

THE CITY OF SOUTH EUCLID  
SCHEDULE OF MEETING  
July 26, 2021  
8:00 PM

*Meeting Conducted Via WebEx Meeting Platform*

**PUBLIC ACCESS FOR RESIDENTS:**

**Please go to the City's Homepage at [www.cityofsoutheuclid.com](http://www.cityofsoutheuclid.com)  
and click the "Join City Council Meeting Link"  
at the top of the webpage.**

**The Password to Join the Meeting is:**

**AnJkXhhk932 (26559445 from phones and video systems)**

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1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. MINUTES OF MEETINGS: July 12, 2021 Special Meeting &  
July 12, 2021 Regular Meeting

4. FIRE DEPARTMENT SWEARING-IN CEREMONY

FireMedic Connor Bachmann &  
FireMedic Jack Dorsky

4. REPORT OF MAYOR & DEPARTMENT HEADS

5. REPORT OF LAW DIRECTOR

6. REPORT OF SCHOOL DISTRICT

7. PUBLIC HEARINGS (OPEN MEETING) RELATED TO AGENDA ITEMS

8. REPORT OF COUNCIL COMMITTEES

Legislative Committee

1. Ordinance 01-21 Creating New Chapter 1415 "Approving the Right of city renters to pay-to-stay" of Part Fourteen "Housing Code" of the Codified Ordinances of The City of South Euclid, Ohio. **Second Reading.**

Zoning & Planning Committee

1. Ordinance 10-21 Amending Section 1607.05 "Fees; Changes in Business Occupancy" of Chapter 1607 "Certificate of Business Occupancy" of Part Sixteen "Business Maintenance Code" of the Codified Ordinances of The City of South Euclid, Ohio. **Second Reading.**

9. LEGISLATION REQUESTED BY THE PLANNING COMMISSION

1. Resolution 39-21 Granting a Conditional Use Permit to "Starbucks" to have a drive-thru and an outdoor patio and seating area at their facility, located at 4525 Mayfield Road in the City of South Euclid, Ohio. **First Reading.**

**10. LEGISLATION REQUESTED BY THE MAYOR & ADMINISTRATION**

1. Ordinance 19-21                      Authorizing an agreement with the Chagrin Valley Dispatch Council (CVD), a regional council of governments, pursuant to Ohio law, to join CVD's joint police, fire and emergency medical services communications system for the dispatch of police, fire and ems services in and for multiple communities, and authorizing the city to approve the dissolution of the Heights Hillcrest Communications Center (HHCC). First Reading.

**11. PUBLIC HEARINGS (OPEN MEETING) RELATED TO OPEN BUSINESS**

**12. COMMUNICATIONS OF CITY COUNCIL**

**13. ADJOURN**

THE CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 01-21  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

January 25, 2021  
As amended in Legislative Committee June 14, 2021

AN ORDINANCE

CREATING NEW CHAPTER 1415 "APPROVING THE RIGHT OF CITY RENTERS TO PAY-TO-STAY" OF PART FOURTEEN "HOUSING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, international, national, state, and local governments and health authorities are responding to an outbreak of a disease caused by the novel coronavirus referred to as COVID-19; and

WHEREAS, the State of Ohio, the County of Cuyahoga, and the City of South Euclid are experiencing a public health crisis from the COVID-19 pandemic that will have lasting impacts on residents and the economy; and

WHEREAS, on March 9, 2020, the Governor of the State of Ohio declared a State of Emergency to exist in Ohio as result of the threat of COVID-19 and at the date this Ordinance was approved by second reading the State of Emergency continues to exist; and

WHEREAS, the Centers for Disease Control and Prevention, the Ohio Department of Health, and the Cuyahoga County Department of Public Health have all issued recommendations including, but not limited to social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, as a result of the public health emergency and the precautions recommended by health authorities, many residents and businesses in the City of South Euclid have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS, the Governor of the State of Ohio has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, further economic impacts are anticipated, leaving residential tenants vulnerable to eviction; and

WHEREAS, during this local emergency and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement to protect the Village's affordable housing stock and to prevent housed individuals from falling into homelessness; and

WHEREAS, housing displacement and homelessness place the City's residents at a higher risk of COVID-19 infections; and

WHEREAS, unemployment compensation, rental assistance and other dollars are being made available to Ohioans so they can meet their basic needs but these dollars have been slow to make their way into people's bank accounts;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1. That Chapter 1415 "Approving the Right of City Renters to Pay-to-Stay" of Part Fourteen "Housing Code" of the Codified Ordinances of the City of South Euclid, Ohio is hereby created to read as follows:

**1415.01 Definition**

For the purposes of this Chapter, "Tenant" means a person entitled under a rental agreement to the use and occupancy of residential premises to the exclusion of others.

For the purposes of this Chapter, "Tender" means an offer of payment.

**1415.02 Tenant's right to pay to stay prior to the filing of an eviction action for non-payment of rent (Complaint for Forcible Entry and Detainer):**

(a) At any time prior to the filing of an action under Ohio Revised Code 1923 for nonpayment of rent by a landlord, a tenant shall have the right to pay the landlord all past due rent with reasonable late fees to avoid the filing of such action for the restitution of the lands or tenements.

If the tenant tenders all accrued rent and reasonable late fees to the landlord, the landlord shall accept the tendered payment and allow the tenant to maintain the tenancy.

(b) If the tenant tenders all past due rent with reasonable late fees to the landlord prior to the filing of an action under Ohio Revised Code 1923 and the landlord refuses the tender, the tenant's tender of all past due rent with reasonable late fees shall be an affirmative defense to any action filed by the landlord against the tenant for nonpayment of rent.

**1415.03 Tenant's right to pay to stay prior to an eviction judgment for non-payment of rent (Entry of Restitution):**

(a) After the filing of an action under Ohio Revised Code 1923 for nonpayment of rent but prior to a judgment, the tenant shall have the right to pay the landlord all past due rent, reasonable late fees and court costs so that the tenant may maintain the tenancy. If the tenant tenders all past due rent amounts, including late fees and court costs, the landlord must accept the payment. Upon receipt of the payment, the landlord shall dismiss the action against the tenant.

(b) If the tenant tenders all past due rent with reasonable late fees and court costs to the landlord prior to a judgment and the landlord refuses the tender, the tenant's tender of all past due rent, reasonable late fees and court costs shall be an affirmative defense to the eviction action filed by the landlord against the tenant for nonpayment of rent.

**1415.04 Tenant's right to pay to stay prior to the execution of the eviction judgment for non-payment of rent (Writ of Restitution):**

(a) After the filing of an action under Ohio Revised Code 1923 for nonpayment of rent but prior to the execution of the eviction judgment through a writ of restitution, the tenant shall have the right to pay the landlord all past due rent, reasonable late fees and court costs, including the cost of obtaining the writ, so that the tenant may maintain the tenancy. If the tenant tenders all past due rent amounts, including reasonable late fees and court costs, the landlord must accept the payment. Upon receipt of the payment, the landlord shall notify the court who shall vacate the eviction judgment and dismiss the eviction action against the tenant.

(b) If the tenant tenders all past due rent with reasonable late fees and court costs to the landlord prior to the execution of the eviction judgment through a writ of restitution and the landlord refuses the tender, the bailiff shall not enforce the eviction judgment until the court instructs the bailiff to do so after an emergency hearing on the tenant's right to pay and stay at the premises. If the court finds during the emergency hearing that the tenant tendered all past due rent,

reasonable late fees and court costs, the court shall vacate the eviction judgment and dismiss the eviction action against the tenant.

**1415.05 Rent receipt required**

The landlord shall provide the Tenant with a signed receipt for the security deposit and all rental payments except for payments made by personal check of the Tenant, at the time the security deposit or rental payments are made.

**1415.06 Other Causes for Eviction**

This Chapter in no way limits the ability of a landlord to initiate an eviction action for reasons other than solely for non-payment of rent.

**1415.07 Reasonable Late Fees**

Late fees shall be assessed as written in the lease agreement.  
~~No landlord may charge a tenant late fees that are not reasonable late fees. If a rental agreement includes a provision that authorizes the landlord to assess the tenant a fee for late payment of the monthly rent, to be considered "reasonable late fees" the total amount of that late payment fee for any month may not exceed the larger of: (i) twenty five dollars (\$25.00); or (ii) five percent (5%) of the monthly contract rent.~~

**1415.08 Severability**

If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. South Euclid City Council hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 shall remain in effect until June 1, 2022 at such time the ordinance shall be repealed.

Section 4 3: This Ordinance shall take effect and be enforced from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 10-21  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

June 14, 2021  
as recommended by Zoning & Planning Committee 07-19-21.

AN ORDINANCE

AMENDING SECTION 1607.05 "FEES; CHANGES IN BUSINESS OCCUPANCY" OF CHAPTER 1607 "CERTIFICATE OF BUSINESS OCCUPANCY" OF PART SIXTEEN "BUSINESS MAINTENANCE CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, City Council and the Administration feel it is important to periodically review the fees for certificates of business occupancy.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 1607.05 "Fees; Changes in Business Occupancy" of Chapter 1607 "Certificate of Business Occupancy" of Part Sixteen "Business Maintenance Code" of the Codified Ordinances of the City of South Euclid, Ohio be amended as follows:

**1607.05 FEES; CHANGES IN BUSINESS OCCUPANCY.**

(a) Application Fee. An application for a certificate of business occupancy shall be accompanied by a nonrefundable fee of ~~twenty-five dollars (\$25.00)~~ **one hundred dollars (\$100.00)**, payable when a new business files application to open within the City. In addition, a fee of **fifty dollars (\$50.00)** is payable annually for each occupant or tenant in a commercial building, in order to renew said certificate of business occupancy. If such application is not filed within thirty days of notice, an additional ~~twenty-five dollar (\$25.00)~~ **fifty dollar (\$50.00)** fee shall be paid within thirty days of the date of the second notice. If such costs are not paid as billed after the second notice, the Building Commissioner shall report the costs to Council, which shall cause the costs to be collected from the property owner in the manner provided in Ohio R.C. 715.261.

~~(b) Exception for Multiple Occupancy. For all buildings having more than twenty occupants or tenants, the owner or his or her agent shall apply for a certificate of business occupancy accompanied by a nonrefundable fee of twenty-five dollars (\$25.00) for each occupant or tenant. The application must also be accompanied by a list of the tenants for each unit which identifies each occupant or tenant and states the nature of the business, use or occupancy of their respective units.~~

~~(e)(b) Changes; New Certificate of Business Occupancy; Fees. If there is a change in the occupancy of any building or portion thereof, the certificate of business occupancy issued under the provisions of this Code to the former occupant or owner shall become null and void as to the vacated business unit or units at the time such use is terminated. A new certificate of business occupancy shall be obtained by the new occupant or owner before the new business use begins its tenancy or occupancy. Application for a new certificate of business occupancy for any business use shall be made before the new business use begins its tenancy or occupancy. A fee of ~~twenty dollars (\$20.00)~~ **one hundred dollars (\$100.00)**, as described in 1607.05(a), shall be paid upon application for each new certificate. Such new certificate shall expire on the same date as that of the certificate which it replaces.~~

~~(e)(c) Change Approval. Any change in the nature or extent of the use or occupancy as specified on the certificate of business occupancy shall render the certificate null and void upon the happening of such change. No such change is permissible under this Code unless such change has been approved by the proper City authorities pursuant to this Code, and unless a new certificate of business occupancy incorporating such change, has been issued. Any such change, without the approval of the proper City authorities, will subject the owner, occupant, operator or agent to the penalty provided in Section 1605.99.~~

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 shall take effect and be enforced from and after the earliest period allowed by law and upon signature of the mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law



COME TOGETHER & THRIVE

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*Planning Commission*

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July 21, 2021

Joseph Frank, President of Council  
City of South Euclid  
1349 South Green Road  
South Euclid, OH 44121

Dear Joseph,

The Planning Commission on July 8, 2021 voted 4-0-0 to recommend approval of the conditional use application for the drive-thru and outdoor dining / seating area at the proposed Starbucks, located at 4525 Mayfield Road with the following conditions:

1. In the proposed employee parking lot, move the ADA parking spots from their current location to alongside the dumpster enclosure.
2. In the proposed employee parking lot, reduce the number of parking spaces from 6 to 2
3. Add directional signage for the drive thru
4. Extend the patio space to accommodate at least 4 tables
5. Reassessment of drive thru conditional use if there is more drive thru traffic than can be handled and accommodated.

If you have any questions, please feel free to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read "Ashley King".

Ashley King  
Planning Commission Chairwoman

cc: Georgine Welo, Mayor  
Michael Lograsso, Law Director  
City Council Members  
Laura Heilman, Building Commissioner  
Planning Commissioners

Ecc: Keith Benjamin

CITY OF SOUTH EUCLID, OHIO

RESOLUTION NO.: 39-21  
INTRODUCED BY: Frank  
REQUESTED BY: Planning Commission

July 26, 2021

A RESOLUTION

GRANTING A CONDITIONAL USE PERMIT TO "STARBUCKS" TO HAVE A DRIVE-THRU AND AN OUTDOOR PATIO AND SEATING AREA AT THEIR FACILITY, LOCATED AT 4525 MAYFIELD ROAD IN THE CITY OF SOUTH EUCLID, OHIO.

WHEREAS, the City of South Euclid recognizes that various public and private institutions and businesses are essential to the community; and

WHEREAS, the Planning Commission, after careful study, has recommended to Council in a vote of 4-0-0 that a Conditional Use Permit be granted to "Starbucks" to have a drive-thru and an outdoor patio and seating area at their facility, located at 4525 Mayfield Road; and

WHEREAS, notice of a public hearing on the aforesaid requested Conditional Use Permit has been duly given, and a full public hearing has been held thereon by the Planning Commission pursuant to such notice and as prescribed by law; and

WHEREAS, the Council of the City of South Euclid deems that the aforesaid Conditional Use Permit should be given in that the standards set forth in Chapter 739 of the South Euclid Zoning Code have been achieved.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of South Euclid, Ohio:

Section 1: That a Conditional Use Permit is hereby granted to "Starbucks" to have a drive-thru and an outdoor patio and seating area at their facility, located at 4525 Mayfield Road in the City of South Euclid, Ohio, per the following conditions:

- Condition 1:** Only two (2) parking spaces shall be provided on site, these shall be handicap accessible spaces, shall be marked "employee only" and shall be located adjacent to the dumpster enclosure. The site plan presented to the City on July 12, 2021 meets this condition.
- Condition 2:** The outdoor patio shall be large enough in size as to accommodate at least four (4) tables and two (2) bike racks. The site plan presented to the City on July 12, 2021 meets this condition.
- Condition 3:** Directional signage to indicate the correct traffic flow for the drive-thru shall be installed. The site plan presented to the City on July 12, 2021 meets this condition.
- Condition 4:** All requirements for a drive-thru and outdoor dining, as defined in Chapter 739 "Mayfield-Green District" of the South Euclid Zoning Code, shall be followed at all times.
- Condition 5:** The Planning Commission and the applicant agree to meet and examine potential modifications to the approved site plan should issues with drive thru stacking and traffic arise.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 Resolution shall take effect and be in full force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law





# STARBUCKS DRIVE-THRU ONLY

4525 MAYFIELD ROAD  
SOUTH EUCLID, OHIO

FOR

## DEVILLE DEVELOPMENTS

JUNE 28, 2021

**PORTAL**  
ASSOCIATES  
ARCHITECTURE + PLANNING  
4450 BELDEN VILLAGE ST NW SUITE 302  
CANTON, OHIO 44718

**Memorandum**

To: Members of Council  
From: Georgine Welo, Mayor  
Date: July 21, 2021  
Re: Heights Hillcrest and Chagrin Valley Dispatch Merger & Authorizing Legislation

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**Summary**

On Monday, July 26<sup>th</sup> City Council’s Safety Committee will meet to hear a presentation from Nick DiCicco, Director of the Heights Hillcrest Regional Dispatch Center and Chagrin Valley Dispatch Center and legislation will also be introduced for First Reading to enter into an agreement with the Chagrin Valley Dispatch Council (CVD), a regional Council of Governments, pursuant to Ohio law, to join CVD’s joint Police, Fire and Emergency Medical Services communications system for the dispatch of Police, Fire and EMS services in and for multiple communities, and authorizes the City to approve the dissolution of the Heights Hillcrest Communications Center (HHCC).

At the Safety Committee Meeting, Mr. DiCicco will outline the reasons for the merger and answer any questions that you may have. Fire Chief Stefko and Police Chief Mays will also attend the meeting to respond to any questions and/or concerns. The proposed Dispatch merger is scheduled for a vote by the Dispatch Trustees in October 2021, so I am requesting that Council conduct its due diligence and be prepared to vote on the legislation by the September 27, 2021 Council Meeting.

**History of the Heights Hillcrest Communications Center (HHCC).**

In 2011 there were 48 Public Safety Answering Points (PSAPs) for the 59 jurisdictions in Cuyahoga County. PSAPS answer calls and dispatch first responders to a caller’s location, or transfer calls to the appropriate PSAP based in caller location. This is the largest number of PSAPs in the state of Ohio and one of the highest in the US. Of 88 counties in Ohio, only four (4) have more than 10 PSAPs.

In 2012, Cuyahoga County hired a consultant to conduct an assessment of the PSAPs. The study concluded that the County should work toward reducing the number of PSAPs through continued support of consolidation and the promotion of regionalism. The County began recommending the consolidation of PSAPs. In 2013 there were 42 PSAPs, and it was expected the number would be at 38 by early 2015.

Meanwhile, the State developed a plan to mandate PSAP consolidation statewide. The County recognized that financial support was needed to encourage and facilitate consolidation. In 2013 the County issued a 9-1-1 Consolidation Plan and established a 9-1-1 Consolidation Shared Services Fund to support physical and technical infrastructure, professional services, equipment and upgrades needed to support consolidations.

In 2013 Community Services Director Keith Benjamin successfully wrote and the City was awarded a State of Ohio Local Government Innovation Fund grant to hire the Center for Public Management of the Maxine Goodwin Levin College of Urban Affairs at Cleveland State University to conduct a "Feasibility Study of Consolidating Public Safety Answering Points (PSAPs)" on behalf of the cities of South Euclid, Beachwood, Euclid, Shaker Heights, and University Heights. The Feasibility Study process was facilitated by the City of South Euclid under the leadership of retired Police Chief Kevin Nietert. The Center's report was issued on September 23, 2013 and the Study found that it was legally, technologically, and financially feasible to consolidate PSAPs in the five cities.

On March 17, 2016, Cleveland Heights, Shaker Heights, South Euclid and University Heights entered into a Memorandum of Understanding (MOU) to apply jointly to the County for funding to support the creation of a joint dispatch center. The cities received \$1 million to assist in the formation of a joint dispatch center.

On June 28, 2016, the four cities entered into an Agreement to form a Regional Council of Governments (COG), pursuant to Chapter 167 of the Ohio Revised Code, to be called the "Heights-Hillcrest Communications Center" (HHCC). Then on September 1, 2017, the four cities entered into an amended COG Agreement with the City of Richmond Heights to add the city to the HHCC as an Original Member, as defined in the HHCC COG Agreement.

HHCC was formed to establish and operate a Public Safety Answering Point (PSAP), a joint Police, Fire and Emergency Medical Services ("EMS") communications system for the dispatch of Police, Fire and EMS services in and for the five cities.

On December 1, 2016, HHCC entered into an Agreement with the Chagrin Valley Dispatch Council (CVD), for CVD to provide the services of a Project Manager to perform the duties of the planning, construction and outfitting of the dispatch center, and to perform the ongoing services as Dispatch Center Manager for day to day operations services, including IT management and financial services, and that services agreement expires on November 30, 2021.

October 17, 2017, HHCC began operations at MetroHealth Medical Center at Severance Center in Cleveland Heights. On November 17, 2017, HHCC began providing dispatch services for the South Euclid and University Heights Police and Fire/EMS services, and for the Shaker Heights and Cleveland Heights Fire/EMS services. On December 15, 2017, HHCC began providing dispatch for the Cleveland Heights and Shaker Heights Police services. Finally, on February 18, 2018, HHCC began providing dispatch for Police and Fire services in Richmond Heights. On May 15, 2019, HHCC entered into a contract with Jewish Family Services, through JFC Security LLC, for security monitoring of various Jewish facilities.

HHCC is governed according to By-Laws and the COG Agreement. The operations are overseen by the Board of Trustees. Each Member community has one representative on the Board, who is the Mayor or City Manager, or their designated representative. The Board appoints a Fiscal Agent (currently Cleveland Heights). Each city contributes \$17,500 annually toward capital costs. Each city also contributes its share of operating costs calculated as each city's pro rata share of the operating budget based on the percentage of billable calls for service received by HHCC for each city. The Board approves the annual budget. The employees voted down a union.

## Proposed Merger of HHCC Members into CVD

The Chagrin Valley Dispatch Council (CVD) is a regional Council of Governments similar to HHCC, and that was formed for the same purpose as HHCC; that is, to establish and operate a Public Safety Answering Point (PSAP), as a joint Police, Fire and Emergency Medical Services (“EMS”) communications system for the dispatch of Police, Fire and EMS services. CVD serves 28 communities from two dispatch centers, in Bedford and Brecksville. Metroparks has joined CVD, and the Cuyahoga County Sheriff’s office is joining CVD.

CVD, through its manager, Nick DiCicco, and his staff, provided the services to create the HHCC dispatch center located at the MetroHealth Medical Center at Severance Center in Cleveland Heights, which began operations in late 2017. CVD has been providing the ongoing services to manage and operate HHCC since the center’s opening. The CVD staff handles the hiring and training of employees, purchasing of equipment, services and supplies, overseeing the day to day operation of the HHCC, handling budgeting and financial services, providing IT services, and otherwise taking care of all operational requirements for HHCC.

The idea of HHCC merging its operations into the larger CVD has been discussed by the HHCC Board and the Police and Fire Chiefs of the 5 member cities for several years. To merge, HHCC’s Board members would have to vote to cease to exist as a COG, and each HHCC member would separately join CVD through a standard form membership agreement provided by CVD.

Under a merger, the Cleveland Heights Center currently occupied by HHCC would continue to operate. CVD would then operate three dispatch centers, in Bedford, Brecksville, and Cleveland Heights. Each Center would have the following:

- A “Chiefs’ Group” comprised of the Fire and Police Chiefs from the cities in that Center. This Group would make decisions about specific operational policies impacting just that Center.
- A “Users Group” comprised of police officers and fire fighters from the communities in that Center who are actual “users” of the dispatch services; i.e. Police Officers who are sergeants or below and Firefighters who are lieutenants or below, representing each city in that Center. The Users Group would make recommendations on specific operational policies of that Center to the Chiefs’ Group.

The CVD Board of Trustees is comprised of the Mayors or City Managers, or their representatives, from each community. Each member community has one vote. The Council meets approximately one time per year, and other times if needed (e.g. to approve a new member). The Board approves: Bylaw changes (the Bylaws were most recently amended in September 2020); the annual budget (by agreement, the budget must be approved by January 31 each year) (CVD is on a calendar fiscal year); acceptance of new members; and the election of CVD officers (President, VP, Secretary).

The current officers of CVD are as follows:

- President - Mayor Holzheimer-Gail, Euclid
- Vice President - Mayor Edward Kraus, Solon
- Secretary - Mayor William Koons, South Russell
- Treasurer - Trustee John Finley, Chagrin Falls Township

The term of all officers is 1 year.

An Executive Committee is comprised of by the President, Vice President, Secretary and three non-officers, which CVD has informed HHCC will always include one representative of each of the three Dispatch Centers (Cleveland Heights, Bedford and Brecksville).

Typically, CVD requires that a new member pay a fee for capital costs, but in this instance there is no such fee for HHCC members, since HHCC already has an operating dispatch center, and all assets of the center will be assigned to CVD. There is a one month's operating expenses deposit required of each new member; this may be able to be paid out of existing HHCC reserves that would not be refunded, but would be paid over to CVD as the HHCC members' entry fee.

The annual fee paid by CVD members is based on the same formula as HHCC uses; that is, each community's proportional share of service calls.

CVD has stated that it intends to hire all HHCC dispatchers as employees of CVD. CVD has 3 contract employees and the rest are at will, with no union.

### **Benefits of a Merger of HHCC Into CVD**

The following is a list of potential benefits to a merger in which HHCC members join CVD:

1. A merger would provide some cost savings for HHCC members, particularly for employee health care, due to the purchasing power and ability to negotiate of a larger COG, utility expense savings (IT network), and in contractual services.
2. CVD has an enterprise fund with revenue from CVD assistance to entities outside of CVD, and the fund benefits all of CVD for future, significant purchases. This fund would then also benefit HHCC members.
3. CVD currently qualifies for funding from the State of Ohio Wireless 9-1-1 fund, while HHCC does not.
4. Fire dispatching efficiencies would be enhanced with a larger dispatch operation.
5. CVD would have 109 employees after the merger, while HHCC has 30 employees. The larger entity would permit management to move employees around more readily for extended employee absences.
6. The Federal, State and County governments have a common policy and practice of encouraging communities to consolidate dispatch operations. By deciding to join CVD, HHCC's members would be determining their own fate, rather than waiting and potentially be forced to join another joint dispatch center.
7. CVD provides the benefit of a dedicated full time finance department, and IT Department.
8. A larger entity provides a greater possibility of attracting grant funding. For example, CVD received the following grants:
  - a. a \$784,000 AGF Grant (Purchased Zetron Fire Station Alerting hardware and software for all the member fire departments to page out the fire departments for calls. Also purchased MD's for all member fire departments, for calls in the apparatus.)
  - b. an \$850,000 UASI Grant (It was used to purchase and distribute portable radios to every member police and fire department.)
  - c. a \$330,000 County Shared Services Grant (This grant helped fund an additional dispatch position and associated equipment); and
  - d. a \$50,000 UASI Grant (This was used to add a Cellular 'tower' to the Communications truck, which can be deployed and establish a small cellular network for public safety.)

## Recommendation

The Administration requests that Council approve the accompanying ordinance that would:

1. Authorize the City to vote as a member of the Heights Hillcrest Communications Center (HHCC) to:
  - a. dissolve the HHCC as a Council of Governments;
  - b. assign all of the assets of the HHCC to the Chagrin Valley Dispatch Council (CVD); and
  - c. to take such other actions as are necessary in order to terminate the operations of HHCC, and to permit the continued operations of the Cleveland Heights Dispatch Center within CVD without interruption.
  
2. Authorize the City to enter into an agreement to join the Chagrin Valley Dispatch Council (CVD), and to take such other actions and enter into such other agreements as are necessary to permit the continued operations of the Cleveland Heights Dispatch Center within CVD without interruption. The agreement between the City and CVD would be in the form substantially as set forth in the agreement attached to the ordinance.

The proposed legislation and powerpoint presentation is attached to this memo. Please don't hesitate to let me, Chief Mays and/or Chief Stefko know if you have any questions or if you need any additional information.

Thank you in advance for your due diligence of this important matter.

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 19-21  
INTRODUCED BY: Frank  
REQUESTED BY: Mayor

July 26, 2021

AN ORDINANCE

AUTHORIZING AN AGREEMENT WITH THE CHAGRIN VALLEY DISPATCH COUNCIL (CVD), A REGIONAL COUNCIL OF GOVERNMENTS, PURSUANT TO OHIO LAW, TO JOIN CVD'S JOINT POLICE, FIRE AND EMERGENCY MEDICAL SERVICES COMMUNICATIONS SYSTEM FOR THE DISPATCH OF POLICE, FIRE AND EMS SERVICES IN AND FOR MULTIPLE COMMUNITIES, AND AUTHORIZING THE CITY TO APPROVE THE DISSOLUTION OF THE HEIGHTS HILLCREST COMMUNICATIONS CENTER (HHCC).

WHEREAS, the cities of Shaker Heights, Cleveland Heights, South Euclid and University Heights (the "Original Cities") entered into an Agreement effective on June 28, 2016, to form a Regional Council of Governments ("COG"), pursuant to Chapter 167 of the Ohio Revised Code, to be called the "Heights-Hillcrest Communications Center" ("HHCC"); and

WHEREAS, on September 1, 2017, the Original Cities entered into an amended COG Agreement with the City of Richmond Heights to add said City to the HHCC as an Original Member (together referred to as the Cities); and

WHEREAS, the HHCC was formed to establish and operate a joint Police, Fire and Emergency Medical Services ("EMS") communications system for the dispatch of Police, Fire and EMS services in and for the Cities; and

WHEREAS, on December 1, 2016, HHCC entered into an Agreement with the Chagrin Valley Dispatch Council (CVD), for CVD to provide the services of a Project Manager to perform the duties of the planning, construction and outfitting of the dispatch center, and to perform the ongoing services as Dispatch Center Manager for day to day operations services, including IT management and financial services, and that services agreement expires on November 30, 2021; and

WHEREAS, the Board of the HHCC, which is comprised of by the Mayors or City Manager of each member of HHCC, or their representatives, has, by consensus, agreed to consider a proposal to dissolve HHCC and individually join the Chagrin Valley Dispatch Council (CVD), while continuing to operate as a separate Cleveland Heights Center within CVD; and

WHEREAS, the authorization for each member to dissolve the HHCC and join CVD, is subject to the approval of each city's Council; and

WHEREAS, CVD serves 28 communities, and a merger of HHCC into CVD would provide cost savings, particularly for employee health care, due to the purchasing power and ability to negotiate of a larger COG, utility expense savings (IT network), and in contractual services, and CVD has an enterprise fund with revenue from CVD assistance to entities outside of CVD, and the fund benefits all of CVD for future, significant purchases; and

WHEREAS, CVD currently qualifies for funding from the State of Ohio Wireless 9-1-1 fund, while HHCC does not; and

WHEREAS, Fire dispatching efficiencies would be enhanced with a larger dispatch operation; and

WHEREAS, the Federal, State and County governments have a common policy and practice of encouraging communities to consolidate dispatch operations; and

WHEREAS, this Council agrees that it is in the best interests of the City and its citizens that the City should agree to dissolve HHCC and enter into an agreement to join the Chagrin Valley Dispatch Council (CVD).

NOW THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: This Council hereby authorizes the City to vote as a member of the Heights Hillcrest Communications Center (HHCC) to dissolve the HHCC as a Council of Governments, to assign all of the assets of the HHCC to the Chagrin Valley Dispatch Council (CVD), and to take such other actions as are necessary in order to terminate the operations of HHCC, and to permit the continued operations of the Cleveland Heights Dispatch Center within CVD without interruption.

Section 2: This Council hereby authorizes the City to enter into an agreement to join the Chagrin Valley Dispatch Council (CVD), and to take such other actions and enter into such other agreements as are necessary to permit the continued operations of the Cleveland Heights Dispatch Center within CVD without interruption. The agreement between the City and CVD shall be in the form substantially as set forth in the agreement attached hereto and incorporated herein.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, 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 enforced from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Joseph Frank, President of Council

Attest:

Approved:

\_\_\_\_\_  
Keith A. Benjamin, Clerk of Council

\_\_\_\_\_  
Georgine Welo, Mayor

Approved as to form:

\_\_\_\_\_  
Michael P. Lograsso, Director of Law