national search, we hired prior to this issue, the first African-American Police Chief in the history of Shaker Heights. This was intentional and it was with a huge effort to choose the very best of the best. In addition, thanks to the efforts of staff as well as Council member Ms. Anne Williams and Council member Mr. Roeder, we created the first Mental Health Response Team in northeast Ohio, and perhaps even in the state. This was a voluntary effort. It cost a fair amount of resources, but we never doubted that it was going to be a plus in the administration of our policing. This agreement in her opinion is not decreasing the safety of the residents of Shaker Heights. Safety is all of Council's number one priority. If this agreement had decreased that safety, residents should hold Council accountable. We are now living in a nation that is utterly divided. It can be divided on partisan matters, moral matters, or ethical matters. We have a different kind of community in Shaker Heights, not because we're different people from those in the nation, but because we care more about respecting each other and talking in civil discourse when we don't agree. People tonight have mentioned this, and she hopes all the people that are here and who are listening understand that is what makes Shaker different in our diversity. We care enough about each other to discuss our differences and work towards unity. An effort to unify our community doesn't involve taking a victory lap. It requires humility. That humility is necessary as anyone who has played sports knows, because we're all in this together. If we don't work together towards solutions, including this mediated agreement and our future discourse on all the issues related to it, then we should be held accountable. She is not interested in taking a victory lap right now for the State of Ohio or for northeast Ohio, she is interested in the community understanding what's at stake here and where we have to continue to apply our efforts together.

Council member Ms. Carmella Williams stated that she appreciates and agrees with so much of what has been said tonight by everyone. She enthusiastically supports this framework because it highlights the important work that's been done and needs to be done. It creates an opportunity for members of this community to celebrate what we do well and talk about each other's experiences in an honest way. Many of the comments tonight highlight that this discussion in general is so much bigger than one person, or one organization. She asks the people in this community to set aside wherever they started in this conversation and focus on this community, the people they see, whether they be the men and women of the Police Department or people of color (POC) in the community. She asked them to model what we celebrate regularly. This is really about this community. As we embark on the community listening project, she asked that everyone be as prepared to speak as they are to listen, or to listen as eager as they are to speak. She thanked everyone who worked on this. It took time, compromise and patience. She hopes it isn't a situation where there's an either or, but a both. She thanked everyone for their participation and patience for the work that was put in on the framework.

Council member Mr. Earl Williams stated that in the 20 years he has served on Council, he considers this effort by the citizens of the community, Council, and Police Department, to be by people who are interested in making sure that the City of Shaker Heights remembers how far it's come and also how willing they are to absolutely serve everyone in the community. He is amazed and also gratified that he had the opportunity to serve on the Shaker Heights City Council because this Council and this City are setting a standard that the state and perhaps the nation may follow in trying to resolve these kinds of issues that need to have everybody on board. He congratulated those present as well as everyone not in the room tonight that helped achieve this milestone.

Council member Mr. Roeder stated that he is grateful for the thoughtful comments from those in the room and his peers on Council. In looking to the future, this is an opportunity to model how we can have civil discourse as a community. These are not easy issues. These are not necessarily straightforward issues. What makes Shaker Heights particularly unique is that we want to have these sorts of conversations, and we are willing to have these sorts of conversations. We have a history of this as a community. This is another opportunity for us to show that we can have this challenging conversation, but we can sit across the table from each other in a respectful way. We can listen at the same time that we're talking, and we can come out of this stronger and with a better understanding of each other. That is what Shaker Heights is about, and a model for what other areas need. He thanked everyone for being part of that dialogue.

Mayor Weiss stated that many in the room have lived in Shaker. Some people for a relatively short period of time, others for many, many years. He just met with a resident who's lived in Shaker for 94 years. We have a different perspective on life in Shaker. We have a passion, a curiosity, and a willingness to take on tough issues that many communities don't have. We're not immune to these issues in Shaker. We are buffeted by the same things that other communities are, but we take these issues to heart. We work hard at them. We recognize that there is no single answer or one opinion that is the only truth. We all are shaped by the experiences that we have, and those are the truths that we believe. We come together to share those experiences we agree upon, but also share those that we may not agree on. We have some great days ahead of us, and some tough conversations over the coming weeks and months. He looks forward to those. We look forward to a Shaker that is proceeding based on its history, but forging a new path forward on issues that are very, very challenging. We can be a beacon. We can be an example of how we can have these conversations, make progress and recognize that we all want the same thing, not only from our neighbors, but also from those that serve this community. In this case that is our Police Department. We expect a great deal from them, and they perform exceptionally well. We will expect more from them. We set a high standard in Shaker in all that we do from police, to public works, to snowplowing, to recovering from storms. We're stronger for it. He stated that he appreciates everyone that has participated in this process through its ups and downs and its challenges. He is proud to serve as Mayor and a member of this community with those who sit in this room and those outside.

Moved by Mr. Claytor, and seconded by Ms. Carmella Williams, that Resolution No. 23-67 be adopted as read.

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

Resolution Adopted

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The Mayor asked the Clerk of Council Pro Tem to read into the record public comments received by email or phone on agenda Items No. 3-9.

Clerk of Council Pro Tem Mr. Gruber stated that no comments were received on agenda Items No. 3-9 by email or phone.

The Mayor invited members of the audience and those participating via Zoom the opportunity to “raise their hand” to provide public comment on agenda Items No. 3-9.

No comments were offered.

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Ordinance No. 23-68, by Mr. Earl Williams, accepting a proposal and authorizing a personal, professional healthcare consultant services contract with Taylor Oswald LLC for the City of Shaker Heights, in the total not to exceed amount of \$137,397, for a period of up to three years at the City’s discretion.

Human Resources Senior Analyst Monica Hayes stated that the City has had the same healthcare consultant since 2003, 20 years. We are very happy with the services that were provided by USI Consulting Group. However, we are looking to expand the scope of services that a consultant can provide to the City. A request for proposal (RFP) was issued in April and seven firms responded. Four were chosen to move forward in the process. Interviews were held in July, and Taylor Oswald is recommended to be the City's next healthcare consultant at a fee of \$45,779 per year for three years.

Council member Mr. Earl Williams stated that this item was reviewed and unanimously approved by the Administration Committee.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee. There was a good discussion and there was an appreciation for the RFP process and the thoroughness of that. There was a history given of the transition from being outside insured to being self-insured.

Council member Mr. Malone asked about the decision of joining a consortium. He asked if it was because we have quite a bit of funds in our reserve.

Council member Mr. Earl Williams stated that this item was reviewed and unanimously approved by the Administration Committee. This is pretty much a housekeeping issue regarding our self-insurance profile.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee.

It was moved by Mr. Earl Williams, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 23-69 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Earl Williams, and seconded by Ms. Anne Williams, that Ordinance No. 23-69 be enacted as read.

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

Ordinance Enacted

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Ordinance No. 23-70, by Ms. Anne Williams, authorizing the acceptance of a donation of public art titled Reader's Picnic valued at \$76,500 from LAND studio to be located on City-owned property at 3450 Lee Road near the Colonnade, east of the Shaker Heights Public Library, and declaring an emergency.

Planning Director Joyce Braverman stated that this item requests authorization to accept a donation valued at \$76,500 from Land Studio, a Cleveland-based organization known for its collaboration on place-making projects and public art. In 2020, a donation was made to Land Studio specifically to commission a new work of art in Shaker Heights. That donor did establish an advisory group. The Planning Department staff was involved and members of the Public Art Task Force. They evaluated different artists in different locations and Jamie's Studio was the artist that was selected to design a piece of artwork for the Colonnade area just east of the library. The Public Art Task Force did review this design three times in 2023. The City and Land Studio has worked with the library as well as our residents to select the titles of the books that will be displayed in this artwork. We received input from residents both at the library and at the Moreland Neighbor Night. The Public Art Task Force recommended Council accept this art donation in the amount of \$76,500. The donation will include

reviewing all current tax incentive agreements on an annual basis. At the July meeting of the TIRC, they unanimously approved every agreement that the City has with incentives to be in compliance and recommended that each be continued. This item is requested as an emergency with a suspension of the rules because state statute has a timeline requirement whereby Council must adopt the recommendation of the TIRC within 60 days. We have three different types of incentive agreements broadly in the City. One is an urban renewal district in the Shaker Town Center, Chagrin/Lee commercial district area. We also have Tax Increment Financing (TIF), as well as Community Reinvestment Area (CRA) agreements. The urban renewal district was put into place many years ago when the City invested a significant amount of money in public improvements in the Shaker Town Center area. The City issued bonds at that time that are repaid by a portion of the property taxes paid on new construction and economic development projects in that district. Full property taxes are paid on every project within the district, and 75% of those property taxes are deemed to be Payments in Lieu of Taxes (PILOTs) that repay the bonds. There are a number of projects in that area. In 2022, the PILOTs collected amounted to just over \$1 million. The debt service obligation that year was just over \$1.2 million. There was a slight deficit of about \$190,600 that the City subsidized from the general fund. We do anticipate with additional economic development and investment from the Harbor Chase senior living facility and the new Bank of America that was recently constructed, as they begin to generate PILOTs, that no further subsidy will be needed beginning in about 2025. The City has three main TIF agreements all in the Van Aken district area. One is for the phase one construction that we all think of as the Van Aken district. One is at Shaker Plaza. There is a portion of each of those that goes back to the developer for the construction and improvements that they made, and the rest goes to the Shaker school district. We also have a public improvements TIF on the newly constructed Wendy's restaurant building. For the PILOTs that come in for that project, the Shaker school district is kept whole and then the City receives a certain percentage above that. There is a split of 38% to the school district and 62% to the City in the first 15 years of the TIF, and then it switches in the last 15 years. We have three Community Reinvestment Areas (CRAs). One is commercial and two are residential. In the commercial CRA we have two agreements with private entities. One is with the Nest Schools and one is with Shaker Rocks. In both of those agreements the entities committed to create jobs and payroll and both are in compliance with their agreements. The residential CRAs are in Transit Village and southern Moreland. Those are largely for single-family and town home construction of new structures. We did not have any projects last year in Transit Village apply for abatement, but we had two tax abatement applications that were approved in southern Moreland for single-family homes on Ludgate Road.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee. There was only one question which was answered. The Finance Committee was pleased to learn that the urban renewal district will generate sufficient PILOTs to cover the debt service by 2025.

It was moved by Ms. Anne Williams, and seconded by Mr. Claytor, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 23-72 be placed upon its final enactment.

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

Nays: None

Motion Carried

Moved by Ms. Anne Williams, and seconded by Mr. Claytor, that Ordinance No. 23-72 be enacted as read.

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

Nays: None

Ordinance Enacted

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Ordinance No. 23-73, by Ms. Anne Williams, authorizing a personal services contract for up to three years with Karen Myers, in a total amount not to exceed \$135,000, for professional design and production consulting services for Shaker Life magazine for a period of up to three years at the City's discretion.

Communications and Marketing Department Director Ann McGuire stated that the City's contract with *Shaker Life* magazine's current art director expires on December 31st of this year. The Communications and Marketing Department prepared a request for proposals, posted it on the website, emailed it to 23 possible art directors, and received five proposals. An evaluation committee of five staff members reviewed the submissions and agreed on three finalists who completed design assignments and came in for interviews. Communications and Marketing Department staff concluded that the best proposal and work samples came from Karen Myers due to her level of sophistication in visual communication, artistic presentation, and the readability of her layouts. This item is requested with a suspension of the rules to enter into a personal services contract with Ms. Meyers for up to three years for a total amount of \$135,000 for art direction of four issues of *Shaker Life* magazine per year from January 1st, 2024 through December 31st, 2026.

Council member Mr. Earl Williams stated that this item was reviewed and unanimously approved by the Administration Committee. Ms. Myers contract was thoroughly discussed. This is the first time we've made a change of this magnitude for the magazine.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee. They had a great discussion. There were a couple questions with the answers as noted in the memo which was distributed for this item. She noted there was another comment regarding how important the magazine is to the community for residents. It is the number one contact for residents. The look and feel of the magazine is very important, maybe even more than the words. There was great support for this.

Council member Mr. Earl Williams stated that this item was reviewed and unanimously approved by the Administration Committee. Ms. Iler is a big plus to our marketing and advertising approach.

Council member Ms. Anne Williams stated that this item was reviewed and unanimously approved by the Finance Committee.

It was moved by Mr. Earl Williams, and seconded by Ms. Anne Williams, that the rule requiring ordinances to be read on three different days be suspended and Ordinance No. 23-74 be placed upon its final enactment.

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

Motion Carried

Moved by Mr. Earl Williams, and seconded by Ms. Anne Williams, that Ordinance No. 23-74 be enacted as read.

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

Ordinance Enacted

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The Mayor invited members of the audience and those participating via Zoom the opportunity to “raise their hand” to provide public comment on other items.

Corby Roberts of 3390 Clayton Boulevard stated that she is the trustee of the Cleveland Heights Historical Society. She would like to comment about saving the Horseshoe Lake Park for all citizens. It is a free public park for everybody regardless of where you live, whether it's Mount Pleasant, University Heights, Cleveland Heights, Shaker Heights, or Cleveland. The deed and the lease cities alone make up 446,000 citizens. We are on the verge of having a healthy Horseshoe Lake Park taken away from all of us by a sewer utility aided by certified local government who have status, and for whatever reason not come forward to protect the lake. When the expert highway commissioner proposed a highway through the Shaker lakes in the past, citizens rose up to prevent it. This resulted in a federal law prohibiting highway building through our public parks. The Northeast Ohio Regional Sewer District (NEORS) plans to take away our Doan Brook, a valued city attribute, and an irreplaceable Shaker and native people archeological site. Then they will needlessly transform it into their own sewer and storm water management facility. The park plans were presented at a work session a couple weeks ago. That will only be the tip of the iceberg. Our natural streams are not sewers. The

upper Doan Brook parkland is all that is left of a once undeveloped park strip down to Lake Erie and is needed desperately for struggling wildlife migratory birds, and for the quality of life in this City. To set the record straight, Horseshoe Lake Park has a right to exist. The deed says so, even if the NEORSD doesn't need it for their own utility needs, they're required to work with the cities they serve rather than make cities give up their cultural endowments and legacies for their future generations. Horseshoe Lake has never been in the way of storm water management. When the NEORSD claims the public has been included in the decision making to remove the lake, that's a fallacy. Citizens were not allowed to speak at the public hearing as recorded. The plans were made behind the scenes for years. A short while ago, our cities had a rare historic Shaker site and dam, with a sparkling, filtering lake, including wetlands and a marsh. The small ornamental Horseshoe Lake had a complete safety record spanning back 170 years. Even when breached the waters flowed down the Doan Brook ravine bowl without any incidents. Current claims of a catastrophic loss of life are unfounded. When the issues of an aging dam arose, it was thin and still is a lake site that is remediable within available funding proven not only by cutting edge geotechnical design, but exemplified by the NEORSD's own plan to remediate the Lower Lake. It is a possibility to keep the Horseshoe Lake. Fast forward to the empty lake bed and historic treasures left to rot. The park is now full of weeds, grey sharp rip rap, and copious cement poured over like icing in a foreboding wasteland. The NEORSD plans to continually spray known carcinogenic herbicides to meet their sewer site requirements. A 14-acre site once protected naturally by a lake, in the aftermath of bulldozing, will cost citizens even more money to put in their unnatural paved walkways planned of cement and steel. A paved truck maintenance road will run right through the center of the park from end to end, a permanent road where our sparkling lake once stood and our natural woods, which were meant to be there for everybody protected for posterity. She asked Council to save Horseshoe Lake.

Penny Allen of 3118 Edgehill Road in Cleveland Heights stated that she is an advocate for Horseshoe Lake and serves as the Vice President and Secretary of Friends of Horseshoe Lake. Horseshoe Lake is a crucial part of a national historic site in an Audubon-designated important bird area. The NEORSD's plan to frighten people about potential loss of life because of dam failure, would destroy much of an important historic site as well as a significant migratory bird stop over. The NEORSD says that were the lake to remain, the state would require a Class I dam because of potential loss of life, but that argument really doesn't hold water. The Horseshoe Lake dam, as well as the Lower Lake dam, were formerly classified as Class III dams as outlined recently in an article in Eastside News. The goal for the Horseshoe Lake dam in the Doan Brook Watershed Action Plan of 2013 was to bring the dam into compliance with Class II standards. That was likely more than enough considering that the Horseshoe Lake dam was assessed to be 30-foot high. The storage capacity of Horseshoe Lake is 155 acre feet. The specs for a Class I dam are a 50-foot height dam and storage capacity greater than 500 acre feet. Certainly that's not needed. She asked if anything about the lake changed since 2013. The answer is no. There was significant flooding in University Circle in 2020. The NEORSD showed that remarkable flooding in a PowerPoint presentation with their plans as a justification to remove Horseshoe Lake in part. Horseshoe Lake had already been drained in 2019. That flooding in University Circle had nothing to do with it. That also tells them that removing Horseshoe Lake would not mitigate any flooding problem at all. Removing the lake also would not be a natural asset. The NEORSD told them about stream restoration as if they could recover some sort of pristine pre-settlement state, but it just can't be. If you look into the research on stream restoration, it shows that the quality of restored streams in an urban environment is no better than unrestored streams or the stream that you started with. Stream quality just doesn't improve. Stream restoration in fact is more than land and wildlife management because of the Clean Water Act, which allows destruction of a wetland if it's compensated for by building another wetland elsewhere or this so-called restoration

which just doesn't work. Another rationale they were given for removing Horseshoe Lake was cost. In an early presentation from the NEORSD it was said to be \$6 million more than the cost of simply removing the lake, which the NEORSD didn't have. In the presentation to the City from the NEORSD about plans for Horseshoe Lake Park, this potential travesty was estimated to cost some \$20 million. If \$20 million can be found through grants, etc., for this, then certainly they can shore up the historical dam at minimal cost, to remain as a historic monument, and build a new dam immediately upstream beside it that would meet all the requirements for regulation of flood water and would leave this park as an historic site that it was meant to be as one of the best birding hotspots in Ohio. That's the superior and less costly nature, history, and recreation-friendly plan from the Friends of Horseshoe Lake.

Christine of 3264 East Monmouth Road in Cleveland Heights stated that she walks at Horseshoe Lake Park every day. She would like to highlight a couple of crucial points related to NEORSD's recent description of the proposed Horseshoe Lake Park and amenities. After recent heavy rains, despite Horseshoe Lake being drained, there have been numerous local complaints about flooding at Lee Road itself, as well as basement flooding in the vicinity of Lee Road. She drove within University Circle shortly after one of these events and observed water bubbling up into the streets from underground sewers. Clearly, the draining of Horseshoe Lake has not ameliorated these flood conditions. The NEORSD is obligated to explore other sources of flooding in the Heights and University Circle, as well as to address serious flaws in the aging sewer system. It would be more prudent to investigate these other causes of flooding before promoting the destruction of this beautiful lake on a national historic site. If other sources of flooding can be detected and corrected, they could focus on ways to preserve Horseshoe Lake while mitigating flood concerns, both of which are addressed in the Friends of Horseshoe Lake proposed alternative plan. There appears to be little attention given to the favorable financial gain the NEORSD receives with the deal proposed. Horseshoe Lake Park is public land donated to the people for their enjoyment for its beauty into perpetuity. By claiming to fix the flood problem, NEORSD is essentially able to utilize this valuable land resource for free without having to purchase it. Despite its offer to pay for the sewer aims of this project, the NEORSD greatly benefits by co-opting Horseshoe Lake as a retention basin for its sole gain without any related costs for purchasing the land itself. All in all, that's a huge deal for the NEORSD. It destroys uniquely beautiful Horseshoe Lake and significantly alters the park landscape and leaves the people with a retention basin while saddling City taxpayers with the bill for a standard, run of the mill, modern, urban park. The most problematic part of the NEORSD narrative is its claim that it is returning Horseshoe Lake Park back to its natural origins. She asked if placing a full-sized concrete road down the middle of Horseshoe Lake Park, with elevated walkways and an amphitheater is going back to nature. She regularly walks in the park's currently existing peaceful panoply of paths that feels like she is in the woods and close to nature. The NEORSD is proposing man made concrete, steel, or wooden paths that are nothing but ordinary in the creation of what most would call a modern, urban park. It is a far cry from the back to nature paradigm pedaled to the public. Anyone can see this narrative is not only misleading, but hypocrisy. The cities still do not know how the park amenities are to be funded, but a proposed cost of \$9 million seems close to the original estimate for preserving Horseshoe Lake dam initially, a price that has since been significantly inflated. Additionally, only now will the cities be seeking available grants to finance the park. There was essentially no serious attempt to obtain funding to preserve Horseshoe Lake which may actually be more readily available due to its national historic status. Horseshoe Lake was simply given away to the NEORSD to utilize specifically for its benefit at the expense of tax paying residents. This is happening on Council's watch. It would be a huge loss for the community if they cannot change the plan to preserve Horseshoe Lake, a valuable and uniquely irreplaceable community asset.

Sonia Alvarez of 16300 Van Aken Boulevard stated that she has been reading online about the change at Horseshoe Lake. It is unfathomable to her that if there was any option to save it, it wouldn't be taken. She wanted to express her opposition to anything other than saving the lake. She agrees with all the points that were made. Maybe some of the people here could have more of an official capacity to decide the fate of Horseshoe Lake because they seem to be the most passionate about it rather than Council members.

Sandra Johnson of 21499 Fairmont Boulevard stated that she is glad people have given Council facts. She is giving her emotional and residential past history approach. She has lived in Shaker Heights since 1959 and has great memories of Horseshoe Lake from the canoeing races, and picnics. Now it is going to be concrete. This is not equal to a lake in any way, shape or form. If people with just horses could build a dam that lasted over a hundred years, she thinks in this day and age, they can build a dam that will give us a lake for at least another hundred years. To not put this to a vote is not okay if that is what it comes to. If citizens didn't speak up against engineers back in the sixties, there would be a freeway right through Shaker Heights through all the lakes. That was what the government said they needed. Citizens stood up and said no, and built the Shaker Nature Center. Because they said they would fight it, they have today a beautiful Shaker Heights. It'll be less beautiful if they don't maintain Horseshoe Lake.

The Mayor asked the Clerk of Council Pro Tem to read into the record public comments received by email or phone on other items.

Clerk of Council Pro Tem Mr. Gruber stated that no comments were received on other items by email or phone.

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There being no further business before Council, the Mayor adjourned the meeting at 8:45 p.m.

DAVID E. WEISS, Mayor

WILLIAM ONDREY GRUBER, Clerk of Council Pro Tem