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Richmond Heights, Ohio 44143  
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**CITY COUNCIL MEETING AGENDA  
MARCH 13, 2018**

**PLEDGE ALLEGIANCE TO THE FLAG**

**TIME:** \_\_\_\_\_

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

**PRESENT:** \_\_\_\_\_ **ABSENT:** \_\_\_\_\_

**Motion was made by \_\_\_\_\_ seconded by \_\_\_\_\_ to excuse \_\_\_\_\_**

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

**CONSENT AGENDA**

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

- 1) Minutes of the City Council Meeting from February 27, 2018.

**MOTION**

**Motion was made by \_\_\_\_\_ seconded by \_\_\_\_\_ to accept the Consent Agenda as submitted.**

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

**REPORTS:**

**Mayor David H. Roche:**

**Fire Chief, Marc Neumann:**

**Police Chief, Gene Rowe:**

**Building Commissioner, Jim Urankar:**

**Finance Director, Jim Teknipp:**

**Recreation Director, Rick Dula:**

**Economic Development Director, Christel Best:**

**City Engineer, Lee Courtney:**

**Service Director, Donald Kerniskey:**

**Audience:**

**OLD BUSINESS:**

**ORDINANCE NO.: 144-2017, INTRODUCED BY MAYOR ROCHE, THIRD READING (AS AMENDED 3/13/18)**

AN ORDINANCE AMENDING SECTION 1103.03, "INSPECTIONS; DEPOSIT FUND", OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS, OHIO REGARDING DEPOSITS FOR ENGINEERING SERVICES.

PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**ORDINANCE NO.: 26-2018, INTRODUCED BY URSU, SECOND READING**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF RICHMOND HEIGHTS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018; TO REPEAL ORDINANCE NO. 135 -2017; AND DECLARING AN EMERGENCY.

SUSPENSION: \_\_\_\_\_  
PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**ORDINANCE NO.: 27-2018, INTRODUCED BY MAYOR ROCHE, SECOND READING**

AN ORDINANCE AMENDING ORDINANCE NO. 70-2017 (THE CITY'S "PAY AND BENEFITS ORDINANCE") TO CREATE A NEW POSITION AND TO RE-TITLE AND AMEND THE NUMBER OF PERSONS IN AUTHORIZED POSITIONS IN THE DIVISION OF BUILDING, ZONING AND HOUSING; TO ESTABLISH THE PAY RANGES THEREFOR; AND DECLARING AN EMERGENCY.

SUSPENSION: \_\_\_\_\_  
PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**NEW BUSINESS:**

**RESOLUTION NO.: 30-2018, INTRODUCED BY MAYOR ROCHE, FIRST READING**

A RESOLUTION AMENDING A CONDITION OF THE GRANT OF A VARIANCE FOR AN INDOOR SELF-STORAGE BUSINESS AT 641 RICHMOND ROAD.

SUSPENSION: \_\_\_\_\_  
PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**ORDINANCE NO.: 31-2018, INTRODUCED BY MAYOR ROCHE, FIRST READING**

AN ORDINANCE AMENDING SECTIONS 1165.99, 1195.99(a), and 1196.99(a), OF THE PLANNING AND ZONING CODE AND SECTION 1319.99 OF THE BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS TO PROVIDE FOR ENHANCED CODE ENFORCEMENT; AND DECLARING AN EMERGENCY.

SUSPENSION: \_\_\_\_\_  
PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**ORDINANCE NO.: 32-2018, INTRODUCED BY MAYOR ROCHE, FIRST READING**  
AN ORDINANCE ENACTING NEW CHAPTER 1351, "MULTIPLE-FAMILY RESIDENTIAL EXTERIOR DOORS", OF PART THIRTEEN, "BUILDING CODE," OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS; AND DECLARING AN EMERGENCY.

SUSPENSION: \_\_\_\_\_  
PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**RESOLUTION NO.: 33-2018, INTRODUCED BY KUMIN, FIRST READING**  
RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MOONLIGHT POOLS FOR REPAIRS TO THE CITY POOL.

SUSPENSION: \_\_\_\_\_  
PASSAGE: \_\_\_\_\_  
KEPT ON: \_\_\_\_\_ READING IN \_\_\_\_\_ COMMITTEE

**ADDITIONS:**

**CORRESPONDENCE:**

**ADJOURNMENT:**  
MOTION WAS MADE BY \_\_\_\_\_ SECONDED BY \_\_\_\_\_ TO ADJOURN  
THIS MARCH 13, 2018 CITY COUNCIL MEETING AT \_\_\_\_\_ P.M.

DRAFT

ORDINANCE NO: 144 -2017 (Revised 03/13/18)  
INTRODUCED BY: Mayor Roche

**AN ORDINANCE AMENDING SECTION 1103.03, “INSPECTIONS; DEPOSIT FUND”, OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS, OHIO REGARDING DEPOSITS FOR ENGINEERING SERVICES.**

WHEREAS, upon the recommendation of the Building Commissioner, Council has reviewed Section 1103.03 “Inspection Deposit Fund,” of the Planning and Zoning Code and determined that this section should be amended to include a process to ensure the payment and replenishing of deposits for engineering services and to permit the City to recoup its costs for engineering services rendered for which the property owner has failed to make the required deposit.

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

SECTION 1. Section 1103.03, “Inspection Deposit Fund”, in Part Eleven, “Planning and Zoning Code”, of the City’s Codified Ordinances is hereby amended as follows:

**“1103.03 INSPECTIONS; DEPOSIT FUND.**

The Engineer shall ~~check~~ **review** and approve all plans, profiles, cross-sections, specifications and other pertinent work details before any pavement, water, sewer, or utility construction is **has** begun, and shall periodically **field** inspect such construction in progress. The owner, contractor, developer or utility, prior to ~~commencing~~ **the commencement of** any construction hereunder, shall deposit with the ~~Finance~~ **Director of Finance an amount equal to the estimated cost of review and inspections, or** a minimum amount of five hundred dollars (\$500.00) to cover **review and** inspection costs, unless such minimum deposit is reduced by written approval of the Engineer due to the size of the project. Whenever **the balance of the deposit** ~~such Inspection Deposit Fund~~ is reduced below three hundred dollars (\$300.00), **to pay the cost of the Engineer’s review and inspections,** an additional ~~two hundred dollars (\$200.00)~~ deposit ~~must~~ **shall** be made by such owner, contractor, developer, or utility.

~~During the period of completion of such projects the Engineer shall report in appropriate form, as may be determined by his office and the Finance Department, the hours of work performed in such inspections each payroll period, and a transfer shall then be made from the Inspection Deposit Fund to the General Fund at the rate provided in Section 1325.20 of these Codified Ordinances.~~

**During construction projects reviewed and/or inspected by the Engineer, the Engineer shall submit a monthly report on a form deemed appropriate by the Engineer and the Director of Finance of all the hours of professional services performed by the Engineer for the project, including the hours spent performing inspections. The Director of Finance shall maintain records of professional services rendered by the Engineer, including all invoicing. When the project is**

completed, the Engineer shall submit a final invoice indicating the complete engineering costs associated with the project to the Director of Finance.

Upon receiving written notification of completion of the project from the owner, contractor, developer or utility and only after obtaining approval from both the Engineer and the Commissioner of Building, Zoning and Housing, the Director of Finance shall refund any unused portions of the deposit.

In the event that the necessary funds are not submitted as herein described for the review and inspection services set forth above, or in cases where the cost of the Engineer's review and inspections has exceeded the deposited amount, the Commissioner of Building, Zoning and Housing shall cause an invoice for services rendered to be served upon the owner of record via regular, first-class mail in the amount reported by the Engineer, plus a charge of \$75.00 for the administrative costs incurred by the Division of Building, Zoning and Housing, the Department of Finance, and various legal costs for each invoice so served. The Commissioner shall also report all unreimbursed engineering and inspection expenses and administrative charges to Council at an appropriate time.

Upon the receipt of the statement of unreimbursed costs incurred and administrative charges, Council shall make written notice to the Fiscal Officer of Cuyahoga County of the City's action under the preceding subsection with a statement of the unreimbursed costs for the Engineer's services and any administrative charges under this section and a proper description of the premises for the purpose of making the same a lien upon the lands and to be collected as other taxes and returned to the City to be deposited in the City's Inspection Deposit Fund and/or the General Fund."

SECTION 2. Existing Section 1103.03 in Part Eleven, "Planning and Zoning Code", of the City's Codified Ordinances and any and all ordinances or parts thereof in conflict herewith are repealed.

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

SECTION 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council

ORDINANCE NO: 27 -2018  
INTRODUCED BY: Mayor Roche

AN ORDINANCE AMENDING ORDINANCE NO. 70-2017 (THE CITY'S "PAY AND BENEFITS ORDINANCE") TO CREATE A NEW POSITION AND TO RE-TITLE AND AMEND THE NUMBER OF PERSONS IN AUTHORIZED POSITIONS IN THE DIVISION OF BUILDING, ZONING AND HOUSING; TO ESTABLISH THE PAY RANGES THEREFOR; AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor has determined that a re-organization of positions and the number of persons to fill those positions in the City's Division of Building, Zoning and Housing is necessary to perform the services required of that Division for the benefit of the public health, safety and general welfare and has proposed to this Council various amendments to the City's "Pay and Benefits Ordinance" last adopted by this Council on July 25, 2017, pursuant to Ordinance No. 70-2017;

NOW, THEREFORE, Be it Ordained by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Existing Section 8A. of Ordinance No. 70-2017, "An Ordinance Fixing the Salary, Compensation, Bonds, Vacations, Sick Leave and Rates of Pay of Various Offices, Boards, Commissions and Departments of the City of Richmond Heights; and Declaring an Emergency", is hereby amended only to the following extent:

Section 8: DIVISION OF BUILDING, ZONING AND HOUSING.

A. The employees of the Division of Building, Zoning and Housing shall receive the following compensation in accordance with the Schedule of Pay Scale for a work week of 40 hours:

|  |   |
|--|---|
| "ASEx 1 - Commissioner of Building, Zoning and Housing                                       | \$59,974 - \$99,957 per annum (2018)  |
| "SEx 1 <del>0</del> - Assistant Director <u>Commissioner</u> of Building, Zoning and Housing | \$49,085 - \$81,809 per annum (2018)  |
| <u>SHNEx 1</u> - Deputy <u>Combination</u> Inspector   | <del>\$42,118 - \$70,196 per annum (2018)</del><br><u>\$20.25 - \$33.75 per hour (2018)</u> |
| <u>HNEx 1</u> - <u>Deputy Inspector/Fire Safety Inspector</u>                                | <u>\$20.25 - \$33.75 per hour (2018)</u>  |

PHNEx 4 0 - Deputy Inspector  
Fire Safety

\$19.00 - \$23.69 per hour (2018)

HNEx 1 - Full-time Secretary

\$13.26 - \$22.10 per hour (2018)”

Section 2: Existing Section 8A. only of Ordinance No. 70-2017 is hereby repealed.

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

Section 4: This Ordinance is declared to be an emergency measure immediately necessary for preservation of the public health, safety and general welfare of the City, and for the further reason that there is a need to re-organize and add staffing to the City’s Division of Building, Zoning and Housing at the earliest time possible in order to perform timely inspections and take Code enforcement action to further the health, safety and general welfare of the public; wherefore, provided this Ordinance receives the affirmative vote of five (5) members of the Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Betsy Traben  
Clerk of Council  
Eloise Cotton-Henry  
President of Council



**ORDINANCE NO: 26 -2018**  
**INTRODUCED BY: Ursu**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF RICHMOND HEIGHTS, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2018; TO REPEAL ORDINANCE NO. 135 -2017; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, STATE OF OHIO, that:

Section 1: To provide for the current expenses and other expenditures of the City of Richmond Heights, Ohio, during the fiscal year ending December 31, 2018, the following sums are hereby set aside and appropriated as follows:

| FUND                        | FUND #               | 2017 TEMPORARY |
|-----------------------------|----------------------|----------------|
| ACCOUNT DESCRIPTION         | EXPENSE DESCRIPTION  | APPROPRIATION  |
| <b>GENERAL FUND</b>         | <b>100</b>           |                |
| POLICE DEPARTMENT 1250      | PERSONNEL            |                |
|                             | CONTRACTUAL          |                |
|                             | SUPPLIES & MATERIALS |                |
|                             | EDUCATION & TRAVEL   |                |
|                             | MINOR EQUIPMENT      |                |
| TOTAL POLICE DEPARTMENT     |                      |                |
| RECREATION DEPARTMENT 3350  | PERSONNEL            |                |
|                             | CONTRACTUAL          |                |
|                             | SUPPLIES & MATERIALS |                |
|                             | EDUCATION & TRAVEL   |                |
|                             | REFUND OF DEPOSITS   |                |
| TOTAL RECREATION DEPARTMENT |                      |                |
| BUILDING DEPARTMENT 4400    | PERSONNEL            |                |
|                             | CONTRACTUAL          |                |
|                             | SUPPLIES & MATERIALS |                |
|                             | EDUCATION & TRAVEL   |                |
|                             | MINOR EQUIPMENT      |                |
|                             | REFUND OF PERMITS    |                |
| TOTAL BUILDING DEPARTMENT   |                      |                |

|                                 |                                 |  |
|---------------------------------|---------------------------------|--|
|                                 |                                 |  |
| SERVICE DEPARTMENT 6450         | PERSONNEL                       |  |
|                                 | CONTRACTUAL                     |  |
|                                 | SUPPLIES & MATERIALS            |  |
|                                 | EDUCATION & TRAVEL              |  |
|                                 | MINOR EQUIPMENT                 |  |
| TOTAL SERVICE DEPARTMENT        |                                 |  |
|                                 |                                 |  |
| CITY COUNCIL 7100               | PERSONNEL                       |  |
|                                 | CONTRACTUAL                     |  |
|                                 | SUPPLIES & MATERIALS            |  |
|                                 | EDUCATION & TRAVEL              |  |
|                                 | MINOR EQUIPMENT                 |  |
| TOTAL CITY COUNCIL              |                                 |  |
|                                 |                                 |  |
| ADMINISTRATION DEPARTMENT 7150  | PERSONNEL                       |  |
|                                 | CONTRACTUAL                     |  |
|                                 | SUPPLIES & MATERIALS            |  |
|                                 | EDUCATION & TRAVEL              |  |
|                                 | MINOR EQUIPMENT                 |  |
|                                 | REFUNDS                         |  |
|                                 | TRANSFERS                       |  |
| TOTAL ADMINISTRATION            |                                 |  |
|                                 |                                 |  |
| SAFETY DIRECTOR DEPARTMENT 7200 | PERSONNEL                       |  |
|                                 | CONTRACTUAL                     |  |
|                                 | SUPPLIES & MATERIALS            |  |
|                                 | EDUCATION & TRAVEL              |  |
|                                 | MINOR EQUIPMENT                 |  |
| TOTAL SAFETY DIRECTOR           |                                 |  |
|                                 |                                 |  |
| LEGAL DEPARTMENT 7210           | PERSONNEL                       |  |
|                                 | CONTRACTUAL                     |  |
|                                 | SUPPLIES & MATERIALS            |  |
|                                 | EDUCATION & TRAVEL              |  |
|                                 | MINOR EQUIPMENT                 |  |
| TOTAL LEGAL DEPARTMENT          |                                 |  |
|                                 |                                 |  |
| CIVIL SERVICE DEPARFTMENT 7720  | PERSONNEL                       |  |
|                                 | CONTRACTUAL                     |  |
|                                 | <b>SUPPLIES &amp; MATERIALS</b> |  |

|                                   |                      |  |
|-----------------------------------|----------------------|--|
|                                   | EDUCATION & TRAVEL   |  |
|                                   | MINOR EQUIPMENT      |  |
| TOTAL CIVIL SERVICE               |                      |  |
|                                   |                      |  |
| SUMMARY GENERAL FUND              | PERSONNEL            |  |
|                                   | CONTRACTUAL          |  |
|                                   | SUPPLIES & MATERIALS |  |
|                                   | EDUCATION & TRAVEL   |  |
|                                   | MINOR EQUIPMENT      |  |
|                                   | REFUND OF DEPOSITS   |  |
|                                   | TRANSFERS            |  |
| TOTAL GENERAL FUND                |                      |  |
|                                   |                      |  |
| PAYROLL <b>STABILIZATION FUND</b> | 110                  |  |
|                                   | PERSONNEL            |  |
|                                   |                      |  |
| SPECIAL <b>REVENUE FUNDS</b>      |                      |  |
| STREET CONSTRUCTION FUND          | 201                  |  |
|                                   | PERSONNEL            |  |
|                                   | CONTRACTUAL          |  |
|                                   | SUPPLIES & MATERIALS |  |
|                                   | EDUCATION & TRAVEL   |  |
|                                   | MINOR EQUIPMENT      |  |
| TOTAL STREET CONSTRUCTION         |                      |  |
|                                   |                      |  |
| STATE HIGHWAY FUND                | 202                  |  |
|                                   | PERSONNEL            |  |
|                                   | CONTRACTUAL          |  |
|                                   | SUPPLIES & MATERIALS |  |
|                                   | EDUCATION & TRAVEL   |  |
|                                   | MINOR EQUIPMENT      |  |
| TOTAL STATE HIGHWAY FUND          |                      |  |
|                                   |                      |  |
| FIRE SERVICES FUND                | 203                  |  |
|                                   | PERSONNEL            |  |
|                                   | CONTRACTUAL          |  |
|                                   | SUPPLIES & MATERIALS |  |
|                                   | EDUCATION & TRAVEL   |  |
|                                   | MINOR EQUIPMENT      |  |
| TOTAL FIRE SERVICE FUND           |                      |  |
|                                   |                      |  |

|                                |                                 |  |
|--------------------------------|---------------------------------|--|
| RECREATION PROGRAM FUND        | 204                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | PROGRAM REFUNDS                 |  |
| TOTAL RECREATION PROGRAM FUND  |                                 |  |
|                                |                                 |  |
| POLICE PENSION FUND            | 211                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL POLICEPENSION FUND       |                                 |  |
|                                |                                 |  |
| LAW ENFORCEMENT FUND           | 212                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL LAW ENFORCEMENT FUND     |                                 |  |
|                                |                                 |  |
| DRUG LAW ENFORCEMENT FUND      | 213                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTALDRUG LAW ENFORCEMENT FUND |                                 |  |
|                                |                                 |  |
| POLICE TRAINING FUND           | 214                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | <b>SUPPLIES &amp; MATERIALS</b> |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | <b>MINOR</b> EQUIPMENT          |  |
| TOTAL POLICE TRAINING FUND     |                                 |  |
|                                |                                 |  |
| D.A.R.E. FUND                  | 215                             |  |

|                                |                                 |  |
|--------------------------------|---------------------------------|--|
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | <b>SUPPLIES &amp; MATERIALS</b> |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL D.A.R.E. FUND            |                                 |  |
|                                |                                 |  |
| COMMUNITY DIVERSION FUND       | 216                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL COMMUNITY DIVERSION FUND |                                 |  |
|                                |                                 |  |
| COPS FUND                      | 217                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | <b>SUPPLIES &amp; MATERIALS</b> |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL COPS FUND                |                                 |  |
|                                |                                 |  |
| FIRE PENSION FUND              | 232                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | <b>EDUCATION &amp; TRAVEL</b>   |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL FIRE PENSION FUND        |                                 |  |
|                                |                                 |  |
| AMBULANCE BILLING FUND         | 233                             |  |
|                                | PERSONNEL                       |  |
|                                | CONTRACTUAL                     |  |
|                                | SUPPLIES & MATERIALS            |  |
|                                | EDUCATION & TRAVEL              |  |
|                                | MINOR EQUIPMENT                 |  |
| TOTAL AMBULANCE BILLING FUND   |                                 |  |
|                                |                                 |  |
| RECYCLING FUND                 | 245                             |  |
|                                | PERSONNEL                       |  |

|                                     |                      |  |
|-------------------------------------|----------------------|--|
|                                     | CONTRACTUAL          |  |
|                                     | SUPPLIES & MATERIALS |  |
|                                     | EDUCATION & TRAVEL   |  |
|                                     | MINOR EQUIPMENT      |  |
| TOTAL RECYCLING FUND                |                      |  |
|                                     |                      |  |
| CITY BEAUTIFICATION FUND            | 250                  |  |
|                                     | PERSONNEL            |  |
|                                     | CONTRACTUAL          |  |
|                                     | SUPPLIES & MATERIALS |  |
|                                     | EDUCATION & TRAVEL   |  |
|                                     | MINOR EQUIPMENT      |  |
| TOTAL CITY BEAUTIFICATION FUND      |                      |  |
|                                     |                      |  |
| AIRPORT ACTIVITIES FUND             | 255                  |  |
|                                     | PERSONNEL            |  |
|                                     | CONTRACTUAL          |  |
|                                     | SUPPLIES & MATERIALS |  |
|                                     | EDUCATION & TRAVEL   |  |
|                                     | MINOR EQUIPMENT      |  |
| TOTAL AIRPORT ACTIVITIES FUND       |                      |  |
|                                     |                      |  |
| GREENWOOD FARM FUND                 | 260                  |  |
|                                     | PERSONNEL            |  |
|                                     | CONTRACTUAL          |  |
|                                     | SUPPLIES & MATERIALS |  |
|                                     | EDUCATION & TRAVEL   |  |
|                                     | MINOR EQUIPMENT      |  |
| TOTAL GREENWOOD FARM FUND           |                      |  |
|                                     |                      |  |
| SANITARY SEWER DISCHARGE FUND       | 270                  |  |
|                                     | PERSONNEL            |  |
|                                     | CONTRACTUAL          |  |
|                                     | SUPPLIES & MATERIALS |  |
|                                     | EDUCATION & TRAVEL   |  |
|                                     | MINOR EQUIPMENT      |  |
| TOTAL SANITARY SEWER DISCHARGE FUND |                      |  |
|                                     |                      |  |
| STORM WATER IMPROVEMENT FUND        | 280                  |  |
|                                     | PERSONNEL            |  |
|                                     | CONTRACTUAL          |  |

|                                     |                               |  |
|-------------------------------------|-------------------------------|--|
|                                     | SUPPLIES & MATERIALS          |  |
|                                     | EDUCATION & TRAVEL            |  |
|                                     | MINOR EQUIPMENT               |  |
| TOTAL STORM IMPROVEMENT FUND        |                               |  |
|                                     |                               |  |
| NEIGHBORHOOD STABILIZATION FUND     | 290                           |  |
|                                     | PERSONNEL                     |  |
|                                     | CONTRACTUAL                   |  |
|                                     | SUPPLIES & MATERIALS          |  |
|                                     | EDUCATION & TRAVEL            |  |
|                                     | MINOR EQUIPMENT               |  |
| TOTAL NEIBORHOOD STABILIZATION FUND |                               |  |
|                                     |                               |  |
| <b>TOTAL SPECIAL REVENUE FUNDS</b>  |                               |  |
|                                     |                               |  |
| <b>BOND RETIREMENT FUND</b>         | <b>301</b>                    |  |
|                                     | CONTRACTUAL                   |  |
|                                     | INTEREST                      |  |
|                                     | PRINCIPAL                     |  |
| TOTAL BOND RETIREMENT FUND          |                               |  |
|                                     |                               |  |
| <b>CAPITAL PROJECTS FUNDS</b>       |                               |  |
|                                     |                               |  |
| CAPITAL RESERVE FUND                | 400                           |  |
|                                     | TRANSFERS                     |  |
| TOTAL CAPITAL RESERVE FUND          |                               |  |
|                                     |                               |  |
| CAPITAL IMPROVEMENT FUND            | 401                           |  |
|                                     | CONTRACTUAL                   |  |
|                                     | CAPITAL OUTLAY                |  |
|                                     | TRANSFERS &<br>REIMBURSEMENTS |  |
| TGOTAL CAPITAL IMPROVEMENT FUND     |                               |  |
|                                     |                               |  |
| STREET IMPROVEMENT FUND             | 410                           |  |
|                                     | CONTRACTUAL                   |  |
| TOTAL STREET IMPROVEMENT FUND       |                               |  |
|                                     |                               |  |
| BUILDING IMPROVEMENT FUND           | 430                           |  |
|                                     | CONTRACTUAL                   |  |
| TOTAL BUILDING IMPROVEMENT FUND     |                               |  |
|                                     |                               |  |

|  |                      |  |
|--|----------------------|--|
| SEWER IMPROVEMENT FUND                     | 450                  |  |
|  | CONTRACTUAL          |  |
| TOTAL SEWER IMPROVEMENT FUND               |                      |  |
|  |                      |  |
| TOTAL CAPITAL PROJECTS FUNDS               |                      |  |
|  |                      |  |
| <b>SENIOR DISABLED TRANSPORTATION FUND</b> | <b>600</b>           |  |
|  | PERSONNEL            |  |
|  | CONTRACTUAL          |  |
|  | SUPPLIES & MATERIALS |  |
|  | EDUCATION & TRAVEL   |  |
|  | MINOR EQUIPMENT      |  |
| TOTAL SENIOR DISABLED TRANSPORTATION FUND  |                      |  |
|  |                      |  |
| <b>FIDUCIARY FUNDS</b>                     |                      |  |
|  |                      |  |
| CLAIMS & LITIGATION FUND                   | 903                  |  |
|  | CONTRACTUAL          |  |
| TOTAL CLAIMS & LITIGATION FUND             |                      |  |
|  |                      |  |
| PROFESSIONAL SERVICES FUND                 | 904                  |  |
|  | CONTRACTUAL          |  |
| TOTAL PROFESSIONAL SERVICES FUND           |                      |  |
|  |                      |  |
| ZONING APPEAL FUND                         | 905                  |  |
|  | CONTRACTUAL          |  |
| TOTAL ZONING APPEAL FUND                   |                      |  |
|  |                      |  |
| SIDEWALK BOND FUND                         | 906                  |  |
|  | CONTRACTUAL          |  |
| TOTAL SIDEWALK BOND FUND                   |                      |  |
|  |                      |  |
| BUILDING BOND FUND                         | 907                  |  |
|  | CONTRACTUAL          |  |
| TOTAL BUILDING BOND FUND                   |                      |  |
|  |                      |  |
| TOTAL FIDUCIARY FUNDS                      |                      |  |
|  |                      |  |
| <b>TOTAL ALL FUNDS</b>                     |                      |  |



SECTION 2: The Director of Finance is authorized to draw warrants for payment of any of the foregoing appropriations upon receiving by the City of Richmond Heights or officers authorized by law to approve the same or by ordinance or by resolution of Council to make expenditures, provided that no warrant be drawn or paid for salaries or wages except to persons employed by authority or in accordance with law or ordinance, provided further that the appropriation for contingencies can only be expended upon approval of a two-thirds' vote of Council for items or expenses constituting a legal obligation against the City and for purposes other than covered by the specific appropriations herein made.

SECTION 3: Ordinance No.135-2017 of this Council, being an Ordinance making appropriations for fiscal year ending December 31, 2018, are hereby repealed.

SECTION 4: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare of the citizens of the City of Richmond Heights and for the reason that it is necessary to immediately make the appropriations herein in order that the City can properly function and meet its obligations; wherefore, this Ordinance shall take effect and be in full force immediately upon its passage by the Council and signature of the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council

DRAFT

RESOLUTION NO. 30 -2018  
INTRODUCED BY: Mayor Roche

A RESOLUTION AMENDING A CONDITION OF THE GRANT OF A VARIANCE FOR AN INDOOR SELF-STORAGE BUSINESS AT 641 RICHMOND ROAD.

WHEREAS, DealPoint Merrill, LLC (the "Applicant"), for property located at 641 Richmond Road in the City of Richmond Heights, filed an application with the Zoning Board of Appeals, Case No.823 requesting a variance to Section 1151.03 of the City's Zoning Code to permit an indoor self-storage use at the former Macy's department store building at the foregoing address located in a B-2 Regional Business Zoning District in the City which use is not listed as either a permitted or conditional use in that zoning district;

WHEREAS, pursuant to Resolution No. 114-2017, this Council approved the variance for the use of the subject property for an indoor self-storage use in the B-2 Regional Business Zoning District with conditions – two of those conditions being:

- (a) An "impact fee" which is as follows:  
Commencing on the 25<sup>th</sup> month on the anniversary of the issuance of the Certificate of Occupancy for CubeSmart, the Applicant shall subsidize the current payroll tax (using the then current tax rate) by calculating the annual difference between what the retail tenants pay (who occupy the Macy's building) in the form of a payroll tax on an annual basis against a fixed guaranteed sum of \$20,000 per year payroll tax ("Payroll Cap") for a term of 7 years. This difference would be referred to as the Payroll Tax Subsidy by Applicant. The payment would be made by Applicant in arrears at the end of each quarter during the calendar year; and
- (b) The Applicant shall use its best efforts to lease the 30,000 square feet of retail space on the first floor of the subject building;

WHEREAS, due to certain Building Code provisions regarding the separation of retail and storage uses, the Applicant has requested that it be permitted to revise the foregoing conditions set forth above to provide as follows:

- (a) An "impact fee" which is as follows:  
Commencing on the 25<sup>th</sup> month on the anniversary of the issuance of the Certificate of Occupancy for CubeSmart, the Applicant shall subsidize the current payroll tax (using the then current tax rate) by calculating the annual difference between what the retail tenants pay (who occupy the Macy's building) in the form of a payroll tax on an annual basis against a fixed guaranteed sum of \$20,000 per year payroll tax ("Payroll Cap") for a

term of ~~5~~ 7 years. This difference would be referred to as the Payroll Tax Subsidy by Applicant. **In years 6 and 7, the payroll taxes received from the retail tenants in the former Macy's department store shall also include payroll taxes received from outlot development at the subject property.** The payment would be made by Applicant in arrears at the end of each quarter during the calendar year; and

(b) ~~The Applicant shall use its best efforts to lease the 30,000 square feet of retail space on the first floor of the subject building.~~ **The Applicant may reduce the minimum 30,000 square feet of retail space on the first floor of the former Macy's department store to 18,000 square feet of retail space on the first floor but shall place the balance of the 30,000 square feet or more of retail space on the second floor in a location accessible to the public and shall use its best efforts to lease the 30,000 square feet of retail space in the subject building.**

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

Section 1: This Council approves the amendment to the conditions of the variance authorized by its Resolution No. 114-2017 as set forth in the recitals to this Resolution above.

Section 2: The Clerk is instructed to mail a copy of this Resolution to the Applicant by certified mail, return receipt requested.

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

Section 4: This Resolution shall take effect and be in force from and after the earliest period allowed by law which, being an administrative act by this Council, shall go into effect immediately upon its passage and signature by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council

ORDINANCE NO: 31 -2018  
INTRODUCED BY: Mayor Roche

**AN ORDINANCE AMENDING SECTIONS 1165.99, 1195.99(a), and 1196.99(a), OF THE PLANNING AND ZONING CODE AND SECTION 1319.99 OF THE BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS TO PROVIDE FOR ENHANCED CODE ENFORCEMENT; AND DECLARING AN EMERGENCY.**

WHEREAS, Council has reviewed the penalty provisions within the Planning and Zoning Code and the Building Code and determined that certain provisions thereof be amended to provide for enhanced enforcement and greater penalties for violations of the Planning and Zoning Code and the Building Code.

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

SECTION 1. Section 1165.99, "Penalty", of Chapter 1165 "Gasoline Service and Filling Stations", in Part Eleven, "Planning and Zoning Code", of the City's Codified Ordinances is hereby amended as follows:

**"1165.99 PENALTY .**

Whoever violates any of the provisions of this chapter ~~shall be fined not more than five hundred dollars (\$500.00)~~ **is guilty of a misdemeanor of the first degree for each offense.** Each and every day during which the violation continues shall constitute a separate offense."

SECTION 2. Section 1195.99(a), "Penalty", of Chapter 1195 "Erosion and Sediment Control", in Part Eleven, "Planning and Zoning Code", of the City's Codified Ordinances is hereby amended as follows:

**"1195.99 PENALTY.**

(a) Any person, firm, entity or corporation; including but not limited to, the owner of the property, his agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this regulation is guilty of a misdemeanor of the ~~third~~ **first** degree **for each offense** and ~~shall be fined no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense.~~ A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

\* \* \*

SECTION 3. Section 1196.99(a), "Penalty", of Chapter 1196 "Comprehensive Stormwater Management", in Part Eleven, "Planning and Zoning Code", of the City's Codified Ordinances is hereby amended as follows:

**1196.99 PENALTY.**

(a) Any person, firm, entity or corporation; including but not limited to, the owner of the property, his agents and assigns, occupant, property manager, and any contractor or subcontractor who violates or fails to comply with any provision of this regulation is guilty of a misdemeanor of the ~~third~~ **first** degree **for each offense** and shall be ~~fin~~ed no more than five hundred dollars (\$500.00) or imprisoned for no more than sixty (60) days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

\* \* \*

SECTION 4. Section 1319.99, “Penalty”, of Chapter 1119 “Compost Piles”, in Part Thirteen, “Building Code”, of the City’s Codified Ordinances is hereby amended as follows:

**“1319.99 PENALTY.**

Whoever violates this section shall ~~not be fined more than one hundred dollars (\$100.00)~~ **is guilty of a misdemeanor of the first degree for each offense.** Each day that such violation continues shall constitute a separate offense.”

SECTION 5. Existing Sections 1165.99, 1195.99(a), 1196.99(a) in Part Eleven, “Planning and Zoning Code”, and Section 1319.99 in Part Thirteen, “Building Code”, of the City’s Codified Ordinances and any and all ordinances or parts thereof in conflict herewith are repealed.

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance is declared to be an emergency measure necessary for the preservation of the public health, safety and general welfare of the citizens of the City of Richmond Heights, and for the further reason that it is necessary to immediately amend the penalty provisions of the Planning and Zoning Code and Building Code to provide for enhanced enforcement of the Planning and Zoning Code and Building Code within the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council

ORDINANCE NO: 32-2018  
INTRODUCED BY: Mayor Roche

**AN ORDINANCE ENACTING NEW CHAPTER 1351, “MULTIPLE-FAMILY RESIDENTIAL EXTERIOR DOORS”, OF PART THIRTEEN, “BUILDING CODE,” OF THE CODIFIED ORDINANCES OF THE CITY OF RICHMOND HEIGHTS; AND DECLARING AN EMERGENCY**

WHEREAS, Council desires to minimize the opportunity for criminal activity to occur in multiple-family residential buildings located within the City of Richmond Heights; and

WHEREAS, unsecured multiple-family residential buildings pose a risk to both the inhabitants of the multiple-family residential building and the community at large by allowing unauthorized individuals to enter the multiple-family residential building without obtaining permission to do so; and

WHEREAS, Council has determined that security measures should be put in place to secure all exterior doors to multiple-family residential buildings to reduce the risk of criminal activity in multiple-family residential buildings.

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

SECTION 1. Part Thirteen, the “Building Code” of the Codified Ordinances of the City, is hereby amended to add a new Chapter 1351, to be entitled “Multiple-Family Residential Exterior Doors, to read as follows:

**“Chapter 1351  
MULTIPLE-FAMILY RESIDENTIAL EXTERIOR DOORS**

1351.01 Exterior Door Requirements for Multiple-Family Residential Buildings.

All exterior entry and exit doors in a multiple-family residential building shall be subject to the following requirements:

- (a) Exterior entry and exit doors shall be self-closing and self-locking;
- (b) Exterior entry and exit doors shall be capable of being opened from the inside without the use of a key, and without special knowledge or effort.
- (c) Exterior entry and exit doors shall comply with Chapter 1301 and Chapter 1501 of these Codified Ordinances.
- (d) All locks on exterior entry and exit doors, all self-locking and self-closing exterior entry and exit doors, and all electromagnetic and electrical control systems, such as buzzers, bells or intercom systems, shall be maintained in good and operable condition at all times.

- (e) Exterior entry and exit doors shall not be held in an open or unclosed position at any time.
- (f) An entry or exit door of an individual dwelling unit is not subject to this Chapter.

1351.99      Penalty.

Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the first degree. Each day's violation shall constitute a separate offense.”

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

SECTION 3. This Ordinance is declared to be an emergency measure necessary for the preservation of the public health, safety and general welfare of the citizens of the City of Richmond Heights, and for the further reason that it is necessary to immediately secure multiple-family residential buildings to prevent criminal activity; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Betsy Traben  
Clerk of Council

\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council

RESOLUTION NO.: 33 -2018  
INTRODUCED BY: Kumin

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MOONLIGHT POOLS FOR REPAIRS TO THE CITY POOL.

WHEREAS, the Director of Public Service and Properties has obtained a quote for fiberglass and stair repairs to the City's swimming pool in the City Park in the amount of Thirteen Thousand five Hundred Dollars (\$13,500.00);

WHEREAS, Council's Service and Recreation Committee has recommended that Council authorize the Mayor to enter into the proposed agreement with Moonlight Pools for the Thirteen Thousand Five Hundred Dollars but for Council to authorize by this Resolution an amount not to exceed Fifteen Thousand Dollars (\$15,000.00) to cover the expense of any unexpected additional need for repairs to the pool that may be found during the performance of the work; and

WHEREAS, this Council desires to authorize the Mayor to enter into the aforesaid agreement in an amount not to exceed Fifteen Thousand Dollars (\$15,000.00).

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

Section 1: The Mayor is authorized to enter into a contract with Moonlight Pools for repairs to the City pool at a cost not to exceed Fifteen Thousand Dollars (\$15,000.00).

Section 2: To the extent necessary, the Director of Finance is authorized and directed to appropriate to a proper account a sum sufficient to cover the cost of the purchase referred to in Section 1 above.

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

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

PASSED: \_\_\_\_\_

\_\_\_\_\_  
David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk

\_\_\_\_\_  
Eloise Cotton-Henry  
President of Council