



CITY OF WARRENSVILLE HEIGHTS Office of the Council

REGULAR MEETING MINUTES OCTOBER 18, 2022

Call to Order: Mayor Bradley D. Sellers at 7:00p.m.

Attendance: Councilwoman Dorise Thompson-Hagwood, Councilman Johnny L. Williams Jr. Councilwoman Elona C. White, Councilman Walter Stewart, Councilwoman Andrea Mitchell, Councilman Matthew Howard and Council President Stanley Anderson
Roll Call: 7 Present

Prayer: Councilman Walter Stewart

Minutes: October 4, 2022 Regular Meeting
Motion to Approve by Council President Anderson, Seconded by Councilman Howard
Roll Call: 6 Ayes; 0 Nays; 1 Abs – Motion Carried

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

Residents' Requests and Comments:

Attorney Diane Calta stated she wanted to renew her request. She is present on behalf of her client George Phillips-Olivier with Step Forward which was a matter before Planning Commission and now before City Council. She stated she appreciated Council's comments during Caucus and ask that Ordinance 2022-111 be tabled to give them some additional time. If Council is unwilling to table the matter she asked that they withdraw the application. She stated it is their intention to come back before the city to move forward with an application based upon the classification of the use of a school.

Attorney John Slagter stated he is with Tucker Ellis Law Firm. He stated he is present on behalf of BCM Richmond Highlands which owns the property that is adjacent to the proposed daycare center that is the subject of Ordinance 2022-111. He stated he and his client object to the proposed daycare center. He stated his client believes the daycare center will negatively impact the use and value of their property. He reported if the matter is approved, unfortunately his client will have no choice but to challenge it legally. Mr. Slagter stated that they appeared before the Planning Commission and had two separate planning experts testify and gave expert reports that the proposed use is not proper in a U7A District. He reported the Planning Commission decided on an application made by Head Start

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where they identified their proposed use as a child daycare center. That is what they are and the Revised Code talks about Head Start and what that is and what a child daycare center is. He stated they don't believe they are a school or some other agency they're going to define themselves as. It is not the issue that is before this body and not the issue before Planning Commission. Attorney Slagter stated the issue was an application for a Similar Use under the city's code and for Conditional Use approval. They believe based on the evidence and testimony that was presented, the Planning Commission made the correct decision. He added that the City Planner felt this was not proper in the U7A area because the city just changed the code. He stated a lot of time was spent with multiple experts. The tenant in the building which is a Fortune 500 Company testified during the public hearing and stated their concerns that this was not compatible or appropriate. They want the record to reflect their objection. He thanked City Council for their consideration. He stated that Head Start is a good facility but it needs to be in the right place. He stated this office park that was funded through a CRA tax abatement is not a proper place for this type of use.

Rob Risman, Principal of BCM Richmond Highlands, CEO/President Burton Carol Mgt. stated he wanted to emphasize what he stated at Planning Commission. He has an emphatic objection to the daycare center being raised in that office building. He stated he has been in the real estate business for 35 years and is an attorney and licensed real estate broker. He is focused on real estate management and a daycare in the building directly in front of them is going to have major negative impact on the investment he made on the building. He stated his tenant on the first floor will not want to stay there and does not know if his management company will either because it is not an appropriate use. He reported in 2009, they came to the City of Warrensville Heights from Chagrin Blvd. where their offices were. He stated before they purchased the building from the owner, who is now making application to change the use of the building in front of us to a daycare, he met with the owner of the building when Mayor Sellers was Economic Development Director. They were very much buoyed by the vision of the corridor as an economic driver for the city. That is why they spent a lot of money, paying over \$200 a foot for that building. He stated they paid that because they believed in the city. They feel that a daycare center with a playground in the front is not the right use for that building. He stated as part of the purchase of the property, they signed a REA agreement which governs the neighbors and who has what responsibility. He stated part of that agreement stated the office buildings are to be contained and repaired as a first-class office building. Also, he stated when purchasing the building they took assumption with the CRA agreement that the investment was assigned to them as a very valuable thing. They got 49% tax abatement for 10 years and the builder was the one that entered into that. It was put in the application and they assumed it was to build first-class office buildings and attract office tenants from Chagrin Blvd. So that's what they expected and that's what they bought. He stated they can call it a school but it's not a school, it's a daycare. It will be very detrimental to their investment. He thanked City Council for their time.

Janice Rox, Ward 2 Resident stated she is present as a member of the Planning Commission. She stated she hopes that her colleagues will uphold the Planning Commission's decision to deny this

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request. She stated she has been on the Planning Commission since former Mayor Marcia Fudge was there so she's been with the city for quite a long time on Planning Commission. She stated it was a very hard decision for them to make and they don't take their jobs lightly. She reported the Commission took everything under consideration and worked very diligently to make their final decision. She stated they considered all the facts, all the recommendations and all the testimony from each side. Ms. Rox reiterated the Commission takes their job seriously when making a decision. She stated they stand by their recommendation and hopes City Council stands by it as well.

Order of the Day

1. Ord. 2022-110

COUNCILMAN MATTHEW HOWARD (PLANNING COMMISSION CHAIR)

ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE THE APPLICATION OF RASHAD HOPKINS OF START 2 FINISH AUTOMOTIVE LLC, REPRESENTING ENVISION WARRENSVILLE LLC, FOR A CONDITIONAL USE PERMIT TO OPERATE AN AUTOMOTIVE REPAIR BUSINESS LOCATED AT 4370 CRANWOOD PARKWAY, WARRENSVILLE HEIGHTS, OHIO, 44128, PPN 762-04-029.

Motioned by Councilwoman Hagwood, Passage by Councilwoman Hagwood, Seconded by Councilman Stewart

Roll Call: 7 Ayes; 0 Nays; 0 Abs – MOTION CARRIED

2. Ord. 2022-111

COUNCILMAN MATTHEW HOWARD (PLANNING COMMISSION CHAIR)

ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO DENY THE APPLICATION OF GEORGE PHILLIPS-OLIVIER OF STEP FORWARD, REPRESENTING RICHMOND ROAD PARTNERS LLC, FOR A CONDITIONAL USE PERMIT TO OPERATE A DAYCARE FACILITY LOCATED AT 4834 RICHMOND ROAD, WARRENSVILLE HEIGHTS, OHIO, 44128, PPN 763-28-006.

Motioned by Councilwoman White, Passage by Councilman Williams, Seconded by Councilwoman Mitchell

Roll Call: 7 Ayes; 0 Nays; 0 Abs – MOTION CARRIED

3. Ord. 2022-112

MAYOR BRADLEY D. SELLERS

AUTHORIZING THE CITY OF WARRENSVILLE HEIGHTS TO ENTER INTO AN AGREEMENT WITH MARTIN C. AND BRIAN MAHONE TO PURCHASE THE PROPERTY LOCATED AT 23700 EMERY ROAD, WARRENSVILLE HEIGHTS, OHIO 44128, PPN 763-16-002 FOR \$109,100.00, PLUS CLOSING COSTS, PURSUANT TO ARTICLE VI, SECTION 5 OF THE CHARTER OF THE CITY OF WARRENSVILLE HEIGHTS.

Motioned by Councilwoman White, Passage by Council President Anderson, Seconded by Councilman Williams

Roll Call: 6 Ayes; 0 Nays; 1 Abs – MOTION CARRIED

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- 4. Ord. 2022-113** **COUNCILMAN MATTHEW HOWARD (PLANNING COMMISSION CHAIR)**
ACCEPTING THE RECOMMENDATION OF THE PLANNING COMMISSION TO APPROVE THE APPLICATION OF ALDO DURE OF BE NEXT AWNINGS & GRAPHICS, INC., REPRESENTING CHIAROSCURO MOTIONS, LLC, FOR THE INSTALLATION OF AN ILLUMINATED WALL SIGN FOR HOOKAH TALES INC. LOCATED AT 20019 HARVARD AVENUE, WARRENSVILLE HEIGHTS, OHIO 44122, PPN 761-09-013.
Motioned by Council President Anderson, Passage by Councilwoman White, Seconded by Councilman Williams
Roll Call: 6 Ayes; 1 Nay; 0 Abs – MOTION CARRIED
- 5. Res. 2022-040** **MAYOR BRADLEY D. SELLERS**
AUTHORIZING THE MAYOR TO APPROVE THE COMMUNITY REINVESTMENT AREA RESIDENTIAL TAX ABATEMENT APPLICATION OF JACOB MAISTROS FOR 22701 VERA STREET, WARRENSVILLE HEIGHTS, OHIO 44128, PERMANENT PARCEL NUMBER 763-10-041, PURSUANT TO CHAPTER 3735 OF THE OHIO REVISED CODE.
Motioned by Councilwoman Mitchell, Passage by Council President Anderson, Seconded by Councilman Howard
Roll Call: 7 Ayes; 0 Nays; 0 Abs – MOTION CARRIED

Announcements from Directors:

Civic & Senior Center – Director Jennifer Lastery wished everyone a good evening. She announced the Senior Club will be hosting a Halloween Party on Friday, October 28, 2022 from 7p.m.-10p.m. She stated flyers are on the lectern. She encouraged all attendees to wear a costume and there will be prizes awarded. She shared there will be a great band and food. The cost is \$20 per person and she looks forward to seeing everyone there. She announced the Giving Thanks Gospel Concert will be on Thursday, November 17, 2022 and it is a free event.

Communications Department – Director Jeff Gates reminded everyone to mark their calendars because Trunk or Treat is back. The event will be held on Tuesday, October 25, 2022 from 6p.m.-8p.m. He stated it is a safe alternative to trick or treating and will be held in the parking lot of South Pointe Hospital.

Announcements from Council:

Councilwoman Andrea Mitchell wished everyone a good evening and thanked them for attending the meeting. She stated she appreciated those who spoke during Public Comment. She announced there will be a Ward 2 Community Meeting on Saturday, October 29, 2022 via Zoom at noon. She stated the information for the Zoom will be posted.

Councilman Walter Stewart wished everyone a good evening and thanked them for coming out. He asked they have a very safe evening.

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Councilwoman Dorise Thompson-Hagwood thanked everyone for joining them.

Councilwoman Elona C. White commended the staff and the Mayor on the Open House and stated it was a great event that was well-attended.

Councilman Johnny L. Williams Jr. gave kudos to the Administration for the Open House stating that it was very well done. It is nice to show off the new building. He asked that they all become voting influencers. He commented that the new sexy term for young people is to be an influencer and they get paid tens and hundreds and thousands of dollars. They measure each other based on their followership on social media. He stated those who are older can be an influencer with their neighbors and family. He stated apathy and ignorance is a terrible thing and we cannot put our heads in the sand these days and think things will be okay and fine. They need to put some pressure on anyone that is within their reach because they need to do the right thing because by golly people DIED for our right to vote so HOW DARE WE not vote. They have three weeks from today so please be a voting influencer.

Councilman Matthew Howard wished everyone a good evening and thanked them for coming out. He commented as Chair, that Planning Commission did work very hard and had long discussions about Ordinance 2022-111 and the decision was not made easily. A lot of things were considered. The Commission has a lot of dialogue with the city attorney and consultants and a lot of work goes into it. They try to be lenient with applicants but sometimes it is not the right location or fit or there's something going on behind the scenes they were unaware of. He thanked Commissioner Janice Rox for her comments. He announced the Clarkwood Estates Residents Association will be having their last meeting of the year on Thursday, October 27, 2022 at 7p.m. at the Civic & Senior Center. He acknowledged two colleagues that he sit with on the YMCA Board, Executive Director Michael Carter and Executive Board Member LaRese Purnell who serves at the main location downtown. He shared there is a flyer with updates on the lectern of some of the upcoming events. He stated most of the programs do not require membership but he hopes everyone is a member because it is a great place to be. He shared that the YMCA is looking for youth to participate in the Junior Cavs program so see him or his colleagues in attendance if interested.

Law Department

Law Director Teresa Metcalf Beasley had nothing to report.

Council President's Comments

Council President Stanley Anderson thanked everyone for coming out and stated he is happy to see many people stayed over from the Open House. He commented he'd like to see residents make it a habit of attending council meetings. He asked that they please come back again soon.

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Mayor's Comments

Mayor Bradley D. Sellers thanked everyone for attending the meeting. He thanked everyone for coming out to the Open House and was happy for folks to know what their investment looks like. He stated all departments are housed in the building except for Service and Fire; however, the entire Board of Education is upstairs making it a one-stop shop. He recognized Ms. Rox and Ms. Strong from Planning Commission in attendance; Ms. Roberts from Board of Zoning & Appeals; Ms. Mumin from the School Board; Ms. Tullos and Mr. Hicks from Civil Service Commission; and Michael Carter from the YMCA. He shared that LaRese Purnell is a Warrensville fan as he was raised up in this city and is a prominent CEO of a company in Cleveland. He stated he is passionate about black-owned business all over the country. Mr. Purnell has a phenomenal class at Tri-C for small business and he was invited to do an opening for them last week. Mayor Sellers shared Mr. Purnell had panelist from all over the country that participated and also an event at the eastern campus for people that have a hunger and a thirst for knowledge about running a business. He thanked Mr. Purnell for doing this. He commented that no one on the dais thinks Head Start is not a noble operation but sometimes when they sit in these seats it is about making sure that they vetted an application the right way. He thanked Planning Commission for taking what was given to them and reacting to that. He commented there are good people sitting here in various positions that are committed to making Warrensville better. He thanked everyone involved in the process. Lastly, he had his staff stand and they were applauded for their efforts with the Open House event.

Adjournment

Adjournment at 7:40p.m.

11/01/2012

APPROVED



Amber Joyner, Clerk of Council

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