



CITY OF WARRENSVILLE HEIGHTS

Office of the Council

REGULAR MEETING MINUTES MARCH 16, 2021

Call to Order: Mayor Bradley D. Sellers at 7:00p.m. via Zoom Meetings Application

Attendance: Councilwoman Hagwood, Councilwoman Edwards, Councilwoman White, Councilman Stewart, Councilwoman Mitchell and Councilman Anderson
Roll Call: 6 Present

Motion to Excuse Council President Matthew Howard by Councilwoman Mitchell, Seconded by Councilwoman White
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried

Prayer: Councilman Walter Stewart

Minutes: March 2, 2021 Regular Meeting
Motion to Approve by Councilwoman White, Seconded by Councilwoman Mitchell
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried

Departmental Reports: Mayor Sellers stated that Council should have a copy of the Departmental Reports in their possession. He stated that if they have any questions to please reach out to the individual Director. He stated that if they have additional questions, they can contact the Office of the Mayor as well for further discussion.

Live and Emailed Resident Requests and Comments: One emailed comment read into the record by Clerk of Council.

Submitted by Ward 2 Resident Gerald D. Lewis:

It was brought to my attention that there's a possibility that yet another Family Dollar retail store is going up in our community. Is this a joke or what? There was a Family Dollar just opened a couple years ago not more than a mile up Warrensville Rd before Emery. These types of retail outlets do nothing for the enrichment of our community! I can honestly say every one of those store fronts bring nothing good to the communities they occupy. You will see garbage / trashed parking lots. We need a store like a CVS or Walgreens; or even a Starbucks something other than another dollar store. This location is directly in front of Cleveland Clinic Hospital we can do better than that, no doubt. Can our residents have a voice to what goes up in our tax paying community? We pay good taxes to live in this suburb but yet people who don't live here, puts up the trash where they can and many of them (stores I am speaking of). Now I see a Hookah store lit up like furniture store going out of business just across the street in that ran down merchant miserable eye sore I have to see every day going to work. This is not a poor neighborhood for that matter, we deserve BETTER! I'm on the edge of selling and moving on because no one gives a crap anymore!

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Mayor Sellers replied that he understands Mr. Lewis's concern and it mostly has to do with zoning. He explained that in order to put an establishment somewhere, there has to be proper zoning to allow it to occur. The corner of Warrensville and Harvard has had U4 Retail Zoning for decades that has stores like Family Dollar, Walgreens or Starbucks. Years ago, there was discussion that Cleveland Clinic was going to pursue that corner for their own operation and then had no interest. He reported in this case, the property owner came to the City with the tenant that happened to be Family Dollar and the entire group was concerned including Planning Commission and Board of Zoning & Appeals. He stated the problem they run up against is that the area is legally zoned to accommodate a business like Family Dollar. Some of the issues that were brought up in Mr. Lewis's email were brought up with the people that represent Family Dollar because the City has had concerns with Family Dollar in other locations of the City. Family Dollar is an organization that is making a move to expand its operation in many areas across this country, including City of Cleveland. He remarked that the members of Planning Commission are tax paying citizens and laypeople that care about this community. They vetted the project to the furthest extent possible but the problem is the zoning allows for it to occur. Mayor Sellers explained to rectify this, rezoning of the parcels has to be considered. If you want retail zoning, you cannot target "this versus that" and you can get a business that can be up or down. He remarked that there can be a legal fight for the flexibility to change it and if people want a change, "it can get deep." He asked if Councilwoman Mitchell, Planning Commission Chair wanted to say anything.

Chairwoman Mitchell stated this is one of many residents that have been speaking up about this. She remarked when you see the other Family Dollars around town and in other areas there is a lot of blight. She stated she has explained to residents that this is where the City is due to what the area is zoned as. She stated she hasn't had an opportunity to speak with the owners of the property and it is a vast concern. She shared that 90% of the residents she spoke to are opposed. Councilwoman Mitchell stated the residents' experiences with the establishment in other places have left them uncomfortable with Family Dollar moving into the area. She reiterated she would like to have a conversation with the owner to see if they can entice someone else to come in. She commented the members of Planning Commission are following the guidelines that are given to them but that does not mean they are ecstatic about the tenant moving in.

Mayor Sellers commented that the owners bought the place under U4 Retail Zoning and they have a right to that zoning because that is what they purchased. He stated if there are areas that need to be revisited, they have to be at the forefront of things and not rezone afterwards. He stated maybe this is the time to visit rezoning in this area. He asked Law Director Beasley if she had anything to say.

Law Director Beasley stated that she agrees that the area is zoned properly for this retail establishment. She stated with zoning you may want to prohibit some but not all, like a Starbucks from coming into the area but it is not retroactive.

Mayor Sellers stated that it puts Building Commissioner Brown in a bad position because he's held in constraint to the rules and anyone who has a lawyer can state this is an allowable establishment. He asked Building Commissioner Brown how many times he met with the property owners.

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Building Commissioner Brown stated he met with them at least six times at Board of Zoning & Appeals, Planning Commission and offline after the meetings discussing this project. He reported they are currently undergoing renovations now and the landlord has been more than accessible.

Mayor Sellers stated this is where we are and if it's amenable to the group, we can discuss a number of places that need to be looked at going forward.

Councilwoman Mitchell stated that she would like to look at that whole area because it is being blighted. She remarked it is a heavily traveled area and an entry into our community where some establishments welcome you and others don't. So she would like to look at that as a priority area.

Deborah Hill, Ward 2 Resident wished Mayor Sellers and Council a good evening. She stated she wants to go on record that she opposes the Family Dollar store in the community. She reported that Family Dollar stores have been saturated in our community throughout the United States. She remarked that you don't see them in Shaker Heights, Pepper Pike or Beachwood; they only come to communities of color. She stated they are known to have high crime, murders and lack of security and all of this impacts our community. She stated she loves Warrensville Heights and when they put a Family Dollar on the corner next to a world-renowned hospital that says something about the City's limited vision. Ms. Hill stated they need to look at what can go on that corner for the enhancement of the community.

Mayor Sellers replied that he appreciated her going on record and when it first came up he raised concerns with his staff; however, they are held at bay by the rules of others. The only way to rectify that is to do what they did on Richmond Road and Warrensville Center Road and invest money in reevaluating the property. He stated they have to be aggressive on the other side of it because he doesn't agree with "flipping a whole lot of variances" for people and must demand a higher expectation in this community. In order to do that they have to change with the time.

Councilwoman Hagwood stated she is encouraged by Mayor Seller's comments and when they have an ordinance on the books, it's the law and you don't change the law. She stated that they need to be proactive because this could come up again in two weeks. She commented she is not happy about the Family Dollar either because it is in her front yard but that won't stop her from going there and picking up something if she needs to. She stated she also thinks the Building Department will make sure the building will not get out of hand.

Mayor Sellers stated if anyone wants to put up any places for consideration, send a list to Community Development Manager Raymon Turner. A study will be done to determine highest and best use.

Patricia Young, Ward 3 Resident stated there are two additional Cinema Park Board members on the call. She asked if the ordinance regarding garbage cans was under review and not being enforced. She asked if Building Commissioner Brown can explain the email he sent out. Also, she asked if there is a reopening date for the Civic & Senior Center.

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Building Commissioner Brown responded that they currently are only enforcing when garbage cans remain on the tree lawn but they need to have further discussion on the part of the ordinance that states the cans need to be in the rear of the home out of public view. He stated a committee meeting needs to be had because some people cannot put the cans in the garage due to its size.

Mayor Sellers asked him to finalize the meeting so they can figure out what they are doing. He stated that right now the Governor has facilities such as the Civic & Senior Center closed across the state.

Order of the Day:

- 1. Ord. 2021 - 039** **COUNCILWOMAN ANDREA MITCHELL (PLANNING COMMISSION CHAIR)**
ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE THE APPLICATION OF MARK BAILIN OF DIAMOND SIGNS AND GRAPHICS, REPRESENTING EMERY DEVELOPMENT COMPANY, FOR THE INSTALLATION OF SIGNAGE LOCATED AT 4516 RENAISSANCE PARKWAY, WARRENSVILLE HEIGHTS, OHIO, 44128, PPN 763-06-008.
Motioned by Councilwoman White, Passage by Councilwoman Hagwood, Seconded by Councilwoman Edwards
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried

- 2. Ord. 2021 - 040** **COUNCILWOMAN ANDREA MITCHELL (PLANNING COMMISSION CHAIR)**
ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE THE APPLICATION OF MARK BAILIN OF DIAMOND SIGNS AND GRAPHICS, REPRESENTING GENERATIONS BEHAVIORAL HEALTH – YOUNGSTOWN LLC, FOR THE INSTALLATION OF SIGNAGE LOCATED AT 26600 RENAISSANCE PARKWAY, WARRENSVILLE HEIGHTS, OHIO, 44128, PPN 763-06-005.
Motioned by Councilwoman Mitchell, Passage by Councilman Stewart
Seconded by Councilwoman White
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried

- 3. Ord. 2021 - 041** **MAYOR BRADLEY D. SELLERS**
ACCEPTING THE RECOMMENDATION OF THE BOARD OF ZONING APPEALS TO ACCEPT THE APPLICATION OF WEC 98G-32 LLC, REPRESENTING THE SAME, FOR VARIANCES FOR THE POLE SIGN FOR FAMILY DOLLAR LOCATED AT 4042 WARRENSVILLE CENTER ROAD, WARRENSVILLE HEIGHTS, OHIO, 44122, PPNS, 761-12-013, 761-12-014 AND 761-12-034.
Motioned by Councilwoman Hagwood, Passage by Councilwoman White
Seconded by Councilwoman Edwards
Roll Call: 1 Aye; 5 Nays; 0 Abs – Motion Denied

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- 4. Ord. 2021 - 042 COUNCILWOMAN ANDREA MITCHELL (PLANNING COMMISSION CHAIR)**
ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE THE APPLICATION OF CIONE BELKNAP OF AGILE SIGN & LIGHTING MAINTENANCE INC., REPRESENTING WEC 98G-32 LLC, FOR THE INSTALLATION OF SIGNAGE FOR FAMILY DOLLAR LOCATED AT 4042 WARRENSVILLE CENTER ROAD, WARRENSVILLE HEIGHTS, OHIO, 44122, PPNS 761-12-013, 761-12-014 AND 761-12-034.
Motioned by Councilwoman White, Seconded by Councilwoman Hagwood
Roll Call: 1 Aye; 5 Nays; 0 Abs – Motion Denied
- 5. Ord. 2021 - 043 MAYOR BRADLEY D. SELLERS**
APPOINTING TALMADGE PATTERSON TO THE POSITION OF POLICE OFFICER IN THE POLICE DEPARTMENT OF THE CITY OF WARRENSVILLE HEIGHTS, AND DECLARING AN EMERGENCY.
Motioned by Councilwoman Mitchell, Passage by Councilwoman Hagwood
Seconded by Councilwoman White
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried
- 6. Ord. 2021 - 044 MAYOR BRADLEY D. SELLERS**
AUTHORIZING THE ADMINISTRATION OF THE CITY OF WARRENSVILLE HEIGHTS TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY COMMON PLEAS COURT, JUVENILE DIVISION FOR THE CITY TO PROVIDE A COMMUNITY DIVERSION PROGRAM BEGINNING MARCH 1, 2021 AND ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.
Motioned by Councilwoman Mitchell, Passage by Councilman Anderson
Seconded by Councilwoman White
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried
- 7. Ord. 2021 - 045 MAYOR BRADLEY D. SELLERS**
AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYER DIRECT HEALTH SERVICE AGREEMENT WITH THE CLEVELAND CLINIC FOUNDATION IN ORDER TO IMPLEMENT THE WARRENSVILLE HEIGHTS “BE WELL” PROGRAM, AND DECLARING AN EMERGENCY.
Motioned by Councilwoman Mitchell, Passage by Councilwoman White
Seconded by Councilwoman Anderson
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried
- 8. Ord. 2021 - 046 MAYOR BRADLEY D. SELLERS**
AN ORDINANCE TO AMEND THE 2021 APPROPRIATIONS FOR THE CITY OF WARRENSVILLE HEIGHTS FOR THE YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY.

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**Motioned by Councilwoman White, Passage by Councilwoman Edwards
Seconded by Councilwoman Hagwood
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried**

- 9. Res. 2021 - 016 MAYOR BRADLEY D. SELLERS**
AUTHORIZING THE MAYOR TO APPROVE THE COMMUNITY REINVESTMENT AREA RESIDENTIAL TAX ABATEMENT APPLICATION OF RODNEY AND CINDY MITCHELL FOR 26814 RUE SAINT GABRIEL COURT, LOCATED IN THE CHATEAUX OF EMERY WOODS, PERMANENT PARCEL NUMBER 763-08-080, PURSUANT TO CHAPTER 3735 OF THE OHIO REVISED CODE.
**Motioned by Councilwoman Mitchell, Passage by Councilwoman Edwards
Seconded by Councilwoman White
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried**

- 10. Res. 2021 - 017 MAYOR BRADLEY D. SELLERS**
AUTHORIZING THE ADMINISTRATION TO ENGAGE IN A PUBLIC BIDDING PROCESS TO ADVERTISE FOR AND SOLICIT COMPETITIVE BIDS FOR CLEANING SERVICES AT THE WARRENSVILLE HEIGHTS MUNICIPAL CENTER, AND DECLARING AN EMERGENCY.
**Motioned by Councilwoman White, Passage by Councilwoman Hagwood
Seconded by Councilwoman Edwards
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried**

Motion for an Executive Session pursuant to ORC.121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official or an investigation of charges and complaints against a public employee...

**Motioned by Councilwoman Mitchell, Seconded by Councilwoman White
Roll Call: 6 Ayes; 0 Nays; 0 Abs - Motion Carried**

Executive Session to occur after Announcements.

Announcements from Directors:

Fire Department – Chief Herb Waugh wished everyone a good evening and stated it is a pleasure to welcome the new police officer and hopes he has a fine career with the City. He asked that people not “put their guards down” because the pandemic is still out here. He stated there will be a number of vaccine spots opening up so do your research, sign up and get it done.

Human Resources Department – Nicole Johnson wished everyone a good evening and thanked Council for passing the legislation regarding the Be Well Program and asked that everyone be safe.

Building Department – Commissioner Ben Brown had nothing to report.

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Fire Department – Captain Ellita Vedder had nothing to report.

Community Development Manager – Raymon Turner had nothing to report.

Finance Department – Director Karen Howse thanked Council for passing the 2021 Appropriations and stated she would be submitted that to the County. She reported that the City is currently under an audit and has been on site for the entire week and is now doing field work.

Chief of Staff – Kelli Wilson had nothing to report.

Police Department – Chief Wes Haynes thanked Council for passing items number five and six. He commented that Officer Patterson is going to be a great addition to the City and he looks forward to having him on.

Announcements from Council:

Councilwoman Mitchell thanked the residents for attending the meeting and the staff that took the time to be present. She stated to her colleagues, it might not always be easy serving but they are there to serve their community. She remarked to Officer Patterson that Akron’s loss is Warrensville’s gain. She is happy they have a friend in the Friendly City.

Councilman Stewart thanked everyone for attending the meeting and congratulated Officer Talmadge Patterson, welcoming him to Warrensville. He stated he has “good vibes” from him and appreciates him.

Councilwoman Edwards wished everyone a good evening. She welcomed Officer Patterson to the police force and to the community. She commented that it is awesome to have officers that also reside in our community.

Councilman Anderson welcomed Officer Patterson to the Friendly City.

Councilwoman White welcomed Officer Patterson to the Friendly City and Ward 3. She thanked all the residents that attended the Zoom meeting and shared their comments and concerns.

Councilwoman Hagwood had nothing to report.

Law Department-Director Teresa Metcalf Beasley had nothing to report.

Mayor’s Comments:

Mayor Sellers thanked everyone for taking the time to participate in the meeting. He stated he appreciates the comments and concerns being raised by the residents. He commented there are a number of issues that they will continue to investigate like the garbage can issue. Mayor Sellers reported getting his COVID vaccine on Sunday and asked that everyone do their homework regarding

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the vaccine because this is not a joke. He commented that he was disheartened when seeing the young people in Florida because when they leave they are coming back here. It is not a joke to people that have lost loved ones due to COVID. Mayor Sellers stated he has offered the Civic Senior as a vaccination site if needed and Wednesday the Wolstein Center will be opening up a mass vaccination site. He shared that there is free parking and bus passes available. He shared that Rite Aid and Walmart reload their appointments at midnight and CVS reloads their appointments at 5:00a.m. in the morning. Mayor Sellers commented that if they want to return to some sense of normalcy, people need to get vaccinated. He added that Cleveland Clinic has opened up appointments.

Council Clerk Joyner stated that Patricia Young, Ward 3 Resident had an additional question directed to Mayor Sellers and Building Commissioner Brown. She asked if the garbage can screen coverings that go around the can are in compliant with the current ordinance.

Building Commissioner Brown replied that he does not know what screen coverings she's referring to but will look at the ordinance again and follow up with her tomorrow.

Council adjourned from Regular Meeting Agenda to Executive Session at 7:57p.m.

**Motion to Adjourn Executive Session and Reconvene to Regular Meeting Agenda
by Councilwoman White, Seconded by Councilwoman Mitchell
Roll Call: 6 Ayes; 0 Nays; 0 Abs – Motion Carried
Regular Council Meeting reconvened at 8:04p.m.**

Gerald Lewis, Ward 2 Resident entered the meeting in the middle of the roll call vote. **Mayor Sellers** informed him that the meeting is ending. He stated he was in receipt of his email and spent a while discussing it this evening. Mayor Sellers asked that Mr. Lewis call his office tomorrow and they can discuss the concerns he has.

Adjournment

Motion to Adjourn by Councilwoman White, Seconded by Councilwoman Edwards
Adjournment at 8:06p.m.

08-06-2021

APPROVED



Amber Joyner, Clerk of Council

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