



REBUTTAL TO LETTER NANCY LEVIN SENT MAYOR BRENNAN ON DEC. 17, 2021 (COPY OF FULL LETTER FOLLOWS)

In December 2021, Heights Library Executive Director Nancy Levin wrote to University Heights Mayor Michael Dylan Brennan to appraise him of the situation with Coventry PEACE Campus. The apparent intent was to prepare him for the impending Heights Library Board of Trustees vote against granting a long-term lease to CPC, as previously agreed.

As in other emails and memos we've seen, there are too many misleading and false claims to address, but we think it's important to point out the most damaging.

The whole crux of the matter is financial. The library cannot subsidize the CPC. They have approximately \$30,000 in the bank. They have no credit and we are already floating them \$60K to repair the HVAC.

Coventry PEACE Campus has never been subsidized by the library and has never sought it. Even through the pandemic, we have continued to cover all costs of operating and maintaining the building, as well as rent to the library.

Our projections are solidly backed up and show positive growth year over year. And conversion to the long-term lease would have relieved the library of the contractual requirement to front the costs of projects over \$10,000.

Our fundraising plan laid out the various channels through which we would seek funding for large-scale projects. With bills and vendor contracts in CPC's name, we could build the credit profile that lenders require in a couple of years. The library understood and agreed with this in 2020. This year, the Cleveland Foundation expressed interest in providing collateral funding while we build our credit profile. But Levin refuses to cooperate with us on this.

The whole crux of the matter is financial. The library cannot subsidize the CPC. They have approximately \$30,000 in the bank. They have no credit and we are already floating them \$60K to repair the HVAC.

This is an accounting error by the library (not the first or largest). Between the surplus in the utilities account, and our bank account, we have around \$60,000 in reserves.

The whole crux of the matter is financial. The library cannot subsidize the CPC. They have approximately \$30,000 in the bank. They have no credit and we are already floating them \$60K to repair the HVAC.

We already covered the issue of credit, but it's worth noting that Levin is essentially criticizing CPC for lacking the independence that she refuses to grant. "Floating them 60k" is a strange way to characterize paying for repairs to a building they own (especially considering there was a repayment plan already in place — more on that below).



CPC: this is a sudden issue.

They participated fully in the crafting of the lease requiring governance and financial submissions to the library and agreed to having one year to meet these requirements. We have been talking all along. We already agreed to taking out a clause that they put in and now wished to remove- that would have made them additionally responsible for the land

At the time Levin wrote this, she had not even been in our building for a meeting with CPC since October 2021. The only meeting she had with CPC leadership was in the early fall, regarding the HVAC system at our building. The ex-officio board member the library appointed to our board relayed to us repeatedly, into December, that everything appeared to be on track for the conversion. We had no reason to believe that there were going to be any issues with the agreed upon conversion.

But once we learned that the conversion may not happen, communication plummeted and became entirely one-sided. We asked repeatedly for meetings, before and after the board vote, but were denied. For months the board has communicated with us only through its attorney.

a clause that they put in and now wished to remove- that would have made them additionally responsible for the land around the building. Then we agreed to rebuild the outside steps. We paid for an engineering study and the HVAC refurbishment (with terms to make paying us back for the HVAC repair palatable with their budget.) There is nothing

The exterior has *always* been the library's purview. Incidentally, these stairs were left in disrepair for months, and a visitor was injured on them.

a clause that they put in and now wished to remove- that would have made them additionally responsible for the land around the building. Then we agreed to rebuild the outside steps. We paid for an engineering study and the HVAC refurbishment (with terms to make paying us back for the HVAC repair palatable with their budget.) There is nothing

This transpired in mid-November, with less than two months to go until the conversion. The Library requested we pay the \$10,000 for the engineering study from the surplus we had accrued through overpayments to the library for utilities. The CPC board voted to approve this approach with two options: if the Library wanted the funds immediately, they could use them but would have to agree to refund the cost if the lease conversion did not go through; or, they would need to wait to use those funds until after the conversion.

The first part of the work was not completed until after they decided not to convert the lease, and we were left without heat in the building until February. The work is still not complete and we still do not have functioning air conditioning. Also, the repayment terms they laid out were presented before they had reviewed our budget, and we never requested any specific term. The library said they wanted a six-year repayment term and that's what we put into our budget.



CPC Statement: The library had a vote at a committee meeting that was 2-1 against continuing with the lease options. Library: This is false and it is against the law. We did not take any kind of vote and I don't know how they would find themselves in possession of any knowledge of our activities that day.

that two of the three committee members opposed moving ahead with the conversion. Levin's annoyance that we learned about it changes nothing, and implies that no one has a right to know how this public institution made this important decision.

Furthermore, we remain concerned about how the meeting was conducted. Their meeting notice did not mention executive session. Additionally it was held via Zoom with no public notice as to how the public could observe the meeting, or, as it turned out to be held in executive session, the portion of the meeting that would have been open to the public. It's difficult to understand why this meeting was conducted entirely in executive session as the lease information and documents we submitted were all a matter of public record.

officer, our Facilities Manager and myself have put thousands of hours into this project. We paid for the IFF study and the AEC engineering study. The library has footed the bill for all legal expenses including hours of negotiations on the lease that they signed one year ago with the terms carefully spelled out. (Certainly not

This is false. The IFF study was funded by a 5/3 Bank grant that IFF obtained, and a Cleveland Foundation grant that FutureHeights obtained. The library paid for its own legal fees, not CPC's.

people to the park which was the subject of much community support in 2017-2018. While people are clamoring for a public square at Lee-Meadowbrook, we have created one just a mile away. One idea-and it is only an idea-is to hire a property manager and offer the spaces at rents that will support the full operation of the

This is not just false, it's bizarre. Heights Library has not "created" anything on the site. Everyone knows that the Coventry PEACE playground and park was created by Coventry PEACE, Inc., founded by Coventry School parents and other community members in the 1990s, in cooperation with the CHUH school district. Coventry PEACE Inc. continued to maintain the site for many years, and donated its remaining funds to the library for future playground improvements, before converting its mission to supporting the building and its tenants.

PEACE Park will be renovated. We have held community engagement for all people to share their ideas about the park and we have plans being drawn up for renovations. We anticipate construction to begin on the playground within the next year.

This is welcome news. But this was written five months ago, and the library has only just hired a fundraising consultant.



We have cleaned and maintained the building, including snow plowing, salt and lighting. We introduced the CPC to all of our vendors without whom they would not be functioning. They benefit from state pricing on utilities now but would no longer once they exercised their option. Our professional services have made it

The library paid for one deep clean of the building soon after acquiring it, and cleaned out the former day care center after that tenant (brought in by the school district and never affiliated with CPC) was evicted. The library hired a cleaning service, which the tenants paid for, and the tenants began overseeing cleaning after the library released the service. CPC also pays for all maintenance of the building. Plowing, salt and outdoor lighting have never been part of CPC's responsibilities, but the rent we pay, over and above the costs of operating and maintaining the building, can be used for these expenses.

We have cleaned and maintained the building, including snow plowing, salt and lighting. We introduced the CPC to all of our vendors without whom they would not be functioning. They benefit from state pricing on utilities now but would no longer once they exercised their option. Our professional services have made it

This is baseless and demeaning, and ironically, it contradicts the claim that the library cleans and maintains the building. It is also worth mentioning that according to the lease agreement, CPC has the right to choose vendors and contracts, yet we have discovered the library re-signed a contract in the fall for an HVAC vendor without our knowledge or consent.

CPC to all of our vendors without whom they would not be functioning. They benefit from state pricing on utilities now but would no longer once they exercised their option. Our professional services have made it possible for them to get to this point. The building will not be allowed to deteriorate no matter the outcome.

We have gotten to a point, or we have failed? Which is it? Petty, unsubstantiated statements like this have become common, and suggest a willingness to damage the tenants' reputations if that's what it takes to end the CPC project.

Library: We inherited these tenants from the Schools and we gave them many chances to operate the building independently. They continue to fail to follow the path that was laid out for them by the experts at IFF. IFF is mission-driven lender, real estate consultant, and developer that works with nonprofits. The IFF has assisted

We can't tell if Levin is being disingenuous here, or genuinely does not understand IFF's input or how nonprofits operate. IFF did not give us a "path," because like in any business, there is no one path to success. IFF gave us a guide with options, and a clearer understanding of the physical needs of the building and how to prioritize our spending. We chose from those options and informed the library of our decisions, and from this information we both negotiated and signed the lease agreement in 2020 (that agreement that included the conversion to a long-term lease in January 2022). We'd be happy to review all of this with you or a member of the city staff.



individual tenants in securing funds during the pandemic.

The library now has the opportunity to revisit **many other options** for the building's use. We have not set a date for the tenants to depart the building, we are not "kicking them out," but their experiment with

"Many other options." Let's review the options they've discussed in internal communications:

- Tear the building down. This comes up more than once. Levin states matter-of-factly in one email that this will cost \$400,000, but if she's consulted a single expert on this, she's kept it a secret. We suspect this figure is a reference to a comment made more than five years ago at a meeting of the CH-UH Board of Education, which owned the property at the time. And it was a guess by a school district official, not a meaningful estimate. And let's say that is the cost — where is that money coming from?
- In the same email, Levin muses that the library could expand the park space and "build a restroom and classroom at a later date." Where is *that* money coming from? Levin wants everyone to believe that on the one hand, the library can't afford to let the CPC stay in the building, covering all costs *and* paying rent, but it can easily find millions to tear down the building, create park space and build new facilities on it.
- Levin again: "What if we sold the building? Split the lot once again and sell the property on the east side for housing." This is not the only mention of redevelopment of the site, which the community strongly opposed in 2017, when it came to light that the Board of Education was planning to turn it over to the city for unspecified development.

Indeed, nowhere in the emails we've seen do Levin or other library leaders show the slightest interest in what the community wants. It never seems to cross their minds. They have no plan. They practically admit as much in this line: "With all of the talented and creative minds in the picture, if the Building is no longer contemplated, I'm sure there will be lots of ideas to fill a bigger blank canvas."

Here's an idea — a hub for arts organizations and other non-profits, like residents said they wanted when the school district commissioned a committee to gather input after closing the Coventry School. That led to what is now the Coventry PEACE Campus, an arts incubator and community services hub employing dozens and serving thousands, with long-term plans for growth. And the library leadership wants to throw it all away for ... a bathroom. Or houses. Who knows.

We hope all elected officials in University Heights will look very closely at what's being proposed, and what will be lost. We are ready and eager to meet with you to discuss ways forward that benefit CPC, Heights Library and both cities that they serve.



COPY OF LETTER NANCY LEVIN SENT BRENNAN SEREN ON DEC. 17, 2021

Deborah Herrmann

From: Nancy Levin
Sent: Tuesday, December 21, 2021 9:42 AM
To: Brennan Michael Dylan
Subject: CPC -letter of support

Dear Michael,

Congratulations on your pending Mayoral term! You have always been willing to talk and work well with the library and we appreciate you very much. I apologize for this long email.

Thank you for your letter of support for the Coventry PEACE campus.

The whole crux of the matter is financial. The library cannot subsidize the CPC. They have approximately \$30,000 in the bank. They have no credit and we are already floating them \$60K to repair the HVAC.

Below are some of my thoughts on the statements made in the CPC email today.

CPC: This is a sudden issue.

They participated fully in the crafting of the lease requiring governance and financial submissions to the library and agreed to having one year to meet these requirements. We have been talking all along. We already agreed to taking out a clause that they put in and now wished to remove- that would have made them additionally responsible for the land around the building. Then we agreed to rebuild the outside steps. We paid for an engineering study and the HVAC refurbishment (with terms to make paying us back for the HVAC repair palatable with their budget.) There is nothing sudden about the financial reality they face.

CPC Statement: The library had a vote at a committee meeting that was 2-1 against continuing with the lease options.

Library: This is false and it is against the law. We did not take any kind of vote and I don't know how they would find themselves in possession of any knowledge of our activities that day.

CPC Statement: This was always the plan. In 2018, Heights Library Executive Director Nancy Levin told

Cleveland Heights Patch: "Our goal is for the tenants to be independent. We don't want to be landlords — we will be acting as a kind of incubator, supporting the tenants until they can take over ownership and management of the property themselves."

Library: This statement is true and the Library tried incredibly hard to help them get off the ground. Our fiscal officer, our Facilities Manager and myself have put thousands of hours into this project. We paid for the IFF study and the AEC engineering study. The library has footed the bill for all legal expenses including hours of negotiations on the lease that they signed one year ago with the terms carefully spelled out. (Certainly not "suddenly") After all these years they still don't have the funds to safely and responsibly manage the building and that is why I am urging the Board of Trustees to vote no.

CPC statement says the worse option is an empty building. We disagree. The ownership by the Library has been great for the community.

Library: With the original purchase we have possession of the free parking lot for library visitors and visitors to the Coventry business district, the PEACE park and all of the land in this 6 acre parcel. We have welcomed all people to the park which was the subject of much community support in 2017-2018. While people are clamoring for a public square at Lee-Meadowbrook, we have created one just a mile away. One idea--and it is only an idea-- is to hire a property manager and offer the spaces at rents that will support the full operation of the building including a reserve. For tax reasons and for the purposes of the current occupancy permit we would have to



COVENTRY P.E.A.C.E. CAMPUS

coventrypeacecampus.org

rent to non-profits. (Which is entirely possible at below market rate.) We have not said that the tenants have to leave, but they will enter a holdover period after Dec. 31.

PEACE Park will be renovated. We have held community engagement for all people to share their ideas about the park and we have plans being drawn up for renovations. We anticipate construction to begin on the playground within the next year.

We have cleaned and maintained the building, including snow plowing, salt and lighting. We introduced the CPC to all of our vendors without whom they would not be functioning. They benefit from state pricing on utilities now but would no longer once they exercised their option. Our professional services have made it possible for them to get to this point. The building will not be allowed to deteriorate no matter the outcome.

Library: We inherited these tenants from the Schools and we gave them many chances to operate the building independently. They continue to fail to follow the path that was laid out for them by the experts at IFF. IFF is mission-driven lender, real estate consultant, and developer that works with nonprofits. The IFF has assisted individual tenants in securing funds during the pandemic.

The library now has the opportunity to revisit **many other options** for the building's use.

We have not set a date for the tenants to depart the building, we are not "kicking them out," but their experiment with managing the building is over.

If you would like to discuss I am available.

I just thought you should know what is happening.

Nancy

Nancy S. Levin

Director

She/Her

Heights Libraries

2345 Lee Road

Cleveland Heights, Ohio 44118

(216) 932-3600, x 1240

www.heightslibrary.org

A Library Journal Star Library || "Here for you, wherever you are"