



September 16, 2024
Regular Meeting
7:30 PM

Cleveland Heights City Hall
Council Chambers
40 Severance Cir
Cleveland Heights, Ohio

MEETING MINUTES

1) Meeting called to order by Council President

Start: 7:39 p.m.

2) Roll Call of Council Members

Present: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

Excused: None

Also present: Mayor Seren, Director Hanna, Clerk Balester, City Administrator Williams

3) Excuse absent members

4) Amendments to the Agenda (if necessary)

5) Approval of minutes from previous meeting(s)

a. May 20, 2024

APPROVED

b. September 9, 2024

APPROVED

6) Communications from the Mayor

- Ohio Division of Liquor Control has approved the Cedar-Lee DORA; signs are being printed and should be installed prior to the Heights Music Hop event.

- He spoke about the arts in Cleveland Heights and reflected on his and Council's roles as advocates for the arts.

7) City Administrator's Report

- Nothing to report

8) Departmental Report(s)

9) Report of the Clerk of Council

- a. Notify council that an application has been received from the Ohio Division of Liquor Control for a new D5 permit for Wizbang Theatre LLC located at 2134 Lee Rd.

This matter has been referred to the Mayor and Chief of Police

10) Public Comment - Legislative Agenda Items only

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).

Speakers

Name	Citizen/Board Member/Other	Topic
Adam Fleischer	Citizen	Funding for Happy 5k/10k
Lou Radivoyevitch	Citizen	Funding for Happy 5k/10k
Judith Ryder	Citizen	Coventry Peace Campus
Paul Volpe and Jennifer Wintener	Citizen	Coventry Peace Campus
Vikas Turakhia	Citizen	Coventry Peace Campus
Annette Iwamoto	Citizen	Coventry Peace Campus
Krista Hawthorne	Citizen	Coventry Peace Campus

Fern Haught	Citizen	Coventry Peace Campus
Amy Rosenbluth	Citizen	Coventry Peace Campus
Diedre McPherson	Citizen	Coventry Peace Campus
Lee Chilcote	Citizen	Coventry Peace Campus
Patti Carlyle	Citizen	Coventry Peace Campus

11) **Public Comment - General**

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).

Speakers

Name	Citizen/Board Member/Other	Topic
David Klain	Citizen	Pedestrian crosswalk between Overlook and Harcourt Rd.
Harley Rubin	Citizen	Trans rights in Cleveland Heights
Richard Bozic	Citizen	Turkey Ridge Land
Christopher Brace	Citizen	Safe streets
Austin Gilchrist	Citizen	Strong Towns Heights
Drew Herzig	Citizen	Arts Commission

12) **LEGISLATION**

Note: The title for each piece of legislation contains a parenthetical reference to the Council Committee within which the subject matter of the legislation falls. Council Committees are abbreviated as follows: (AS)-Administrative Services; (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation; (F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public Safety and Health. See Resolution 97-2022 for a list of Council Committee subject matter areas.

a. First Readings – Consideration of Adoption Requested

RESOLUTION NO. 176-2024(PD): First Reading. A Resolution authorizing the Mayor to submit a joint application with the City of East Cleveland to the Northeast Ohio Area Wide Coordinating Agency (“NOACA”) for a grant under the Transportation for Livable Communities Initiative (“TLCI”) Implementation Grant Program to fund Phase 2 of the Taylor Road Corridor Road Reconfiguration and to accept and enter into any agreements related to the Grant Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

LEGISLATION PASSED

RESOLUTION NO. 177-2024(PSH): First Reading. A Resolution authorizing the Mayor to enter into an agreement with American Builders and Applicators, LLC, a certified lead abatement contractor, for the use of Lead Safe Cuyahoga (LSC) Grant funds in connection with the abatement of lead-based paint hazards at 989 Oxford Road, a 12-unit apartment building; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

LEGISLATION PASSED

RESOLUTION NO. 178-2024(PSH): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Omega Brother, LLC, a certified lead abatement contractor, for the use of Lead Safe Cuyahoga (LSC) Grant funds in connection with the abatement of lead-based paint hazards at 1681 and 1683 Lee Road, a 2-unit house; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Craig Cobb
Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch
No: None

LEGISLATION PASSED

RESOLUTION NO. 179-2024(PSH): First Reading. A Resolution authorizing the Mayor to enter into an agreement with American Builders and Applicators, LLC, a certified lead abatement contractor, for the use of Lead Safe Cuyahoga (LSC) Grant funds in connection with the abatement of lead-based paint hazards at 2201 North Taylor Road, a 6-unit mixed-use building; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson
Seconded: Jim Petras

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch
No: None

LEGISLATION PASSED

RESOLUTION NO. 180-2024(PSH): First Reading. A Resolution authorizing the Mayor to enter into an amendment to an agreement with the Cuyahoga County Board of Health that funds lead remediation work on residential properties for the purpose of extending the term of said agreement; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Craig Cobb
Seconded: Anthony Mattox Jr.

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch
No: None

LEGISLATION PASSED

RESOLUTION NO. 181-2024(COTW): First Reading. A Resolution encouraging Heights Libraries to work toward a solution that transfers ownership of the P.E.A.C.E Campus Building at 2843 Washington Blvd, Cleveland Heights, OH 44118 to Coventry PEACE, Inc; and declaring the necessity that this legislation become immediately effective as an emergency

measure.

Introduced by President Cuda, Vice President Russell, Councilmember Cobb, Councilmember Petras, and Councilmember Larson

NO VOTE

RESOLUTION 182-2024(COTW): First Reading. A Resolution providing for a contribution of up to Four Thousand Dollars in support of the 2024 Cleveland Heights Happy 5K, 10K, and Fun Run; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda, Vice President Russell, Councilmember Mattox, Councilmember Larson, and Councilmember Posch

Motion to amend: Jim Petras

Seconded: Anthony Mattox Jr.

Yes: Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

Recused: Craig Cobb recused himself due to being a member of the Cedar-Lee Special Improvement District

MOTION PASSED

Motion to adopt: Davida Russell

Seconded: Gail Larson

Yes: Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

Recused: Craig Cobb recused himself due to being a member of the Cedar-Lee Special Improvement District

LEGISLATION PASSED

b. First Readings Only

ORDINANCE NO. 183-2024(COTW): First Reading. An Ordinance authorizing and directing the Mayor to execute an engagement letter with the law firm Singerman, Mills, Desberg & Kauntz to provide legal counsel for Councilmember James Posch; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Posch

READ INTO THE RECORD

c. **Consent Agenda**

Motion to suspend rules: Gail Larson

Seconded: Craig Cobb

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

MOTION PASSED

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

LEGISLATION PASSED

RESOLUTION NO. 184-2024(CRR): First Reading. A Resolution recognizing October, 2024 as *National Breast Cancer Awareness Month*; October 13, 2024 as *Metastatic Breast Cancer Awareness Day*; and October 18, 2024, as *National Mammography Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 185-2024(CRR): First Reading. A Resolution recognizing October 2024 as *Domestic Violence Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 186-2024(CRR): First Reading. A Resolution recognizing October 11, 2024 as *National Coming Out Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda, Vice President Russell, Councilmember Cobb, Councilmember Mattox, Councilmember Larson, Councilmember Petras, and Councilmember Posch

Passed on consent agenda

13) **Committee Reports**

- **HB:** Update from his committee meeting early in the day where they discussed the partial collapses in the Cedar-Fairmount neighborhood and on Mayfield. Also discussed Tenant/Landlord Rights and Responsibilities and recommendations from the RJTF.
- **F:** Next meeting is September 23, at 5pm. The committee will be discussing a scope of work for data analysis for a data analysis of current lender activity in certain neighborhoods in Cleveland Heights.
- **MSES:** Next meeting is October 21, at 10am.
- **AS:** Next meeting is scheduled September 30, 2024 but may be canceled; announced two vacancies on the commission on aging and three vacancies plus a position for an alternate on the fair practices board. Applications are posted on the City's website. Next Monday at 4pm, Council will be interviewing a couple of the mayor's nominations to the CIC and Lead Safe Advisory Board.
- **PD:** Planning on having a public hearing for the dog park in mid-November.

14) Old Business

15) New Business

16) Council Member Comments

(Note: Council comments should directly relate to the business of the City of Cleveland Heights, rather than personal reflection or commentary. A maximum 3-minute time limit applies, but the Council President may reduce time limit based on the volume of business on the agenda, the time of evening, or other similar factors.)

- **Cobb:** Gave a brief update on his position on the current legal issues surrounding the Council and the Mayor's investigation into potential Open Meetings Act violations. He encouraged the parties involved to get together and resolve this matter before the City has to spend money on attorney fees. He would also like for Council, the Library Board, and Coventry Peace Campus tenants to come together to figure out a way to keep the building as a viable center for the arts.
- **Russell:** Announced she will be hosting an estate planning seminar on October 10th at 6:30 pm at Cleveland Heights High School.
- **Mattox:** Apologized to Drew Herzig for what happened at the last council meeting, and he believes Mr. Herzig would have been a great asset to the Arts Commission. He does not believe that training on the Open Meetings Act would help; there's a difference between a training issue and an integrity issue.
- **Posch:** Thanked Councilmember Cobb for his statements about trying to work this out before legal fees are needed. Thanked the community and

this Council for agreeing to get together with the Library Board and Peace Campus to try and figure out how to keep the building as a home for the arts. He is grateful that this council will work toward this end.

17) Council President's Report

- Thanked everybody for coming tonight and for everybody who made comments.
- He thanked the library board members here for their hard work and dedication, and he wants them to know that Council respects their position as decision-makers on this issue. Council will take up their offer for dialogue.
- Thanked the Coventry Peace Campus tenants, and expressed his admiration for their contributions to this community.

18) Adjournment

End: 9:11 p.m

NEXT MEETING OF COUNCIL: OCTOBER 7, 2024

APPROVED: December 9, 2024



Tony Cuda
President of Council



Addie Balester
Clerk of Council