



June 30, 2025
Regular Meeting
7:30 PM

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

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

- 1) **Meeting called to order by Council President**
- 2) **Roll Call of Council Members**
- 3) **Excuse absent members**
- 4) **Amendments to the Agenda (if necessary)**
- 5) **Approval of minutes from previous meeting(s)**
 - a. June 2, 2025
 - b. June 13, 2025
 - c. June 16, 2025
 - d. June 25, 2025
- 6) **Communications from the Mayor**
- 7) **City Administrator's Report**
- 8) **Departmental Report(s)**
- 9) **Report of the Clerk of Council**
 - a. Certification by Clerk of Council of Sufficient Signatures of City Electors upon a Recall Petition for the Office of Mayor of the City of Cleveland Heights
- 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.
- 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.

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. 135-2025(PSH): First Reading. A Resolution authorizing the Mayor to execute an agreement with Spacesaver Corporation through the Sourcewell Cooperative Purchasing Program, for the provision of new lockers to be installed in the Police Department's locker rooms; repealing in its entirety Resolution No. 101-2025; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 136-2025(PD): First Reading. A Resolution authorizing the Mayor to execute a contract with ZoneCo to assist in updating the City of Cleveland Heights' sign regulations; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 137-2025(PD): First Reading. A Resolution authorizing the Mayor to enter into an agreement with the Home Repair Resource Center program management services for the Cleveland Heights Down Payment Assistance Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 138-2025(F): First Reading. A Resolution approving a petition for the adoption of a public services and improvements plan for the Cedar Fairmount Special Improvement District.

Introduced by Mayor Seren

Move to Suspend Rules
Move for Adoption

b. Second Readings

RESOLUTION NO. 118-2025(F): Second Reading. A Resolution approving the adoption of the 2026 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

c. Fourth Readings

ORDINANCE NO. 063-2025(PD): Fourth Reading. An Ordinance authorizing the Mayor to execute a real estate purchase agreement for the sale of certain vacant real property located on South Overlook Road and Cedar Road, consisting of approximately 0.54 acres and identified as permanent parcel numbers 685-24-001 and 685-24-033 in the Cuyahoga County records; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

13) Committee Reports

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.)

17) Council President's Report

18) Adjournment

NEXT MEETING OF COUNCIL: JULY 7, 2025



June 2, 2025
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: 8:05 pm

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, Director Gonzalez

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

Motion to amend agenda to add RES 112-025 and 114-2025 to First Readings - Consideration of Adoption Requested, RES 113-2025 to First Readings Only, and RES 097-2025 to Second Readings: Jim Petras

Seconded: Anthony Mattox Jr.

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

No: None

MOTION PASSED

5) Approval of minutes from previous meeting(s)

a. April 7, 2025

APPROVED

b. April 21, 2025

6) Grocery Outlet Update

Sal Russo

- Grocery Outlet will open on July 10, 2025.

7) Communications from the Mayor

- Announced that the information-gathering portion of the investigation by the BCI into the shooting of Christian Thomas has been turned over to the special prosecution office, which will call a grand jury and present the evidence and materials to that grand jury, which will then determine whether to pursue criminal charges.
- Addressed the delay in opening the Cumberland Pool stemming from additional repairs/needs that the pool needed; by the time they got through the contract authorization process, the weather prohibited the repairs from being made at that time. We have had a stormy May this year, which has presented the City and the contractor with a challenge because they cannot make these specific repairs when it is wet. Mayor Brennan of University Heights was amenable to an agreement that would allow Cleveland Heights residents to use their outdoor pool. However, the University Heights City Council would not allow that to happen. The City is working through a potential agreement with the CHUH School District to temporarily use the pool at the high school between now and when Cumberland Pool can open. Though final approval has not been received from the School Board. Mayor Weiss in Shaker Heights is also amenable to allowing CH residents to use Thornton Park Pool temporarily. More information on that is forthcoming.

8) City Administrator's Report

- None

9) Departmental Report(s)

- Parks and Recreation Director Andres Gonzalez gave some additional information as to the delay in the repairs of Cumberland Pool. They had planned to end the repair work in the middle of May, which would provide a few weeks to be able to fill and heat the pool. Unfortunately, we had so much rain that the repairs kept getting delayed. He apologized for not letting the public know sooner about the delayed opening. The pool will be opening on June 16th.

- CH residents will be able to use Shaker Heights Pool from 12:00 pm to 7:30 pm every day of the week except for Saturdays, beginning this Thursday, June 5th.
- There is a lot of construction going on at Dennison Park, and all of that work needs to be done before the splash pad can be installed. He is working with GameTime to stay within the budget set back in 2023. The installation should happen this fall, and next spring the splash pad will be ready for use.

10) Report of the Clerk of Council

- To notify Council that a Notice to Legislative Authority has been received for a new D1/D3 liquor permit for 12 23 Lounge Place LLC dba 12 23 Lounge Place located at 2558 Noble Rd. This matter has been referred to the Mayor and Chief of Police.

11) 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	Resident/Board Member/Other	Topic
Lou Mande	Resident	ORD 063-2025
Phillip Wadsworth	Resident	ORD 063-2025
Cindy Turik	Resident	ORD 063-2025
Helen Liggett	Resident	ORD 063-2025
Drew Herzig	Resident	RES 103-2025
Tom Hudak	Resident	ORD 063-2025
Paul Volpe	Resident	ORD 063-2025
Ken Surratt	Resident	ORD 063-2025
Kirstan Ryan	Resident	RES 103-2025
Robin Koslen	Resident	ORD 063-2025

12) 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	Resident/Board Member/Other	Topic
CJ Nash	Resident	Shipping Containers
Lou Radivoyevitch	Resident	Zoning Text Amendments – Homes for Worship
Eileen Ramerman	Resident	Mayor
Elana Baldwin	Resident	Cumberland & Community Resources
Cindy & Larry Mittman	Resident	Pot holes, pool, Mayor's wife
Amy Eugene	Resident	Mayor
Josie Moore	Resident	Mayor Seren – Recall Petition
James Bates	Resident	Mayor
Deborah Van Kleef	Resident	General crisis in city government
Angel Fasolo	Resident	Mayor
Karin Lash	Resident	Mayor's unwillingness to release the audio from police worn camera recording

13) 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. 101-2025(PSH): *First Reading.* A Resolution authorizing the Mayor to execute an agreement with Krueger International, Inc. d/b/a Spacesaver Corporation through the Sourcewell Cooperative Purchasing Program, for the provision of new lockers to be installed in the Police Department's locker rooms; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Jim Petras

Discussion: Russell expressed her appreciation for this legislation coming

before council so that the Police Department can get a much-needed upgrade to their facilities. The Mayor expressed his happiness that this is become a reality and thanked council for being flexible about the funding sources so that some of the red tape could be eliminated to improving the facilities in the best way possible.

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

No: None

LEGISLATION PASSED

ORDINANCE NO. 102-2025(PD): First Reading. An Ordinance authorizing the Mayor to execute six (6) real estate purchase agreements for the sale of certain residential real property located within the City to certain purchasers; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

Discussion: Larson is happy to see this legislation come to pass that allows Future Heights and Start Right to continue to rehab these houses that should not be blighting our neighborhoods. The Mayor wants people to be on the lookout for additional related projects as this is just the first step in a larger process. He is looking forward to taking some of the vacant lots and making them homes for families.

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 103-2025(COTW): First Reading. A Resolution expressing a loss of confidence in the Mayor of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

Motion to adopt: Gail Larson

Seconded: Craig Cobb

- **Discussion**

- **Councilmember Larson** stated that the resolution calls on Cleveland Heights leaders to embody the values they expect

1 from others. She emphasized that residents look to their leaders
2 as role models. Citing recent reports and allegations of poor
3 judgment by the mayor—including a failure to take
4 accountability for exposing staff and residents to hate speech
5 and inappropriate behavior—she expressed her support for the
6 resolution.

- 7 ○ **Councilmember Posch** expressed deep disappointment over
8 the city's current political turmoil, including the mayoral recall
9 effort and the vote of no confidence. He emphasized that his
10 hope had always been for a successful mayor, as that would
11 mean a successful city. However, he believes Mayor Kahlil
12 Seren has failed in leadership, contributing to operational
13 dysfunction, low staff morale, and a toxic work environment.
14 Posch stated that the mayor refuses to take responsibility and
15 appears unaware of the harm caused under his leadership. He
16 called for a return to best practices, transparency, and
17 collaboration between branches of government. While
18 acknowledging the dedication of many city staff, he described a
19 climate of fear due to poor management. Posch concluded that
20 Mayor Seren prioritizes self-interest over the city's well-being,
21 and for that reason, he is voting yes on the resolution of no
22 confidence.
- 23 ○ **Councilmember Mattox** reflected on the tense political climate
24 in Cleveland Heights, noting that five out of seven
25 councilmembers and the mayor are all running for office this
26 year. He expressed fatigue with political infighting and stated a
27 desire to step back and let residents make their own decisions.
28 He voiced concern over leadership issues within the council,
29 citing illegal meetings and a prior public statement of no
30 confidence in the Council President. Mattox stressed the
31 importance of allowing voters to express their will without
32 council interference, especially during such a politically charged
33 year. He also raised concerns about the racial undertones in the
34 current discourse, sharing personal experiences of racially
35 charged comments and highlighting the significance of Black
36 representation—only four Black men have been elected in the
37 city's 100-year history, three of whom are currently serving.
38 Mattox expressed fear for his family's safety, noting that his
39 sons are reluctant to canvass due to the current hostile
40 environment. He urged the community to focus on facts rather
41 than emotions, warning against divisive rhetoric that could
42 deepen racial divides. He concluded by calling for mutual
43 respect and unity beyond political outcomes and confirmed he is
44 voting no on the resolution because he believes it is politically
45 motivated and that the current council is not in a position to lead
46 effectively on the issue.
- 47 ○ **Councilmember Petras** acknowledged that none of them

1 wanted to be in this difficult situation, but emphasized that the
2 resolution is an important step forward. He expressed pride in
3 the council's recent efforts, led by Councilwoman Russell, to
4 increase transparency by requiring public posting of city
5 contracts between \$7,500 and \$50,000, addressing concerns
6 about contracts slipping by unnoticed. He noted ongoing work
7 on legislation to improve key card access, also led by Council
8 Vice President Russell, and the need to strengthen
9 whistleblower protections. Petras referenced two recent lawsuits
10 filed against the city—one alleging a hostile work environment
11 and another alleging retaliation—as indicators of deeper issues.
12 While supporting the resolution, he stressed that much more
13 work remains to protect city employees and ensure high-quality
14 services for residents, expressing eagerness to move beyond
15 this moment toward meaningful change.

- 16 ○ **Councilmember Cobb** stated that the vote on this resolution is
17 not political and is not about race because true leadership,
18 regardless of race, requires transparency, accountability, and a
19 commitment to the public good over personal self-interest. He
20 said the city is unraveling due to failed leadership at the highest
21 level. He noted that the Plain Dealer editorial board, which had
22 previously endorsed Mayor Seren, has called for his
23 resignation. He expressed that the city has become a
24 laughingstock in Northeast Ohio, with the promise of progress
25 under the new form of government remaining unfulfilled—in fact,
26 the city has regressed. Cobb warned that things will worsen as
27 more unfavorable information about the administration emerges.
28 Most importantly, he said the respect and trust of the majority of
29 residents and city employees has been lost, with no possibility
30 of recovery under the current mayor. For these reasons, he is
31 voting in support of the resolution of no confidence.
- 32 ○ **Council Vice President Russell** said she initially did not plan to
33 speak but felt compelled to address the issue of racism. As a
34 Black woman on the council, she stated that she has never
35 experienced any racism from her fellow council members, who
36 are predominantly white. While she acknowledged that she has
37 been treated poorly at times during her four years on the council,
38 she emphasized that this treatment did not come from any white
39 council members. She urged residents to remove racism from
40 the current narrative, affirming that it has not been part of her
41 experience on the council.
- 42 ○ **Council President Cuda** acknowledged the tension frequently
43 felt during council meetings and said that, despite his reluctance
44 to get into it, he feels compelled to explain why he is voting in
45 favor of the resolution. He cited the 2025 budget process as a
46 turning point in his loss of confidence in Mayor Seren. While
47 council worked diligently on the budget, the mayor was

combative—calling council members “stupid, ignorant liars,” insulting residents, cursing at a resident, and allowing his wife to use profanity at a council member without intervening. He also accused council of political motivations despite their clear, valid reasons. Cuda recounted a failed attempt to foster unity during a December 19 meeting, where the mayor deflected the conversation with a non sequitur about political opposition. He also described a leadership meeting where the mayor shouted at Vice President Russell, used profanity, and called her “pathetic.” He criticized the mayor for gaslighting and contradictory behavior—acting one way publicly and another privately. He noted that his concerns with the mayor’s leadership began early in the administration, especially with a lack of cooperation regarding the role of the Clerk of Council, which is supposed to be independent but was previously hired and supervised by the mayor. Cuda took initiative to seek guidance from other municipalities after being ignored by the mayor’s office. Despite acknowledging some positive achievements of the mayor—such as building renovations, the lead-safe initiative, sustainability efforts, and advocacy for the LGBTQ+ community—Cuda expressed that the mayor’s inability to work collaboratively with council, staff, the school board, and residents undermines confidence. He summarized that the negative aspects of the mayor’s tenure have begun to outweigh the positives, and although he had hoped for success, the situation has deteriorated. For these reasons, he is supporting the resolution of no confidence.

- **Mayor Seren** responded by acknowledging that nothing he said was likely to change the minds of councilmembers supporting the resolution, noting that they have the right to pursue this course—just as a past council once voted to censure him when he served as a councilmember. He stated that, in his view, the current resolution—like that past action—is not grounded in fact or good faith. He addressed the repeated claims that councilmembers were speaking on behalf of city employees, emphasizing that while he doesn’t claim to speak for staff, he has felt significant support and appreciation from them. Seren praised employees for continuing to do their jobs despite the current political turmoil and pledged to keep working with them to move the city forward. He rejected the idea of anonymous allegations being used to define the work culture at City Hall and expressed confidence in the dedication and hard work of the city’s staff. Seren reaffirmed his commitment to his vision for Cleveland Heights—a vision that includes government reform, environmental readiness, and smarter development—

1 regardless of whether councilmembers have confidence in him.
2 He concluded by affirming his continued commitment to the city
3 and its residents, stating that he will keep doing the work
4 required of his office and continue to bring forward initiatives for
5 council consideration

6 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Davida Russell, Jim Petras, Jim
7 Posch

8 **No:** Anthony Mattox Jr.

9 **LEGISLATION PASSED**

10 **RESOLUTION NO. 112-2025(MSES): First Reading.** A Resolution
11 authorizing the Mayor to execute an agreement with Altec Industries, Inc. for
12 the acquisition of an Altec Articulating Aerial Truck for the Forestry Division of
13 the Department of Public Works; and declaring the necessity that this
14 legislation become immediately effective as an emergency measure.

15
16 Introduced by Mayor Seren

17 **Motion to adopt:** Anthony Mattox Jr.

18 **Seconded:** Gail Larson

19
20 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
21 Russell, Jim Petras, Jim Posch

22 **No:** None

23 **LEGISLATION PASSED**

24 **RESOLUTION NO. 114-2025(MSES): First Reading.** A Resolution
25 authorizing the Mayor to execute an agreement with Technology Install
26 Partners, LLC, for design, purchase, installation, and support of a new
27 security and alarm system at the City's Community Center; and declaring the
28 necessity that this legislation become immediately effective as an emergency
29 measure.

30
31 Introduced by Mayor Seren

32 **Motion to adopt:** None

33 **Seconded:** Craig Cobb

34
35 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
36 Russell, Jim Petras, Jim Posch

37 **No:** None

38 **LEGISLATION PASSED**

39 **b. First Readings Only**

40
41 **ORDINANCE NO. 104-2025(HB): First Reading.** An Ordinance amending
42 Section 1345.03 of the Codified Ordinances of Cleveland Heights, Ohio,
43 entitled "Notice of violation; legal service; no notice for emergency or same

1 prior violation.”

2
3 Introduced by Councilmember Petras

4 **READ INTO THE RECORD**

5 **RESOLUTION NO. 105-2025(PD): First Reading.** A Resolution authorizing
6 the Mayor to submit the Community Development Block Grant (CDBG) Five-
7 Year Consolidated Plan and the Annual Action Plan and entitlement
8 application for the year beginning January 1, 2025; and declaring the
9 necessity that this legislation become immediately effective as an emergency
10 measure.

11
12 Introduced by Mayor Seren

13 **READ INTO THE RECORD**

14 **RESOLUTION NO. 106-2025(MSES): First Reading.** A Resolution to adopt
15 the Solid Waste Management Plan for the Cuyahoga County Cuyahoga
16 County Solid Waste Management District.

17
18 Introduced by Mayor Seren

19 **READ INTO THE RECORD**
20 **MOVED TO COMMITTEE**

21 **ORDINANCE NO. 107-2025(AS): First Reading.** An Ordinance amending
22 Chapter 131 to add provisions for equity pay adjustments and benefits for the
23 Chiefs of the Police and Fire Departments and Assistant Fire Chief.

24
25 Introduced by All City Councilmembers

26 **READ INTO THE RECORD**

27 **RESOLUTION NO. 108-2025(COTW): First Reading.** A Resolution
28 determining that support of the 2025 Heights Music Hop is in furtherance of a
29 valid public purpose; awarding Seven Thousand Five Hundred Dollars
30 (\$7,500) to FutureHeights, Inc. in support of the 2025 Heights Music Hop; and
31 declaring the necessity that this legislation become immediately effective as
32 an emergency measure.

33
34 Introduced by President Cuda

35 **READ INTO THE RECORD**

36 **ORDINANCE NO. 109-2025(PD): First Reading.** An Ordinance adopting the
37 Park Synagogue S-2 Development Plan and Standards; and declaring the
38 necessity that this legislation become immediately effective as an emergency
39 measure.

40
41 Introduced by Mayor Seren

42 **READ INTO THE RECORD**

MOVED TO COMMITTEE

RESOLUTION NO. 110-2025(COTW): First Reading. A Resolution of support and appreciation for the Cleveland Heights city staff.

Introduced by All City Councilmembers

READ INTO THE RECORD

RESOLUTION NO. 113-2025(MSES): First Reading. A Resolution authorizing the Mayor to execute an agreement with Classic Chevy GMC of Madison for the acquisition of a 2024 Chevy Silverado 5500 Crew Cab w/11' SS Dump for the Streets Division of the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

ORDINANCE NO. 111-2025(AS): First Reading. An Ordinance amending Ordinance No. 023-2025, "An Ordinance establishing salary schedules, position classifications, and other compensation, and benefits for officers and employees of the City," to create the position of Deputy Director of Law and to provide for compensation for the City's ADA Coordinators; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

c. Second Readings

RESOLUTION NO. 097-2025(COTW): Second Reading. A Resolution expressing support for the Myers Manor Transitional Living Facility for Homeless Women with Children Project.

Introduced by Vice President Russell

MOVED TO COMMITTEE (F)

d. Third Readings

ORDINANCE NO. 063-2025(PD): Third Reading. An Ordinance authorizing the Mayor to execute a real estate purchase agreement for the sale of certain vacant real property located on South Overlook Road and Cedar Road, consisting of approximately 0.54 acres and identified as permanent parcel numbers 685-24-001 and 685-24-033 in the Cuyahoga County records; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

- Mayor Seren introduced the item but requested that Council hold it rather than proceed with a vote or withdraw it. He expressed a desire to consult with Assistant Director Anderson and Director Zamft to reexamine the matter more thoughtfully, possibly including further discussions with Mr. Volpe to address outstanding concerns. Acknowledging the long-standing nature of the issue and Mr. Volpe's frustration over delays, the mayor emphasized the importance of finding a path forward that protects the viability of the project and avoids discouraging future development. He urged Council to pause action to allow for additional dialogue and the chance to reach a constructive resolution.
- Director Hanna stated that procedurally, there are a few options available. The Mayor, as the sponsor, could withdraw the item; Council could vote it down; or Council could choose to read it and take no action—which, as I understand it, is what the Mayor is currently requesting.
- President Cuda stated for the record we were not going to vote tonight. that was not going to happen so we'll just wait and see i guess and perhaps revisit at the next meeting

NO VOTE

14) Committee Reports

- **F:** The next meeting of the Finance Committee is tomorrow at 5:30 pm
- **MSES:** The next meeting of the MSES Committee is Wednesday, June 11 at 10am
- **HB:** The next meeting of the HB Committee is Monday, June 9 at 5:30 pm
- **PD:** The next meeting of the PD Committee is Wednesday, June 4 at 10:30 am

15) Old Business

- None

1
2 **16) New Business**
3

- 4 • Gave his condolences for Jack Boyle and would like to write a Resolution
5 for his family to read at his funeral
6

7 **17) Council Member Comments**

8 **(Note:** Council comments should directly relate to the business of the City of
9 Cleveland Heights, rather than personal reflection or commentary. A maximum
10 3-minute time limit applies, but the Council President may reduce time limit based
11 on the volume of business on the agenda, the time of evening, or other similar
12 factors.)
13

- 14 • **Councilmember Mattox** began by encouraging residents to stay
15 connected to the community through upcoming celebrations like Juneteenth
16 and Pride events, with details available on the city's website. He then
17 addressed his recording during public comments, explaining that moving
18 forward, his team will compare any potentially misleading or false
19 statements to actual meeting footage. These videos will be shared publicly
20 to ensure accuracy and transparency. He emphasized that this initiative is
21 about separating fact from fiction and holding everyone accountable in real
22 time. He stated firmly that he has nothing to hide and is committed to open
23 and honest communication. Mattox closed by congratulating the Cleveland
24 Heights High School Class of 2025—including his own son—and all
25 graduates throughout the community. He expressed pride in their
26 accomplishments and gratitude to the educators and administrators who
27 supported them, wishing students a bright and successful future.
28

29 **18) Council President's Report**

- 30 • Council President Cuda began by thanking everyone for coming, staying,
31 and passionately sharing their thoughts with the council. He emphasized
32 that the council chambers are always open for residents to address the
33 council. He referenced the mayor's closing remarks, affirming that the
34 council will continue to do its work. He noted that, historically, the council
35 has voted with the mayor 99% of the time—only seven no votes out of
36 more than 750 pieces of legislation—demonstrating their commitment to
37 governance despite disagreements. Cuda then addressed a troubling
38 pattern he has observed on social media this week, which led him to
39 research the term "gaslighting." He explained gaslighting as a form of
40 psychological abuse where someone manipulates others into doubting
41 their own perception of reality, often to gain power or control. He warned
42 the community not to fall for such tactics and highlighted the emotional
43 confusion it causes as the gas lighter's agenda.

1 **19) Adjournment**

2 End: 10:23 pm

3

4 **NEXT MEETING OF COUNCIL: JUNE 16, 2025**

DRAFT



June 13, 2025
Emergency Meeting
4:30 PM

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

MEETING MINUTES

1) Meeting called to order by Council President

Start: 4:31 pm

2) Roll Call of Council Members

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

Excused: Davida Russell

Also present: Assistant Law Director Heltzel, Clerk Balester, Mayor Seren

3) Excuse absent members

- Davida Russell is excused but is participating via Zoom

4) Executive Session

a. *To consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of any public employee or public official, the investigation of charges or complaints against a public employee, official, licensee or contractee of the City or one who seeks to be an employee, licensee or contractee of the City.*

Motion to enter into executive session: Craig Cobb

Seconded: Jim Petras

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

No: None

MOTION PASSED

5) LEGISLATION

Note: The title for each piece of legislation contains a parenthetical reference to

1 the Council Committee within which the subject matter of the legislation falls.
2 Council Committees are abbreviated as follows: (AS)-Administrative Services;
3 (COTW)-Committee of the Whole; (CRR)-Community Relations and Recreation;
4 (F)-Finance; (HB)-Housing and Building; (MSES)-Municipal Services and
5 Environmental Sustainability; (PD)-Planning and Development; (PSH)-Public
6 Safety and Health. See Resolution 97-2022 for a list of Council Committee
7 subject matter areas.
8
9

10 **a. First Readings – Consideration of Adoption Requested**
11

12 **RESOLUTION NO. 116-2025(COTW): First Reading.** A Resolution calling
13 for an investigation into matters concerning the Mayor of Cleveland Heights
14 based on new information received by Council on the morning of June 13,
15 2025; and declaring the necessity that this legislation become immediately
16 effective as an emergency measure.
17

18 Introduced by All City Councilmembers

19 **Motion to adopt:** Jim Petras

20 **Seconded:** Gail Larson
21

22 **Discussion:**
23

- 24 • Cobb thinks this resolution is very appropriate given the more
25 information that comes to light.
- 26 • Mattox is in favor of an investigation because it is critical to ask
27 questions and get answers.
- 28 • Larson is supportive of this legislation because she is concerned for
29 our staff, especially our law department staff. She believes a third-party
30 investigation is needed at this time.
- 31 • Posch says we need an investigation, and we need the truth. As a
32 criminal investigation, a third-party investigator is necessary.
- 33 • Cuda says this investigation calls for three things: an investigation, for
34 the mayor to refrain from making any personnel decisions, and for the
35 mayor to consider resigning.
36

37 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras,
38 Jim Posch

39 **No:** None
40

LEGISLATION PASSED

1 **6) Council Member Comments**

2 **(Note:** Council comments should directly relate to the business of the City of
3 Cleveland Heights, rather than personal reflection or commentary. A maximum
4 3-minute time limit applies, but the Council President may reduce time limit based
5 on the volume of business on the agenda, the time of evening, or other similar
6 factors.)

- 7
- 8 • None
- 9

10 **7) Council President's Report**

- 11
- 12 • Gave written remarks regarding potential felonies that the Mayor may have
13 committed.
 - 14 • Point of Order - ALD Heltzel reminded Council President that his
15 comments need to remain within the topic of the emergency meeting,
16 which is the resolution before Council.
- 17

18 **8) Adjournment**

19 End: 5:09 pm

20

21 **NEXT MEETING OF COUNCIL: JUNE 16, 2025**



June 16, 2025
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: 7:47 pm

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: Director Hanna, Clerk Balester

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

- None

5) Approval of minutes from previous meeting(s)

- None

6) Students of Promise Presentation

Executive Director, Bob Ivory

- Gave an overview of the Prentiss Place project, a transitional living facility for homeless women with children.

7) Communications from the Mayor

- None

8) City Administrator's Report

- None

9) Departmental Report(s)

a. Planning and Economic Development (Written Report)

- Upcoming planning-related meetings provided as a written memo available online.

10) Report of the Clerk of Council

- a. To notify the council that a Notice to Legislative Authority has been received for a new C1/C2 Liquor Permit for W&W Family Incorporated, located at 12438 Cedar Rd. This matter has been referred to the Mayor and Chief of Police.

11) 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. The Council President reserves the right to reduce the time limit based on the volume of business on the agenda.

Speakers

Name	Resident/Board Member/Other	Topic
Susan Efroymsen	Resident	ORD 055-2025
Lou Radivoyevitch	Resident	ORD 055-2025
Barbara Sosnowski	Resident	RES 119-2025
Michael Bending	Resident	ORD 109-2025
Jim Boyle	Other	RES 128-2025
Elaine Price	Resident	ORD 109-2025

12) 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. The Council President reserves the right to reduce the time limit based on the volume of business on the agenda.

Speakers

Name	Resident/Board Member/Other	Topic
Jack Solomon	Other	Thanked Council and the City for their help in securing space for a Lakewood University fundraiser at the community center
Herb Wagers	Resident	Ceded his time
Catalina Wagers	Resident	Ohio EPA Loan
Rev. Timothy Eppinger	Other	Support for Mr. Bob Ivey
Lawrence Bradley	Resident	Blanche Rd. Extension
Lovell Custard	Other	Support for Student of Promise
Phillip Wadsworth	Resident	Update on residents' efforts to develop green buffer at Delaware/S. Overlook/Cedar
Pernell Jones Jr., Cuyahoga County Councilmember	Other	Funding to support the Transitional Living Facility, Prentiss Place
CJ Nash	Resident	Community Market
Patricia Frost Brooks	Resident	Rezoning – Maple/Shannon Rds

13) 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. 117-2025(PD): First Reading. A Resolution authorizing the Mayor to apply for and accept a grant from the United States Department of Transportation for a grant under the Safe Streets and Roadways for All (“SS4A”) Implementation Grant Program, and execute any agreements needed to fund a Cleveland Heights SS4A Implementation project; and declaring the necessity that this legislation become immediately effective as

an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Jim Petras

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. 118-2025(F): First Reading. A Resolution approving the adoption of the 2026 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD
NO VOTE

RESOLUTION NO. 119-2025(PD): First Reading. A Resolution authorizing the Mayor to execute a contract with Think Place Agency LLC to provide professional consulting services necessary for the Noble Corridor Market Assessment through the expenditure of ARPA funds; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Jim Petras

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

No: Craig Cobb

LEGISLATION PASSED

RESOLUTION NO. 120-2025(PSH): First Reading. A Resolution authorizing the Mayor to execute contracts with various certified Lead Clearance Contractors to provide professional services in furtherance of the City's Lead Safe Certification goals through the expenditure of ARPA funds; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

1 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
2 Russell, Jim Petras, Jim Posch
3 **No:** None
4

LEGISLATION PASSED

5 **RESOLUTION NO. 121-2025(HB): First Reading.** A resolution authorizing
6 the Mayor to execute contracts with Romanin Concrete, Inc. and A & J
7 Cement Contractors, Inc. to provide the labor and materials necessary to
8 implement the Exterior Repair of Residential Properties and Concrete
9 Driveways, Aprons, Sidewalks & Pathways Projects through the expenditure
10 of ARPA funds; and declaring the necessity that this legislation become
11 immediately effective as an emergency measure.
12

13 Introduced by Mayor Seren

14 **Motion to adopt:** Anthony Mattox Jr.
15 **Seconded:** Gail Larson
16

17 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
18 Russell, Jim Petras, Jim Posch
19 **No:** None
20

LEGISLATION PASSED

21 **ORDINANCE NO. 122-2025(MSES): First Reading.** An Ordinance
22 authorizing the Mayor to execute a Master Cooperation Agreement for
23 Preventative Maintenance Services with the County of Cuyahoga, Ohio, to
24 provide pavement crack sealing and striping or asphalt surface preservation
25 of portions of Coventry Road; and declaring the necessity that this legislation
26 become immediately effective as an emergency measure.
27

28 Introduced by Mayor Seren

29 **Motion to adopt:** Anthony Mattox Jr.
30 **Seconded:** Jim Petras
31

32 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
33 Russell, Jim Petras, Jim Posch
34 **No:** None
35

LEGISLATION PASSED

36 **RESOLUTION NO. 124-2025(CRR): First Reading.** A Resolution
37 authorizing the Mayor to execute a two-year service contract with Energy
38 Management Specialists, LLC for preventative HVAC maintenance services;
39 and declaring the necessity that this Resolution become immediately effective
40 as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

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. 125-2025(CRR): First Reading. A Resolution authorizing the Mayor to execute an agreement with Tempest, Inc. for preventative maintenance services to the North Ice Rink at the Cleveland Heights Community Center; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Davida Russell

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

No: None

LEGISLATION PASSED

ORDINANCE NO. 126-2025(PD): First Reading. An Ordinance authorizing the Mayor to execute an amendment to a real estate purchase agreement with National Church Residences dated February 25, 2025 for the sale of certain real property consisting of approximately 1.049 acres of vacant land on Lancashire Road, and identified as Permanent Parcels Nos. 685-11-024 and 685-11-004 for the purpose of extending the due diligence and inspection period therein to October 31, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

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. 130-2025(MSES): First Reading. A Resolution authorizing the Mayor to execute an agreement with Wade Trim, Inc. of Ohio, for professional design engineering and associated services relating to control of sanitary sewer overflows and illicit connections on Cleveland Heights Boulevard, and compliance with the partial consent decree with the USEPA; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

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. 131-2025(CRR): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Classic Ford of Madison for the acquisition of one 2025 Ford F-250 4X4 Reg cab; one 2025 Ford F-350 Cab/C 4X4 Supercab; one 2025 Ford F-550 Cab/C 4X4 Reg Cab; and one 2025 Ford Escape ST-Line 4WD Hybrid for the Department of Parks and Recreation; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Davida Russell

Discussion: Councilmember Cobb addressed concerns from city employees about cost-of-living salary increases and pay adjustments related to the Archer study. He clarified that the budget authorized cost-of-living increases, but employees should direct questions about equity pay adjustments to the mayor or HR department, not the council. Cobb also noted that some employees are still being paid below the new minimums established by the Archer study legislation and are owed retroactive pay. He highlighted staffing challenges in the HR department, which currently has only two employees and no director since August 2022, causing delays in addressing these pay issues.

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 132-2025(CRR): First Reading. A Resolution authorizing the Mayor to execute an agreement with All-American Arena

Products for flooring replacement at the North Rink of the Cleveland Heights Community Center; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

b. First Readings Only

ORDINANCE NO. 127-2025(HB): First Reading. An Ordinance creating a new Chapter 1373, "Exterior Walls and Appurtenances; Parking Garages"; of Title Three, Local Provisions; of Part Thirteen, Building Code of the Codified Ordinances of Cleveland Heights to include standards and provisions to regulate the structural integrity of building facades and garages within the City.

Introduced by Mayor Seren

READ INTO THE RECORD

c. Second Readings

ORDINANCE NO. 104-2025(HB): Second Reading. An Ordinance amending Section 1345.03 of the Codified Ordinances of Cleveland Heights, Ohio, entitled "Notice of violation; legal service; no notice for emergency or same prior violation."

Introduced by Councilmember Petras

NO VOTE

RESOLUTION NO. 105-2025(PD): Second Reading. A Resolution authorizing the Mayor to submit the Community Development Block Grant (CDBG) Five-Year Consolidated Plan and the Annual Action Plan and entitlement application for the year beginning January 1, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Anthony Mattox Jr.

1 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
2 Russell, Jim Petras, Jim Posch
3 **No:** None
4

LEGISLATION PASSED

5 **RESOLUTION NO. 106-2025(MSES): Second Reading.** A Resolution to
6 adopt the Solid Waste Management Plan for the Cuyahoga County Solid
7 Waste Management District.
8

9 Introduced by Mayor Seren

10 **Motion to adopt:** Gail Larson
11 **Seconded:** Anthony Mattox Jr.
12

13 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
14 Russell, Jim Petras, Jim Posch
15 **No:** None
16

LEGISLATION PASSED

17 **ORDINANCE NO. 107-2025(AS): Second Reading.** An Ordinance
18 amending Chapter 131 to add provisions for equity pay adjustments and
19 benefits for the Chiefs of the Police and Fire Departments and Assistant Fire
20 Chief.
21

22 Introduced by All City Councilmembers

23 **Motion to adopt:** Anthony Mattox Jr.
24 **Seconded:** Davida Russell
25

26 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
27 Russell, Jim Petras, Jim Posch
28 **No:** None
29

LEGISLATION PASSED

30 **RESOLUTION NO. 108-2025(COTW): Second Reading.** A Resolution
31 determining that support of the 2025 Heights Music Hop is in furtherance of a
32 valid public purpose; awarding Seven Thousand Five Hundred Dollars
33 (\$7,500) to FutureHeights, Inc. in support of the 2025 Heights Music Hop; and
34 declaring the necessity that this legislation become immediately effective as
35 an emergency measure.
36

37 Introduced by President Cuda

38 **Motion to adopt:** Anthony Mattox Jr.
39 **Seconded:** Davida Russell

Discussion: Councilmember Mattox thanked the Council President for outlining the process Council will use for awarding grants and community funding. He acknowledged recent requests from nonprofits and social service organizations and emphasized the importance of transparency and accountability in distributing public funds. He explained that going forward, recipients of funding will be required to report back on how the funds were used and the impact they had. This reporting will help residents understand not only where the money went, but also what outcomes were achieved. Mattox expressed enthusiasm for implementing this practice, stating it will apply to both upcoming events and any future nonprofit support. He concluded by reiterating that this process will help Council and the community evaluate whether to continue or revise such funding efforts.

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

LEGISLATION PASSED

ORDINANCE NO. 109-2025(PD): Second Reading. An Ordinance adopting the Park Synagogue S-2 Development Plan and Standards; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Jim Petras
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. 110-2025(COTW): Second Reading. A Resolution of support and appreciation for the Cleveland Heights city staff.

Introduced by All City Councilmembers
Move for Adoption

Motion to adopt: Anthony Mattox Jr.
Seconded: Gail Larson

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

LEGISLATION PASSED

ORDINANCE NO. 055-2025(PD): Second Reading (Amended 05.27.2025). An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights as part of the Livable Neighborhoods Initiative; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

NO VOTE

MOVE TO SPECIAL COMMITTEE OF THE WHOLE

d. 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: Anthony Mattox Jr.
Seconded: Davida Russell

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

LEGISLATION PASSED

RESOLUTION NO. 115-2025(COTW): First Reading. A Resolution honoring the life and legacy of Christopher Daryl Brown; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Introduced by President Cuda

Legislation passed on consent agenda

RESOLUTION NO. 128-2025(COTW): First Reading. A Resolution recognizing the life and contributions of John J. "Jack" Boyle III; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda

Legislation passed on consent agenda

RESOLUTION NO. 129-2025(CRR): First Reading. A Resolution proclaiming July 2025 to be *National Parks and Recreation Month* in the City

of Cleveland Heights; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Legislation passed on consent agenda

14) Committee Reports

- **F:** Provided an update from the Finance Committee meeting on June 3, 2025.
- **MSES:** Update from the MSES Committee on June 11, 2025. At the next MSES meeting, Director Clinkscale will be giving an update on garbage pickup and current equipment challenges
- **AS:** The next meeting will be June 30, 2025, at 4:30 pm

15) Old Business

- Councilmember Posch provided an update on the search for legal counsel to represent the City Council in cases where the Law Department has a conflict of interest. He has an engagement letter, a rate sheet, and a draft scope of work from Stephen Byron as a possible option to represent the Council. Councilmember Cobb briefly mentioned wanting to have an executive session at the next meeting for potential legal counsel for a different matter.

16) New Business

- **Motion to set an additional 3rd regular meeting to be held June 30, 2025, at 7:30 pm:** Jim Petras

Seconded: Gail Larson

Discussion: There was some clarification about the language in section 111.01 of the Codified Ordinances of the City of Cleveland Heights.

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

No: None

MOTION PASSED

REGULAR MEETING SET FOR JUNE 30, 2025 at 7:30PM

- Council President Cuda asked that Council members don't record residents who come before the dais. Councilmember Mattox said he respects President Cuda's position but he will continue to record individuals who have lied, manipulated and spread things that just aren't true. Him recording is about holding people accountable.
- **Motion to amend the agenda to add RES 133-2025 to the agenda:** Jim

Petras

Seconded: Anthony Mattox Jr.

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

No: None

MOTION PASSED

- **RESOLUTION NO. 133-2025(COTW): First Reading.** An Ordinance amending Ordinance No. 024-2025 for the purpose of reinstating the Regular Meeting of City Council previously scheduled for July 7, 2025; repealing the prior version of Ordinance No. 024-2025 in its entirety; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Cuda

Motion to adopt: Jim Petras

Seconded: Anthony Mattox Jr.

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

No: None

LEGISLATION PASSED

17) 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.)

- **Councilmember Petras** would like to thank Councilmember Cobb for bringing up the Archer salary survey. I've also had city employees reach out to me—most recently this past Friday—so I was beginning to wonder if I was the only one hearing these concerns. I've advocated for over two years for the need to conduct a salary survey, and I'm glad we finally completed it and passed the related legislation. Now, I sincerely hope the administration will provide clear guidance to department directors on how to implement it effectively.
- **Councilmember Cobb** criticized an email sent by the mayor shortly after an emergency council meeting, in which the mayor described himself as the target of a "political lynching" driven by racism, special interests, and outside forces. Cobb found the email inflammatory and lacking in facts, stating it did not address legitimate concerns surrounding the mayor's

1 behavior—specifically, his presence in the Law Department during an
2 independent investigation. Cobb rejected the mayor’s racial framing,
3 noting that Cleveland Heights voters have a history of electing Black
4 leaders, including the mayor himself, over white candidates. He recounted
5 his own personal experiences with racism and civil rights, expressing
6 disgust that the mayor, in his view, was weaponizing race to avoid
7 accountability and stifle criticism. He warned that using race as a shield
8 against valid concerns only deepens division and undermines trust. Cobb
9 concluded by urging residents to reject the mayor’s narrative and to stay
10 focused on the real, substantive issues related to his leadership.

11
12 **18) Council President’s Report**

- 13
14 • Council President Cuda referenced the emergency Council meeting held
15 on Friday, during which a resolution was unanimously passed. He clarified
16 that the Law Department had provided a firsthand account to the Police
17 Department regarding an alleged incident involving the mayor hiding his
18 laptop in the Law Department conference room—on the same day an
19 investigation was taking place related to an incident between the mayor’s
20 wife and a city employee. As Council President, Cuda emphasized that his
21 goal was neither to ignore the incident nor rush to judgment. He said the
22 core question is whether the mayor attempted to secretly record private
23 conversations. Unless the mayor is willing to answer that directly, Cuda
24 stated that he supports allowing the legal process to move forward.

25
26 **19) Adjournment**

27 End: 9:48 pm

28
29 **NEXT MEETING OF COUNCIL: AUGUST 4, 2025**



June 25, 2025
Special Meeting
4:30 PM

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

MEETING MINUTES

1) Meeting called to order by Council President

Start: 4:38 pm

2) Roll Call of Council Members

Present: Craig Cobb, Tony Cuda, Gail Larson, Jim Petras, Jim Posch

Excused: Anthony Mattox Jr., Davida Russell

Also Present: Law Director Hanna, Assistant Law Director Heltzel, Clerk Balester

3) Excuse absent members

Vice President Russell and Councilmember Mattox are excused

4) 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

ORDINANCE NO. 134-2025(COTW): First Reading. An Ordinance authorizing and directing the Mayor to execute an engagement letter with Singerman, Mills, Desberg, & Kauntz and Stephen L. Byron to serve as independent legal counsel for City Council; and declaring the necessity that

1 this legislation become immediately effective as an emergency measure.

2
3 Introduced by Council President Cuda and Councilmembers Posch, Cobb,
4 Larson, and Petras

5 **Motion to adopt:** Gail Larson

6 **Seconded:** Craig Cobb

7
8 **Discussion:**

9
10 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Jim Petras, Jim Posch

11 **No:** None

12 **LEGISLATION PASSED**

13 **5) Adjournment**

14 End: 4:46 pm

15
16 **NEXT MEETING OF COUNCIL: JUNE 30, 2025**

Proposed: 06/30/2025

RESOLUTION NO. 135-2025(PSH), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to execute an agreement with Spacesaver Corporation through the Sourcewell Cooperative Purchasing Program, for the provision of new lockers to be installed in the Police Department's locker rooms; repealing in its entirety Resolution No. 101-2025; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the Police Locker Room Capital Improvement Project was initially budgeted for FY 2024, but reprioritized as part of ARPA-related strategic budgeting;

WHEREAS, Section 9.48 of the Ohio Revised Code authorizes political subdivisions to participate in cooperative purchasing programs without obtaining competitive bids; and

WHEREAS, Section 171.12 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the cooperative purchasing program formerly known as the National Joint Powers Alliance, now known as the Sourcewell Cooperative Purchasing Program, without obtaining competitive bids;

WHEREAS, Resolution No. 101-2025, passed June 2, 2025, authorized this purchase through Sourcewell Contract #091423-KII, which was superseded by Sourcewell Contract #110923-SPC, and should now be repealed;

WHEREAS, the Mayor has determined that the selected labor and materials may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said vehicle and equipment by this means,

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

SECTION 1. Notwithstanding any provision of Codified Ordinances Chapter 171 to the contrary, the Mayor is hereby authorized to execute all agreements and related documents with Spacesaver Corporation necessary for the provision of new lockers to be installed in the Police Department's locker rooms and in accordance with Sourcewell Contract #110923-SPC, for an amount not to exceed Two Hundred Sixty-Seven Thousand, Six Hundred Forty-Five and 40/100 Dollars (\$267,645.40). All contracts hereunder shall be in a form approved by the Director of Law.

RESOLUTION NO. 135-2025(PSH)

SECTION 2. Resolution No. 101-2025, passed June 2, 2025, is hereby repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken 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.

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution on the City of Cleveland Heights website.

SECTION 5. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to commence the above-described improvements at the earliest possible time. Provided it receives the affirmative vote of five or more members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Date: June 16, 2025

To: City Council

From: Eric Zamft, Director of Planning, Neighborhoods & Development

Subject: ZoneCo Contract to assist in updating the City of Cleveland Heights' sign regulations

Purpose Statement: To authorize the Mayor to execute a contract with ZoneCo for professional consulting services related to an update of the City's sign regulations. The City of Cleveland Heights' current sign regulations are primarily found in Chapter 1163 of the Zoning Code, but also scattered throughout the rest of the Zoning Code. These regulations are outdated and inconsistent and are hard for staff, property owners, and design review boards to utilize. The City desires to conduct a comprehensive review of these standards in order to update them. As a result, on or about April 11, 2025, a Request for Proposals ("RFP") was issued by the City for a consultant to assist with such review. Nine (9) responses were received, reviewed, and a short-listed number of firms were interviewed. Staff recommended ZoneCo be selected as the consultant for this project.

This resolution would authorize the Mayor to execute a contract with ZoneCo for an amount not to exceed \$69,645 to assist in updating the City of Cleveland Heights' sign regulations. Budget is available in the Department of Planning, Neighborhoods & Development's consultant line (101.5101.2055.0).

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? It would allow the contract to be signed and the project to begin in July.

Is passage on first reading necessary: Yes: _____ X _____ No: _____

If yes, why? It would allow the contract to be signed and the project to begin in July.

If funding is required, is it already budgeted for? Yes: X No: _____

If not already budgeted for, where will funding come from?

Proposed: 06/30/2025

RESOLUTION NO. 136-2025(PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to execute a contract with ZoneCo to assist in updating the City of Cleveland Heights' sign regulations; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights' current sign regulations are outdated and inconsistent, and are difficult for staff, property owners, and design review boards to utilize; and

WHEREAS, a comprehensive review of these standards has is required, particularly in view of the *Reed v. Town of Gilbert, Arizona* and *Austin v. Reagan International Advertising* Supreme Court cases, and subsequent sign-related court cases; and

WHEREAS, the City desires to update these standards; and

WHEREAS, on or about April 1, 2025, a Request for Proposals ("RFP") was issued by the City for a consultant to assist in updating the City's sign regulations; and

WHEREAS, the City received nine (9) responses, which were all deemed complete; and

WHEREAS, each of the responses was first reviewed by staff from the Department of Planning, Neighborhoods & Development; and

WHEREAS, after evaluating responses, four (4) teams were short-listed to interview; and

WHEREAS, following the interviews, staff from Planning, Neighborhoods & Development recommended to the Mayor that ZoneCo, with offices located at 1502 Vine Street, 4th Floor, Cincinnati, Ohio 45202, would provide the best service to the City; and

WHEREAS, the cost of the services to be provided by ZoneCo is not to exceed Sixty-Nine Thousand Six-Hundred and Forty-Five Dollars (\$69,645); and

WHEREAS, this Council wishes to authorize a contract with ZoneCo, to assist in updating the City's sign regulations.

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

RESOLUTION NO. 136-2025(PD)

SECTION 1. The Mayor shall be and is hereby authorized to execute a contract with ZoneCo to assist in updating the City's sign regulations. Compensation for the services detailed therein shall not exceed \$69,645. All agreements hereunder shall be subject to the final approval of the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council 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.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to commence the review of the City's sign code at the earliest possible time. Provided it receives the affirmative vote of five or more members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

RESOLUTION NO. 136-2025(PD)

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Signed,



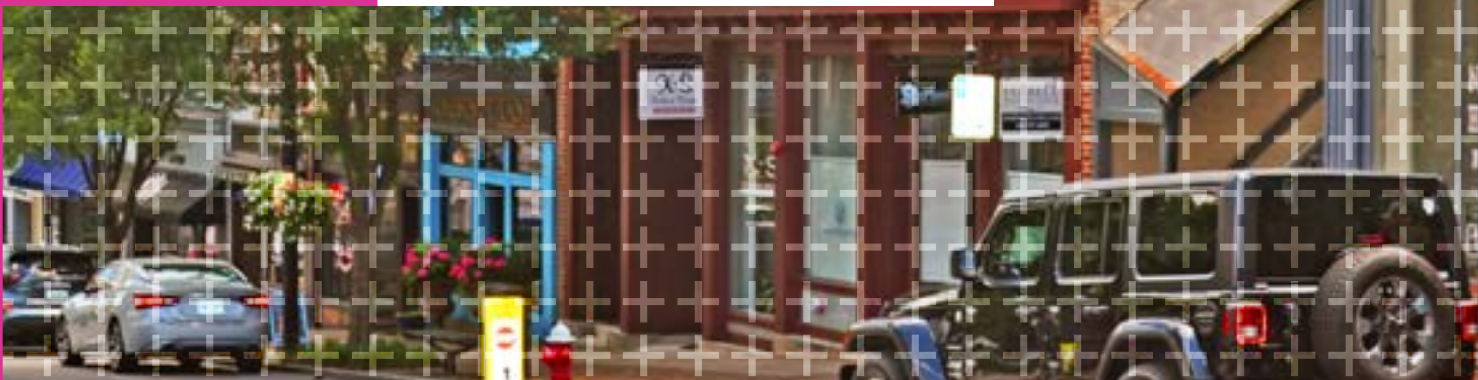
Sean Suder

Proposal

Response to City of Cleveland Heights Sign Regulations Update RFP

ZoneCo is a national zoning consulting firm with experience in Ohio. We have drafted sign ordinances as standalone deliverables and as part of every zoning code project we undertake. We also have land use law experience and stay abreast of relevant case law, especially pertaining to signage. Our partners at OHM are currently working in Cleveland Heights and will be ideally-suited to undertake engagement for this project.

Valid Through: 5/9/2026



PROPOSAL SECTIONS

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Cover Page

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Statement of
Qualifications

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Personnel

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Proposed Project
Understanding and
Approach

05

Proposed Scope
and Timeline

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Proposed Timeline

07

Example Sign
Codes and
References

08

Cost Proposal

09

Statement
on Program
Participation and
Non-Discrimination

Dear Hiring Committee,

The experienced team of ZoneCo and OHM Advisors is pleased to provide this proposal in response to the City of Cleveland Heights Sign Regulations Update RFP. ZoneCo and our national-caliber code writers have extensive experience with sign ordinances. We believe that signage standards can be simplified while also tailoring the form, scale, location, and aesthetics to the local character. Our sign codes are graphically-rich, with standards laid out clearly within tables. OHM's skilled planners are already familiar with the Cleveland Heights community and they will ensure that updates are steeped in community preferences and effective community engagement.

ZoneCo and OHM Advisors commenced operations in 2020 and 1962 respectively. ZoneCo has a staff of eight, and OHM employs roughly 720 people across several offices. ZoneCo will service this contract from its Cincinnati office, while OHM will provide staff from its Cleveland office. Our firms have partnered on over a dozen planning and zoning projects across the state of Ohio. ZoneCo has provided a list of past sign ordinance and zoning ordinance projects (which always include a sign ordinance update) on page 6, with project descriptions and references on pages 16 through 23.

ZoneCo has been contracted to rewrite sign ordinances as standalone deliverables, and for legal review and compliance with case law. Tailoring a sign code to accommodate unique situations while also remaining content neutral can be challenging. Our firm has developed various methods of regulating size, location, number, type, and materials agnostic of content.

Temporary signs provide another unique challenge. We've worked in community that take a highly specific and prescriptive approach toward temporary sign typologies and standards, and others that prefer simple standards that focus on size and duration. We have a lot of experience in a diversity of communities. We will tailor solutions to Cleveland Heights.

Several of ZoneCo's staff members have substantial land use law experience, and this is an advantage of our team. Further to this, we have professionals specialized in all the other facets of this project that require expertise, like engagement, sign administration/procedural efficiency, graphics, and form-based codes. Both of our teams also have substantial local knowledge.

We hope you will agree that our team has the right skills for this project. Do not hesitate to reach out for additional information.

Thank you for your time and consideration.

Sincerely,



Sean S. Suder, Esq.,
LEED AP Lead Principal/Founder

Important Notice

Although some of our professionals are also attorneys who may be separately engaged to provide legal representation in states where we are licensed to practice law, we are not a law firm and ZoneCo does not provide legal representation or services and is not engaged in the practice of law in any jurisdiction. Engaging ZoneCo does not form an attorney-client relationship and, as such, the protections of the attorney-client relationship do not apply. If you wish to create an attorney-client relationship, you are encouraged to contact counsel of your choosing.

WE ARE ZONECO



The Intersection of Planning + Design + Law

+ About ZoneCo

The importance and complexity of zoning policy inspired the founding of ZoneCo, LLC. Zoning code consulting is our core service. We are focused and passionate, and we strive to help communities be more vibrant, resilient, equitable, and sustainable places through land use policy.

We believe that zoning should facilitate a community's desired outcomes, not serve as a barrier to development and placemaking.

We craft clear consistent, user-friendly, equitable, and defensible zoning codes that remove barriers and achieve desired outcomes.

+ About Our Team

Our team is multi-disciplinary, which reflects our belief that land use planning and zoning should integrate expertise from various disciplines. Our personable, professional staff collectively have skills in planning, zoning, urban design, historic preservation, environmental science, mapping, architecture, real estate, public finance, public engagement, graphic design, and project management. Several of our staff members have land use law experience.

All ZoneCo professionals have public sector experience. We understand the complexities of administering a zoning code, which helps us to better understand our clients and their challenges.

Consulting Services +

- Zoning Codes
- Subdivision Codes
- Sign Ordinances
- Historic Ordinances
- Zoning Diagnostics
- Equity Zoning Audits
- Board & Commission Training
- Code Graphics
- Public Engagement
- Coastal Zoning
- Form-Based Codes
- Design Standards
- On-Call Planning & Zoning Services
- Land Use Planning & Long Range Plans
- Planning Approvals

Where We've Worked +

Alabama	Maryland	Pennsylvania
Connecticut	Massachusetts	South Carolina
Florida	Minnesota	Tennessee
Georgia	Mississippi	Vermont
Illinois	Montana	Virginia
Indiana	New York	Wisconsin
Kentucky	Ohio	

Contact: Sean Suder
 1502 Vine Street, 4th Floor
 Cincinnati, OH 45202
 513.694.7501
ssuder@thzoneco.com
www.thzoneco.com

Who We Are

OHM ADVISORS



We are the community advancement firm.

As a community advancement firm designing award-winning work across the architecture, engineering and planning spheres, we believe that something incredible grows out of a team of experts with individual specialties—ideas with bigger impact.

Firm History

OHM Advisors was established in 1962 and has been growing steadily ever since. Some of our growth has been through strategic mergers and acquisitions and some has been organic, but the driving force has always been to create an exceptional team of people committed to best serving our clients.

Firm Leadership

Since our beginnings, we've understood that meeting the advisory needs of our clients starts with building their trust. For over six decades, our goal has been to create honest client partnerships for today's challenges that last well into the future.

FIRM OVERVIEW

A team of over **720** experts of diverse backgrounds and talents

23 LOCATIONS

and growing throughout MI, OH, IN, PA, KY, FL & TN

Experts in 10 collaborative disciplines

Advancing Communities since 1962



Explore our innovative solutions to challenges at **OHM-Advisors.com**

OUR PROJECTS

Project descriptions and references for are provided in Section 7 of this proposal.

Sign Ordinances

Akron, OH
Dunwoody, GA
Hilton Head Island, SC
Marysville, OH
Murfreesboro, TN

Full Zoning Code Re-Write (which all include sign code updates)

Aurora, OH
Barberton, OH
Batavia, NY
Belgrade, MT
Bowling Green, OH
Buckeye Lake, OH
Charles County, MD
Canfield, OH
Cincinnati, OH - Form Based
Clayton, OH
Colerain Township, OH
Crafton, PA
Dormont, PA
Elyria, OH
Fairborn, OH
Gaithersburg, MD
Gahanna, OH
Garfield Heights, OH
Greenfield, IN
Greenfield, WI
Greenwood, IN
Huntsville, AL
Ingram, PA
Kent County, MD
Lafayette, CO
Litchfield, CT
Orange Township, OH
Palm Beach, FL
Plain City, OH
Plattsburgh, NY
Portsmouth, OH
Purcellville, VA
Reynoldsburg, OH
Rockville, MD
Sidney, OH
South Bend, IN
Southold, NY
Springfield, OH
Statesboro, GA

Sun Prairie, WI
Tallmadge, OH
Twinsburg, OH
University Heights, OH
Vienna, VA
Westerville, OH
Whitehall, OH
Winchester, CT
Wooster, OH

Zoning Diagnostic Only

Avondale Estates, GA
Covington, KY
Evanston, IL
Germantown, TN
Hilton Head Island, SC
Minnetonka, MN
Monroe County, IN
Stow, OH
Sycamore Township, OH

Historic Preservation Ordinances

Burlington, VT
Canfield, OH
Cincinnati, OH

Corridor Zoning

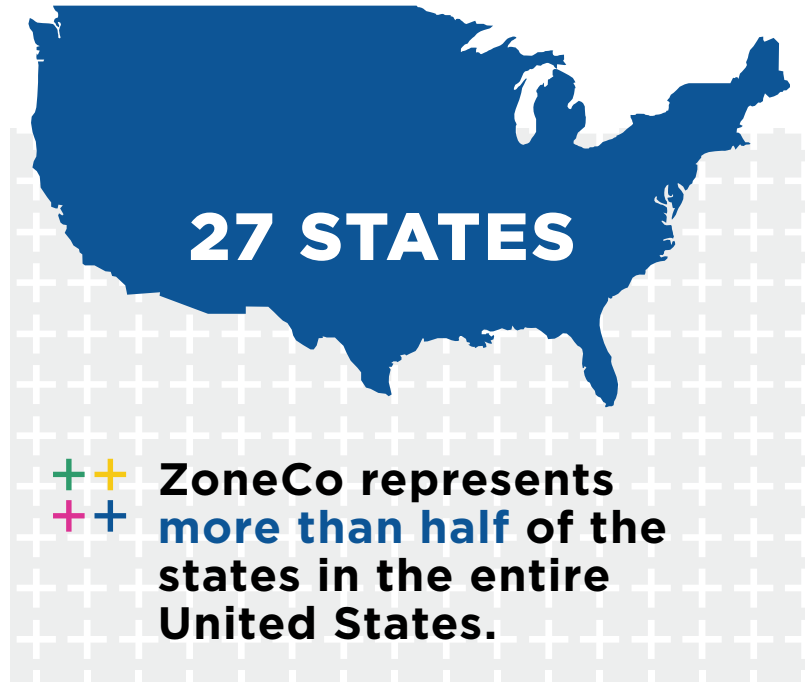
Batavia Township, OH
Florence, KY
Hattiesburg, MS
Lexington, KY
North Canton, OH
Pierce Township, OH
Warrenton, VA
Wickliffe, OH

Administration and Procedures Revisions

Boston, MA
Cincinnati, OH
Danville, KY
Vandalia, OH
Wooster, OH

Redevelopment Site Zoning Strategy

Athens, OH
Harrison Township, OH
Lexington, KY



Zoning Equity Assessment

Evanston, IL

On-Call Zoning Services

Hilton Head Island, SC

Subdivision Ordinances

Litchfield, CT
Vienna, VA
Wadsworth, OH
Wayne County, OH
Winchester, CT

Urban Agriculture Ordinance

Columbus, OH

Affordable Housing Ordinance

Prince William County, VA

ZoneCoastal

Charles County, MD
Hilton Head Island, SC
Kent County, MD
Palm Beach, FL
Southold, NY

Form Based Code

South Bend, IN
Cincinnati, OH (as City staff)

Speaking Engagements

Athens, OH
Cincinnati, OH
Cleveland, OH
College Park, MD
Conneaut, OH
Detroit, MI
Hamilton, OH
Indianapolis, IN
Lafayette, IN
Louisville, KY
Memphis, TN
Muncie, IN
New Orleans, LA
New York, NY
Oklahoma, OK
Petoskey, MI
Pittsburgh, PA
San Diego, CA
Washington, DC
Winchester, VA



SEAN SUDER

PROJECT MANAGER

ssuder@thezoneco.com
www.thezoneco.com

513.235.3470

 1502 Vine Street, 4th Floor
 Cincinnati, OH 45202

About

As a city planner and lawyer who has worked in both the private and public sectors, Sean combines his technical and practical knowledge and experience with innovative zoning methodologies. In his role as the City of Cincinnati's chief land use counsel, Sean served as lead counsel for the award-winning Cincinnati form-based code and historic preservation ordinances. He is a national authority on innovative zoning methods and practices, including Development Pattern Districting (DPD), our widely acclaimed intuitive zoning approach.

Education

Juris Doctor

University Of Virginia School of Law

Bachelor Of Urban And Environmental Planning

University of Virginia

Credentials

Leadership in Energy and Environmental Design Accredited Professional (LEED®AP)

Admitted to practice law in OH, KY, D.C.

Professional Associations

Congress for the New Urbanism

Form-Based Code Institute

Heritage Ohio

Urban Land Institute

American Planning Association

Past Experience

ZoneCo

Lead Principal and Founder (2016 - Present)

(Prior: Calfee Zoning, 2016-2020; Graydon Land Use Strategies, 2014-2016)
 Sean consults with communities of all sizes on crafting zoning regulations that are consistent, clear, usable and defensible. As an experienced private sector land use lawyer with extensive local government experience, Sean brings a unique perspective and experience to zoning codes.

City of Cincinnati

Chief Counsel, Land Use and Planning (2010-2014)

As Chief Counsel for Land Use and Planning for the City of Cincinnati, Sean worked with a team of city staff, consultants, elected officials, and citizens to develop legally defensible zoning and land use regulations that reduced regulatory risk to property owners, increased certainty for the community, and reduced litigation risk and expense for the city. Sean served as lead counsel for Cincinnati's Historic Preservation Code (Winner of the 2012 Cincinnati Preservation Award), Cincinnati Land Development Code, which includes the City's first stream corridor protection overlay district, and Cincinnati Form-Based Code (Winner of CNU 22 Award), all of which was funded by a 2010 HUD Sustainable Communities Challenge Grant.

Adjunct Professor/Speaker/Author

Sean has served as an Adjunct Professor of Land Use Law at the University of Cincinnati College of Law and has spoken at planning conferences across the country.

Relevant Project Experience

Sean served as project manager for the following comparable projects:

- Reynoldsburg, OH: Zoning Code Update
- Dormont, PA: Zoning Code Update
- Bowling Green, OH: Gateway District / Code Re-write
- South Bend, IN: Zoning Code Peer Review Services
- North Canton, OH: Main Street Districts Development and Full Zoning Code Re-Write
- Vienna, VA: Zoning And Subdivision Code Update
- Dunwoody, GA: Sign Ordinance Update
- Gahanna, OH: Zoning Code Update
- Sidney, OH: Zoning Code Update
- Germantown, TN: Zoning Code Audit
- Avondale Estates, Ga: Zoning Code Audit
- Westerville, OH: Legal Counsel And Subsequently Retained As Project Manager
- Winchester/Winsted, CT: Zoning Ordinance Update
- Litchfield, CT: Zoning Ordinance Update



TODD KINSKEY

FAICP, PROJECT ADVISOR

About

A professional urban planner and public administrator who has dedicated his career to serving local governments - the majority of that time was spent in senior leadership positions. He has a proven record as a dedicated leader who always strives for excellence, promotes teamwork, and facilitates change in a collaborative manner.

Expertise

- Zoning Administration, Amendments, and Code Updates
- Site Plan & Zoning Compliance Review
- Local Government Policies & Procedures
- Staff Management & Supervision
- Public Budgeting & Financial Management
- Project Management
- Building & Development Processes
- Land Use & Comprehensive Planning
- Economic Development Incentives & Project Assistance
- Community Development Programs & Compliance
- Housing Policy & Programs

Education

**Bachelor Of Urban Planning,
Cum Laude**
University of Cincinnati

Credentials

In 2020, Todd was inducted into the American Institute of Certified Planners (AICP) College of Fellows - FAICP

Past Experience

ZoneCo

Project Manager (2024- Present)

Todd applies extensive zoning and legislative experience to managing zoning code updates at ZoneCo.

City of Dayton, OH

Director- Dept. of Planning, Neighborhoods & Development/ Dept of Planning & Community Development (2018 - Present)

Todd oversaw the daily operations of the Department of Planning, Neighborhoods & Development (102 employees) and its seven Divisions including: Planning, Community Engagement, Economic Development, Community Development, Housing & Inspections, Building Services, and the Dayton Mediation Center. He was responsible for an annual budget of approximately \$11M in operating funds and more than \$45M in special projects and grant funds. Todd's leadership was responsible for numerous innovative, activating projects throughout Dayton and the region.

Hamilton County, OH

Director- Dept. of Planning + Development (2013-2018)

Todd oversaw the daily operation of the Department (75+ employees) and its five Divisions: Community Planning, Community Development, Development Services, Building + Inspections, and Stormwater + Infrastructure. Todd was responsible for budget preparation and oversight, contract negotiations, County Commissioner project response and general oversight and coordination of all activities of the Department.

Relevant Project Experience

- Dayton Forward Comprehensive Plan, 2023
- Dayton Zoning Code Revision Team, 2018 to present
- Dayton Recovery Plan (ARPA) Project, 2022 to present
- Dayton Neighborhood Vision Plans (UDA as consultant), 2019-2022
- Downtown Dayton Streetscape Guidelines & Corridor Plan, 2020
- City of Dayton Opportunity Zone Project, 2018-2019
- Dayton Riverfront Plan, 2018
- Dayton Arcade Redevelopment Team, 2018 to present
- Dayton Housing Policy Project, HUD Grant, 2022-2023
- Hamilton County Subdivision Regulations Update, 2015
- Cincinnati/Hamilton County Water Contract Negotiations, 2015-2018
- Hamilton County New Website Project Leader, 2015-2017
- Hamilton County Thoroughfare lan Update, 2015-2017
- Hamilton County Landbank Launch Team, 2010-2013
- Hamilton Co. 2013 (Comprehensive Economic Development Strategy) CEDS, 2012-2013
- Hamilton County Transportation Policy Plan, 2009-2010
- Hamilton County Government Cooperation & Efficiency Project, 2008-2011
- Zoning Code Rewrites: Hamilton County, Village of Greenhills, Village of Fairfax, Elmwood Place, Crosby Twp, North Bend
- Comprehensive Plans: Dayton Hamilton County, Village of Fairfax, Greenhills, City of Trenton



NOLAN NICAISE

URBAN & ENVIRONMENTAL PLANNER, DIRECTOR OF INNOVATION, AICP

About

Nolan is an urban planning, environmental science, and policy professional. He has worked as a planner, scientist, environmental policy specialist, higher education program administrator, lecturer, consultant, research assistant, and leader.

He holds an MA degree in Urban and Environmental Policy and Planning from Tufts University and a BS degree in Biology from the University of Dayton, where he focused on water science.

Education

MA, Urban and Environmental Policy
Tufts University

BS, Biology, Summa Cum Laude
University of Dayton

Professional Associations

Congress for the New Urbanism

Indiana Sustainability Development Network

Urban Land Institute

Past Experience

ZoneCo

Urban & Environmental Planner (2020-Present)

Nolan combines real-world planning experience with a depth of knowledge about environmental policy. Additionally, Nolan has excellent composition, mapping, and long-range planning acumen. He has a range of experience across the Midwest, including public sector experience, which means he understands the complexity of administering a zoning code.

Planning and Development Services of Kenton County Planner (2020)

Prior to joining ZoneCo, Nolan received public sector experience in Kenton County, Kentucky. He was engaged in a variety of planning activities for smaller municipalities within Kenton County, including zoning administration, mapping, and long-range planning.

Parsons Corporation

Planner & Environmental Scientist, (2017-2019)

Nolan evaluated environmental impacts of proposed pipeline construction projects, coordinate with local, state, and federal officials to determine environmental permitting requirements, prepare and submit permit applications to governmental agencies, and inspect construction sites to ensure compliance.

He specialized in stormwater regulations and site design (stormwater pollution prevention plans, as part of the National Pollutant Discharge Elimination System), threatened and endangered species protections, and dredge and fill activity permitting (Clean Water Act Section 404).

Nolan provided scientific monitoring support for environmental remediation sites, such as oil terminals and industrial landfills. He regularly coordinated with state environmental protection agencies, state departments of natural resources, local soil and water conservation districts, and the US Army Corps of Engineers.

Relevant Project Experience

- Portsmouth, OH: Full Zoning Code Re-write
- Barberton, OH: Full Zoning Code Re-write
- Purcellville, VA: Full Zoning Code Re-write
- Huntsville, AL: Full Zoning Code Re-write
- Springfield, OH: Full Zoning Code Re-write
- Lafayette, CO: Full Zoning Code Re-write
- Garfield Heights, OH: Full Zoning Code Re-write
- Charles County, MD: Full Zoning Code Re-write
- Stow, OH: Zoning Diagnostic Report
- Bowling Green, OH: Zoning Code Re-Write
- Sidney, Ohio: Full Code Re-write
- Vienna, VA: Zoning And Subdivision Code Update
- Kent County, MD: Land Use Ordinance Update
- Plain City, OH: Zoning Code Update
- Gahanna, OH: Zoning Code Update



JOCELYN GIBSON

MANAGING PRINCIPAL, PROJECT PLANNER

About

Jocelyn has always been passionate about zoning as a vehicle for bringing about change in the built environment. As a City Planner in the public sector, she took special interest in Zoning Hearings and the every day development decisions that lead to profound change over time. She has both public and private sector code writing and planning experience, supplemented by private sector real estate experience.

Education

Masters of Community Planning
University of Cincinnati

B.A. International Affairs
University of Cincinnati

Professional Associations

Congress for the New Urbanism
American Planning Association

Past Experience

ZoneCo, Senior Consultant and Planner (2018-Present, Formerly called Calfee Zoning)

Jocelyn brings both private and public sector experience in the areas of urban planning and corporate real estate. Jocelyn is a perfect fit with ZoneCo due to her passion for zoning as a way to bring long-range planning visions into reality. Her cross-section of urban planning with real estate experience ensures that she is attentive to the needs of both the community, its people and their quality of life, and also the needs of businesses and institutions.

CBRE Group

Senior Client Strategy & Consulting Analyst (2015-2018)

In her role with CBRE, Jocelyn evaluated the real estate portfolios of large corporate clients in an effort to optimize their real estate expenditure across the globe. She helped clients visualize portfolios, expenditure and potential savings in unique and accessible ways. Jocelyn has worked with industrial, commercial and office real estate portfolios. She utilized mapping and analytics tools to evaluate locations, consolidations, and workspace planning. Her clients included several Fortune 500 companies.

City of Cincinnati

City Planner (2013-2015)

Jocelyn served as a City Planner with the City of Cincinnati during the final stages of completion of the award-winning Comprehensive Plan, the creation of the City's award-winning Form-Based Code, and the creation of the City's Land Development Code. Jocelyn participated in all of these efforts, in addition to regular recommendations and presentations to the City Planning Commission and City Council. Jocelyn also gave zoning recommendations to the City's Zoning Hearing Examiner.

Relevant Project Experience

Rockville, MD: Zoning Ordinance Update

Evanston, IL: Zoning Equity Diagnostic

Bowling Green, OH: Gateway District Development And Subsequently Retained For A Full Zoning Code Re-Write

North Canton, OH: Main Street Districts Development

Orange Township: Zoning Diagnostic and Code Update

Lexington, KY: New Circle Road Land Use Analysis

Sidney, OH: Zoning Code Update

Westerville, OH: Code Re-Write

Greenwood, IN Code Re-Write

City of Cincinnati Land Development Code (while working in city government)

City of Cincinnati Form-Based Code (while working in city government)

Erica Tinnirello

PLANNER



Education

- Master of Urban Planning and Development, Cleveland State University, 2022
- Bachelor of Arts, Urban Studies, Regional Planning, 2020
- Historic Preservation Certificate, Cleveland State University, 2020

Experience

With OHM since 2023
2 years prior experience

Professional Affiliation(s)

- American Planning Association (APA), 2020-Present
- Cleveland State University APA, 2020-2022
- Cleveland State University APA, Executive Board, 2021-2022

Background

Erica is a planner at OHM Advisors with a passion to create memorable and unique places. Her experiences focus on historic preservation, transportation initiatives, graphic development, and community and stakeholder engagement. Prior to joining OHM, Erica worked at Slavic Village Development, a non-profit community development corporation within the city of Cleveland, as their grant and marketing coordinator. She believes that planning is an effective tool that cities can use to reimagine viable spaces. She has been able to work on a variety of projects that help further her experience to create unique solutions.

Select Relevant Experience

Cleveland Midway Superior Avenue, Cleveland, OH

Planner & Outreach Graphics; Known previously as the Superior Midway, it is a cycle track that runs down the middle of Superior Avenue from Public Square to East 55th Street. Erica created a rebrand of the project so it will be able to encompass all future additions to the entire network, by renaming it and creating a brand kit including a new logo. Assisted in stakeholder and public engagement through multiple meetings and surveys with key organizations, business owners, residents, and other interested parties.

Columbus Road Peninsula Vision Plan, Cleveland, OH

Planner; As one of the recommendations from the Vision for the Valley Comprehensive Plan, Erica is working with Flats Forward, City of Cleveland, and area stakeholders to craft a vision plan for the future of the peninsula. The final plan will include implementation steps to help guide investment and promote appropriate growth and redevelopment of these legacy industrial properties.

Cleveland Midway Lorain Avenue, Cleveland, OH

Planner; Responsible for community engagement workshops for this project that will incorporate 1.8 miles of bike facility, adjacent to the sidewalk and buffered from car traffic. As a total reconstruction of the corridor, the project is comprised of new pavement, ADA-compliance, new water lines, traffic signal improvements, and streetscape & placemaking improvements, including planting, site furnishings, pavement treatments, green infrastructure, branding, signage, and public art. The proposed improvements will work toward the goals of making the Ohio City and Cudell 15-minute neighborhoods, creating a complete and green corridor, improving safety for all transportation modes, providing bicycle infrastructure for all ages and abilities, improving transit performance, and making Lorain Avenue a vibrant destination for residents and visitors.

Main Street Reconnection & Streetscape (Huron), City of Huron, OH

Planner; From Huron's Vision 2020 Action Plan, the city of Huron set out to reimagine Main Street to spur development. Erica focused on the overall land use of Main Street to ensure a quaint historic commercial corridor with consistent aesthetic that is aided by landscaping, public art, and wayfinding.

Greta Thomas

PLANNER



Education

- Master of Urban Planning and Development, Cleveland State University, 2022
- Bachelor of Art History, University of Cincinnati, 2017

Experience

With OHM since 2024
2 years prior experience

Background

Greta is a planner at OHM Advisors with a mindset of creating community destinations, her ability in recognizing the uniqueness of each community connects her to the places and spaces of each project. Her experiences focus on community and economic development, urban design, multi-mobility, and community engagement. Prior to joining OHM, Greta worked at Slavic Village Development, a non-profit community development corporation within the city of Cleveland, as their business development associate. She believes that planning can be a powerful tool in enhancing the resiliency, adaptability, and legacy of place.

Select Relevant Experience

Public Square Connectivity & Public Realm Plan, Cleveland, OH

Planner; The Public Square/Tower City area is the central core and hub both for the city and downtown neighborhood connecting residents of Cleveland to those of Cuyahoga County and Northeast Ohio. The design of these spaces and the interaction between them and visitors are critical to the vitality of downtown. OHM is currently leading a connectivity and public realm plan that positions this area for future development while prioritizing the safety and efficiency of multimodal transportation.

North Broadway Neighborhood Plan, Cleveland, OH

Planner; The North Broadway sub neighborhood of the Slavic Village neighborhood is undergoing a vision plan for future development. Working with Slavic Village Development, University Settlement, and The NRP Group to find equitable solutions for current and potential new residents.

State Route 44 Corridor Study, Rootstown, OH

Planner; Working alongside the Rootstown and Ravenna JEDD on their first project aiming to leverage economic development and multi-modal accessibility for the stretch of State Route 44 from I-76 to Tallmadge Road. The study aims to enhance safety, strengthen community character, direct economic growth, and improve quality for life of residents. Through robust engagement efforts, the team will be coordinating with key stakeholders such as Rootstown Public Schools, Northeast Ohio Medical University, and other focus groups to cater recommendations and implementation strategies that will enhance the corridor and create a sense of identity for the community.

Old River Road, Cleveland OH

Planner; Located in the Flats East Bank area of downtown Cleveland, Old River Road runs parallel with the Cuyahoga riverfront. The rich history of the neighborhood, its surrounding activity and investments, and its proximity to major assets creates an opportunity for significant reactivation. OHM is prioritizing bike mobility and connectivity through the corridor while also recommending streetscape improvements that further community character and create a destination for residents and visitors alike.

PROJECT UNDERSTANDING AND APPROACH

For code updates, ZoneCo follows a three-phase approach: Diagnose, Calibrate, and Codify, which is consistent with desired scope of work within the RFP.

The rationale behind these project phases are as follows:

Diagnose: Analyze and diagnose the issues. Supplement our analysis with community surveys and best practices research.

Calibrate: Calibrate updated standards in a collaborative and iterative manner.

Codify: Once the community has reviewed proposed new standards, create the language and visuals for the updated sign ordinance. Integrate community feedback and adopt the new sign ordinance.

Questions and issues that we will seek to address throughout this project are as follows:

- All language should be content neutral and compliant with applicable case law.
- Should signage be calibrated by zoning district, with some zoning districts grouped? There will still be instances where signage will be governed by use, as the current code is structured, for example for institutional uses within residential areas.
- The current sign code needs to accommodate modern signage technologies with regards to lighting and materials.
- How should we categorize the multitude of temporary signs that arise? Should we list specific typologies, or break them down by size? How should we address temporary sign types like banners that are often on public property?
- How is the process difficult for staff, the public, or sign professionals to navigate? How can we improve it?
- Which signs should require a permit, and which signs should be allowed without a permit?
- Which signs should be explicitly prohibited?
- Which sign typologies should be permitted and prohibited in walkable areas?
- Should the scale of signs be relative to a structure, size of property, or the sign's relationship to the thoroughfare, and the type/size of thoroughfare?
- Does the community feel strongly about sign lighting (we have worked in a handful of communities where residents feel very strongly about signage lighting)?
- How can the existing sign ordinance be better organized, and where can we put information in tables and use graphics to assist with comprehension?
- Are signs well-defined?
- How should we deal with signage for multi-tenant properties where signage needs to be considered for the whole property and the individual tenants? Should we deal with fueling stations and shopping centers separately?
- How can we ensure that signage is specially tailored for the form standards in the C2-X?

There are many signage questions to be answered. ZoneCo works on these issues with communities around the country, and we have worked in historic inner-ring suburban communities like Cleveland Heights. Our experience allows us to integrate best practices concurrently with the preferences of the individual community.

In the section below, we've highlighted where the scope of work in the RFP aligns with the three-module approach.

Diagnose:

- *Kick-off meeting*
- *Code analysis*
- *Model code/ordinance review*
- *Initial community engagement: visual preference survey*

Calibrate:

- *Lay out updates to signage standards alongside existing standards for community review*
- *Review proposed updates with a variety of community members and stakeholders*

Codify:

- *Draft sign regulations*
- *Present draft of sign regulations to various community members and stakeholders*
- *Finalize sign regulations*
- *Adopt updated sign code*

PROPOSED SCOPE AND TIMELINE

**Our team will tailor the following approach to meet the City's needs.*

+ PHASE I: DIAGNOSE (MONTH 1)

1.1. Coordination of kick-off meeting, kick-off meeting, and tour of City

- Our team will meet with Cleveland Heights staff to kick off the project and review the project work plan, schedule, project goals, staff experiences, the objectives of City administration, public reactions to signage, potential process improvements, etc. We will tour the City and denote sign types and urban fabric during the tour.

1.2 Quick inventory of sign types/aesthetics/dimensions vis-à-vis urban fabric and ROW

- Our team will utilize online resources to do a quick sign survey. While undertaking the sign survey, the team will identify the urban fabric where the sign is located. This will allow us to understand the existing signs and how they fit in with their surroundings versus the standards within the current sign ordinance.

1.3 Community visual preference survey (online)

- We will develop a visual preference survey which uses visuals of signs to gauge how the community feels about new proposed sign types and their dimensions and location.

1.4 Analyze the existing sign regulations and procedures and produce a Code Analysis

- Our team will undertake an evaluation of regulations and procedures, and assess potential avenues to improve process, consistency with case law and long-range plans, aesthetic goals, and community objectives for signage. Provide a prioritized list of updates applicable to standards, procedures, and legal defensibility.
- We will include a section in the report for case studies and best practices relevant to this project.

+ PHASE II: CALIBRATE (MONTHS 2-5)

2.1 Create calibration table to propose and test new signage standards and design

- We will create a table that lays out proposed base standards for the new sign code. This allows the project team to discuss these standards prior to writing the new sign code language. Once the calibration table has been reviewed and revised, we will review proposed base standards with stakeholders and the public.

2.2 Prepare visuals and materials for open public session

- Prior to the stakeholder sessions and the Public Session #1, we will prepare materials that provide visual prompts and build understanding about different sign

types and how sign types are regulated.

2.3 Two stakeholder sessions with parties/individuals identified by the City to review proposed calibration of sign standards

- We will document all stakeholder feedback so that it can be integrated into the proposed base standards.

2.4 Public Session #1: Open public session to present design and standards from calibration table, seek feedback on proposed solutions, document feedback

- The public session will garner feedback from the public on proposed updates. The team will provide visual cues to build understanding around all the various sign types and how they might be erected in different parts of the City.

2.5 Refine and finalize base standards/calibration table

- Public feedback will be integrated into the calibration tables, and the tables will be finalized.

2.6. Two rounds of review of base standards

- Two rounds of revision will capture the public comments, and the calibration table will undergo a final staff review and sign off.

+ PHASE III: CODIFY (MONTHS 5-8)

3.1 Prepare draft sign code/ordinance, present to staff, make revisions, produce public draft of document

- With the base signage regulations fleshed out, the team will draft the language of the updated sign code. Our team will integrate tables, visuals, and process charts as needed to make sure that the new code is as user- and administrator-friendly as possible.

3.2 Develop graphics to accompany sign regulations

- Our team will develop graphics to accompany the text of the new code.

3.3 Public Session #2: Present a public review draft, also consolidate input from online sources, integrate feedback into document

- The final draft of the new sign code will be presented at a public meeting prior to the public adoption meetings. Public officials and stakeholders will have the opportunity to review the draft document and provide feedback to the project team.

3.4 Develop adoption draft of sign regulations

- After integrating the public's comments, we will produce a final adoption draft of the new sign code.

3.5 Assist staff through adoption process

- Our team will devote time to supporting staff through the adoption process of the new sign code.

PUBLIC AND STAKEHOLDER ENGAGEMENT

+ ENGAGEMENT PLAN

In all instances, an engagement plan must be tailored to the specific community and the means of communication that are already effective within the community. Further to this, we need to think critically about engaging parties that are usually under-represented and be intentional about receiving feedback from those groups or individuals as well. Within the scope of work, we proposed several stakeholder and public meetings, and they are also described below.

Engagement for sign codes generally follows a three-pronged approach. We must hear from public officials and staff, the public itself, and stakeholders/regular users of the sign code.

1. We will provide an initial survey to staff and interview them about the current challenges with the sign code. We would also engage with public officials to understand their perspectives and objectives for the project. They will also receive regular updates and have the opportunity to weigh in on deliverables.
2. Because stakeholders usually have such a strong familiarity with the sign standards and processes, structured meetings or focus groups where we hear their perspectives are most helpful. We may choose to do this in a group setting where they can converse around sign provisions and share experiences, or separate meetings could be scheduled to provide a more one-on-one setting (ensuring that we have allotted enough project hours to meet with all parties).
3. When engaging the public around signage, we have found that it is important to provide visuals. A visual preference survey at the beginning of the project can build understanding of sign types while also gaging the public's reaction to various sign aesthetics and placement on a site or building. For the two public sessions proposed, we would identify topics of most interest to the community and tailor visuals and information gathering exercises. We would also make sure that materials are available online for anyone that cannot attend an in-person meeting, or someone that would like to further dig into the details of proposed changes.

The proposed scope above describes the timing of engagement and how it relates to other tasks.

+ GENERAL SUPPORT/RESOURCES NEEDED FROM CITY

At the outset, it is important that staff provide information about the main challenges with the current code beyond content neutrality. We want to know the challenges that face staff, the public, and stakeholders that use the sign code on a regular basis. Further to this, we will lean on staff to help the team understand the City, its built environment, and its culture so the team can more effectively serve the City's needs.



DUNWOODY, GEORGIA

Sign Ordinance

Project Scope

ZoneCo and TSW were chose to update the Dunwoody, GA sign code.

Skills and Techniques

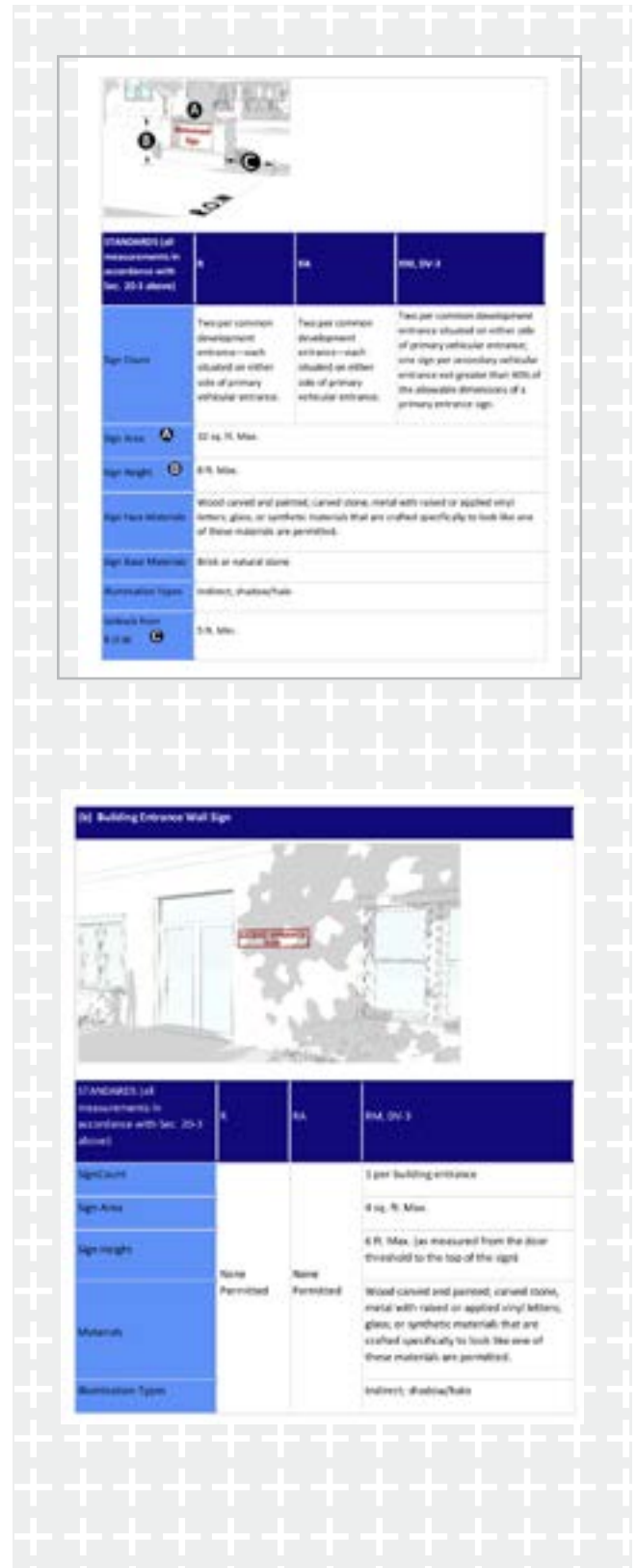
- Signage character inventory
- Calibration of development standards and regulations
- Transportation-signage standard coordination
- Modern signage lighting standards
- Modern signage materials standards
- Public and stakeholder engagement
- Coordination with businesses and signage companies

Project Overview

ZoneCo was retained to rewrite Dunwoody's sign code to reflect community preferences with regards to sign lighting and aesthetics, and provide greater flexibility for institutions and establishments. Special signage regulations were created for the new development at the Perimeter Center. Sign area permissions in the previous sign code were difficult to administer and leading to unintended outcomes. The permitted amount of signage was tailored to districts and building types. The code itself was simplified and streamlined.

Project Reference

Paul Leonhardt, AICP
Deputy Community Development Director
4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338
(678) 382-6811
Paul.Leonhardt@dunwoodyga.gov



MARYSVILLE, OHIO

Sign Ordinance

Project Scope

ZoneCo rewrote the Marysville, Ohio sign code.

Skills and Techniques

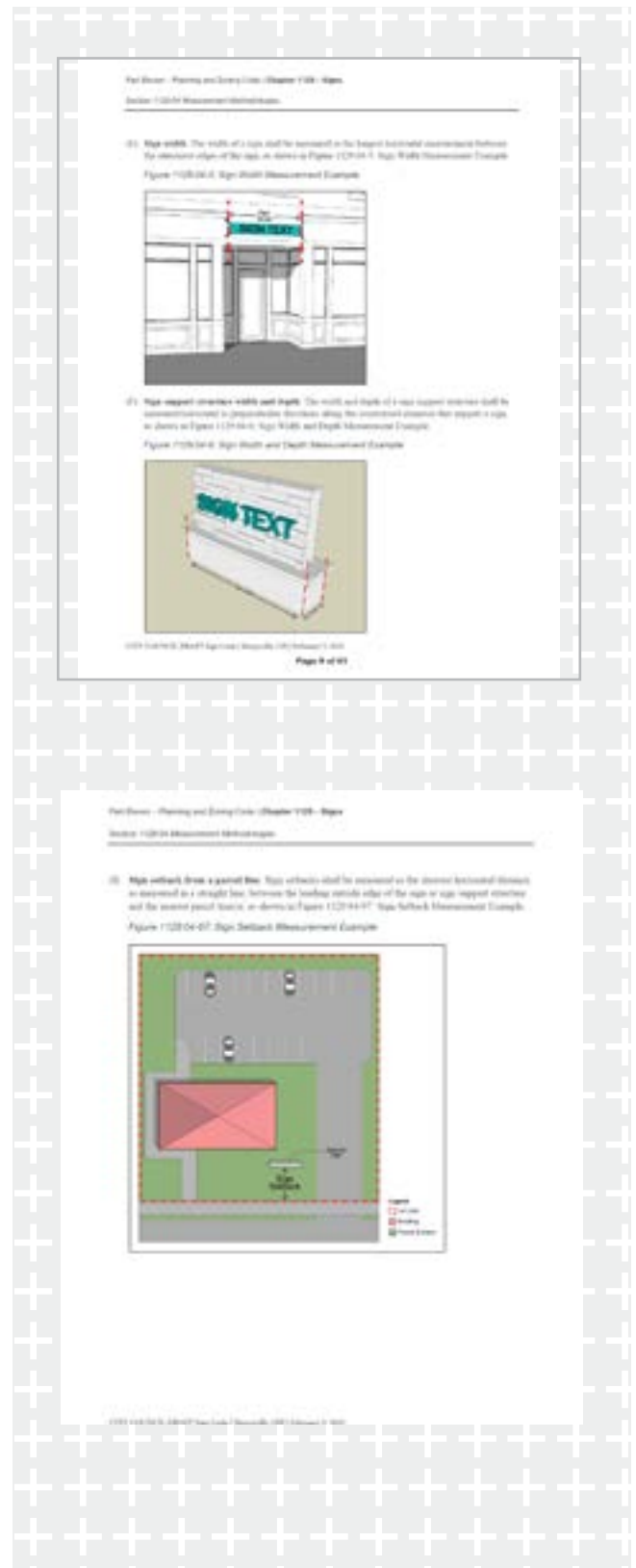
- Signage character inventory
- Calibration of development standards and regulations
- Transportation-signage standard coordination
- Modern signage lighting standards
- Modern signage materials standards
- Public and stakeholder engagement

Project Overview

ZoneCo has worked on several zoning projects in Marysville and was retained to update the City's sign code. ZoneCo developed a graphically-rich and easy-to-use sign code while ensuring that the scale of signs matched the unique character areas in the City.

Project Reference

Ashley Gaver
Planning & Development Manager
Phone: (937) 645-7361
agaver@marysvilleohio.org



Development Code Update

A modern, streamlined, and updated Zoning Ordinance, with transit-oriented and form-based elements.

- Transit-Oriented Standards
- Full Code Diagnostic
- Calibration of Development Standards and Regulations
- Form-Based Standards
- Mixed-Use Standards
- Design Standards
- Development Pattern Districting
- Floodplain Standards
- Visual Urban Dictionary

The Borough of Dormont, Pennsylvania, has engaged the team of ZoneCo and YARD & Company to help modernize its zoning ordinance. As one of Pittsburgh's several transit-oriented inner ring suburbs, Dormont seeks to build on the momentum created by recent regional transit-oriented development planning efforts. The team crafted a development code that not only allows for context sensitive infill development and adaptive reuse but enables the Borough to capitalize on several light rail stations and bus stops. The process includes active engagement and education; the testing of new ideas and zoning concepts to determine the most appropriate content; and a user-friendly tool to guide growth.

Benjamin Estell
Borough Manager
1444 Hillsdale Avenue, Pittsburgh, PA 15216
(412) 561-8900
bestell@boro.dormont.pa.us



ZoneCo was chosen to re-write Vienna, Virginia's subdivision and zoning ordinances as the lead consultant joined by Venable LLP, Nelson Nygaard, and YARD & Company.

- Land Use Assessment
- Calibration of Development Standards and Regulations
- Transportation-Land Use Coordination
- Mixed-Use Standards
- Design Standards
- Main Street Standards

ZoneCo will clarify, simplify, and reorganize its subdivision and zoning ordinances so the regulations are logically organized and easy to understand through the use of plain language, charts, tables, and illustrations.

The update will address areas where the Code is silent and zoning determinations have been made over the years by the Town's zoning administrator, and where regulations are currently lacking, like for parking standards and definitions for all uses.

David Levy, AICP
Director of Planning & Zoning
127 Center St S
Vienna, VA 22180
(703) 255-6341
david.levy@viennava.gov



SOUTH BEND, INDIANA

Form-Based Code

Project Scope

Peer review services were provided for the re-write of the Zoning Ordinance.

Skills and Techniques

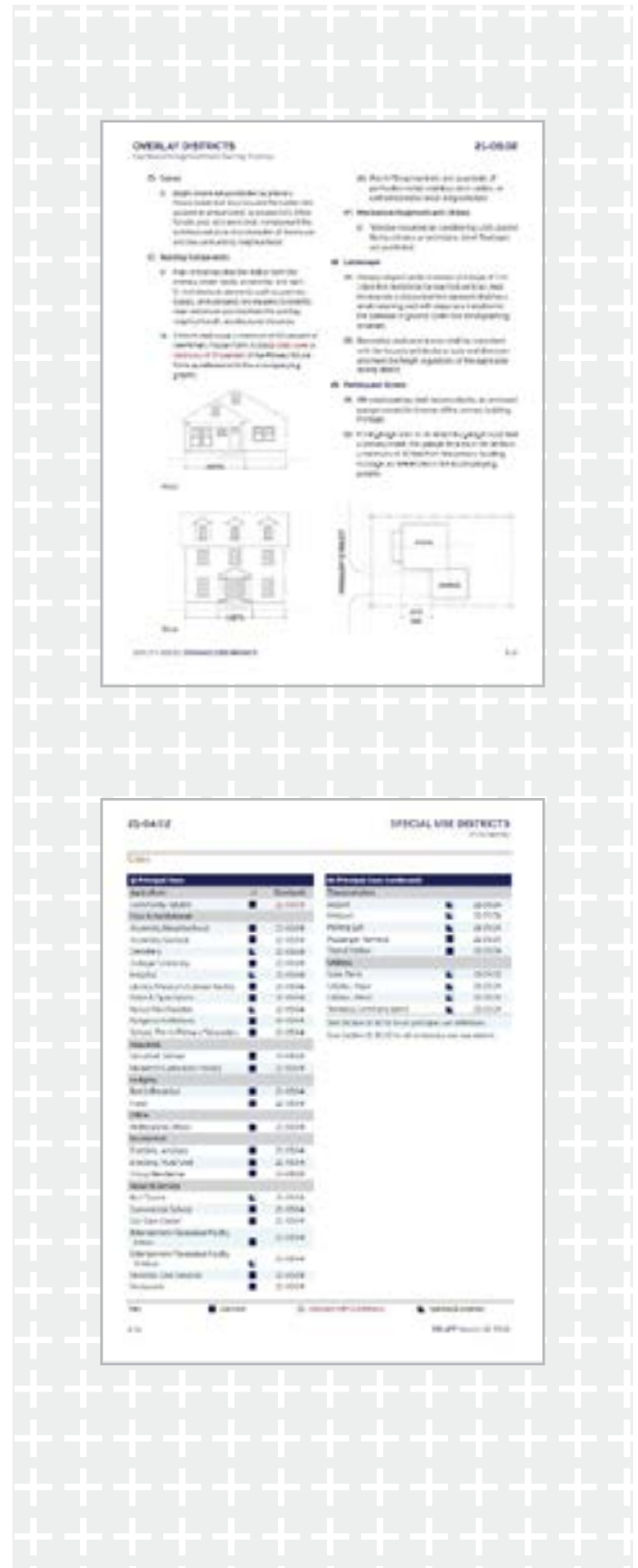
- Signage Standards
- Special Districts
- Overlay Districts
- Standard Districts
- Form-Based Standards
- Mixed-Use Standards
- Building Standards
- Parking Standards
- Floodplain Standards

Project Overview

ZoneCo was hired to provide peer review services for the South Bend, Indiana zoning ordinance re-write. South Bend is seeking to craft a zoning code that provides flexibility while achieving the desired urban form. The code is highly visual, and ZoneCo helped to ensure that the code is facilitating the community vision while checking for compliance with Indiana statutes.

Project Reference

Michael Divita, AICP
Principal Planner
227 W. Jefferson Blvd., Suite 1400S
South Bend, IN 46601
(574) 235-5843
mdivita@southbendin.gov



REYNOLDSBURG, OHIO

Zoning Code Update

Project Scope

A modernized, streamlined, and updated zoning code.

Skills and Techniques

- Full Code Diagnostic
- Calibration of all Regulations and Standards
- Old Towne District Infill Analysis
- Development Pattern Districting
- Form-Based Coding
- Recommendations and Considerations for Suburban Retrofit
- Presentations at all Adoption Meetings

Project Overview

In 2018, Reynoldsburg, Ohio retained ZoneCo and OHM Advisors to re-write the City's Planning and Zoning Code. Prior to this, OHM Advisors completed an update of the Comprehensive Plan which sets new goals for the City for the next 10 to 20 years. The land use goals of the plan relate strongly to the East Main Street Corridor, strengthening Olde Reynoldsburg, and promoting economic diversity and economic development. The final code facilitated the community vision for key character areas while streamlining the code and attracting new investment.

Project Reference

Andrew Bowsher

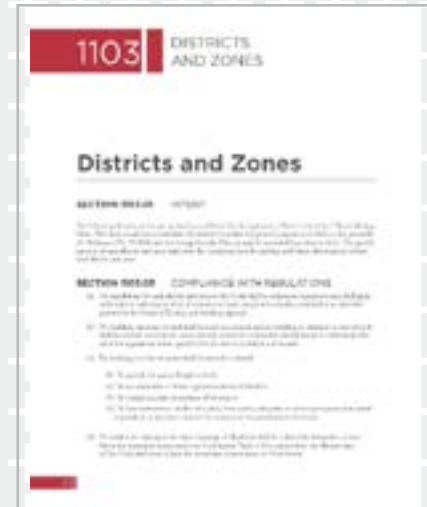
Former Development Director now City Manager in Sidney, Ohio where ZoneCo also did a code update

201 W Poplar Street

Sidney, OH 45365

(937) 498-8110

abowsher@sidneyoh.com



WHITEHALL, OHIO

Zoning Code Update

Project Scope

ZoneCo and OHM advisors collaborated on an update to the Whitehall zoning code.

Skills and Techniques

- Full Code Diagnostic
- Calibration of all Regulations and Standards
- Form-Based Standards
- Development Pattern Districting
- Mixed-Use Zoning
- Housing supply-oriented reforms
- Assessment of desired gateway design

Project Overview

In 2022, OHM and ZoneCo partnered to modernize and update Whitehall's zoning code. There are several key gateways where the City wanted to facilitate high quality development, a mixed-use environment, and greater capacity for density. The final product is a form-base code that is facilitating substantial development in Whitehall.

The code is graphically rich and form based standards were developed for frontage types, community space, building types, and signage.

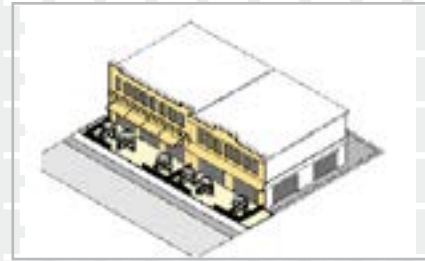
Project Reference

Zach Woodruff

Former City Manager of Whitehall

zwoodruff@csc.edu

(614) 287-5604



Samples of ZoneCo's Adopted Codes (linked)

Please find the full Dunwoody, GA Sign Code here:

https://library.municode.com/ga/dunwoody/codes/code_of_ordinances?nodeId=PTIICOOR_CH20SI

Please find the full Marysville, OH Sign Code here:

https://library.municode.com/oh/marysville/codes/code_of_ordinances?nodeId=PTELEVENZOCO_TITTHREEZOR_CH1129SI

Please find the full Vienna, VA Zoning Code here:

https://library.municode.com/va/vienna/codes/code_of_ordinances?nodeId=P-TIICOOR_CH18ZOSUOR

Please find the South Bend, IN Zoning Regulations here (ZoneCo Subconsultant):

<https://docs.southbendin.gov/WebLink/Browse.aspx?dbid=0,0&star-tid=291740&row=1&cr=1>

Please find the full Gaithersburg, MD Zoning Code here:

https://library.municode.com/md/gaithersburg/codes/code_of_ordinances?nodeId=Zoning

Please find the full Reynoldsburg, OH Zoning Code here:

https://codelibrary.amlegal.com/codes/reynoldsburg/latest/reynolds_oh/0-0-0-70026

Please find the Dormont, PA Development Code here:

<https://boro.dormont.pa.us/wp-content/uploads/2021/03/Dormont-Zoning-Code-Public-Draft-1.pdf>

Please find the Bowling Green, OH Zoning Code Update here:

<https://www.bgohio.org/DocumentCenter/View/4313/Zoning-Code---Effective-July-12-2023-PDF>

Please find the full Sidney, OH Zoning Code here:

<https://www.sidneyoh.com/DocumentCenter/View/2991/SidneyOH-Zoning-Ordinance-updated-thru-November-2024?bidId=>

COST PROPOSAL

ZoneCo has prepared this draft project scope as a starting point for discussions with the City based on our interpretation of the scope of services within the RFP. We are willing to negotiate on the scope and budget in order to meet the City's needs

Task	Prj. Mgmt. \$210	Jr. Pl. \$150	Sr. Pl. \$200	OHM \$175	Per Task Cost
Coordination of kick-off meeting, kick-off meeting, and tour of Town	16			4	\$4,060
Review past plans, existing sign ordinance, and any other relevant documents	3	2			\$930
Quick inventory of sign types/aesthetics/dimensions vis-à-vis urban fabric and ROW	1	5			\$960
Community visual preference survey (online)	3			16	\$3,430
Provide an analysis of the existing sign regulations, procedures, documents, and develop a report	14	2	3		\$3,840
Create calibration table to propose and test new signage standards and design	20	10	4	2	\$6,850
Prepare visuals and materials for open public session	3	1		18	\$3,930
Two stakeholder sessions with community, business, sign companies to review proposed calibration of sign standards	4	4			\$1,440
Public Session #1: Open public session to present design and standards from calibration table, seek feedback on proposed solutions, document feedback	16			30	\$8,610
Refine and finalize base standards/calibration table	4		2		\$1,240
Two rounds of review of base standards	8				\$1,680
Prepare draft sign code/ordinance, present to staff, make revisions, produce public draft of document	26	15	4	5	\$10,975
Develop graphics to accompany sign regulations	5			25	\$5,425
Public Session #2: Present a public review draft, also consolidate input from online sources, integrate feedback into document	16			30	\$8,610
Develop adoption draft of sign regulations	16		2	5	\$4,635
Assist staff through adoption process	22				\$4,620
Totals	170	44	15	135	\$69,645

Statement on Minority, Women-Owned, Veteran-Friendly, Disadvantaged Business Enterprises, or Encouraging Diversity Growth and Equity Program (MBE/WBE/VBE/DBE/EDGE) Inclusion; Prevailing Wage and Local Hiring

Although the OHM has local staff members, neither OHM nor ZoneCo is a minority-owned or woman-owned business. Community advocacy groups are often a vital part of engaging with community members that are frequently under-represented in zoning conversations. We would be happy to identify and set-aside project budget to work with community organizations to hear and understand their challenges. We did not find any similar organizations in our search, but we are happy for recommendations. For example, if there is minority business association, staff could be compensated for their time for conducting surveys of their members. This effort would abide by all fair wage and prevailing wage standards.

Statement of Non-Discrimination

Our team will comply with all applicable federal, state and local laws with regard to fair employment practices and will not discriminate on the basis of the protected classes identified in Section 749.01 of the Cleveland Heights Codified Ordinances.



Date: June 24, 2025

To: City Council

From: Brian Iorio, Assistant Director of Community Development

Subject: Home Repair Resource Center: Down Payment Assistance services

Purpose Statement: To authorize the Mayor to execute a contract with the Home Repair Resource Center for an amount not exceed \$600,000 to continue the Down Payment Assistance Program. This program would be funded from the general fund after \$3.5M of general funds were made available through the use of ARPA Revenue Replacement funds for City payroll. The amount made available for this program was included in Ordinance 179-2023, Exhibit A.

HRRC has received a \$150,000 contract funded directly through ARPA. This resolution will allow the administration to enter into a second contract for the remaining \$600,000. The administration is suggesting emergency passage on First Reading to ensure that the program does not need to be interrupted.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To ensure that the Down Payment Assistance Program is not interrupted.

Is passage on first reading necessary: Yes: X No: _____

If yes, why? To ensure that the Down Payment Assistance Program is not interrupted.

If funding is required, is it already budgeted for? Yes: X No: _____

If not already budgeted for, where will funding come from?

Proposed: 06/30/2025

RESOLUTION NO. 137-2025(PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with the Home Repair Resource Center program management services for the Cleveland Heights Down Payment Assistance Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on March 19, 2024, the Home Repair Resource Center (HRRC) submitted an application for an American Rescue Plan Act (ARPA) funded Down Payment Assistance Program ("Program"); and

WHEREAS, HRRC has successfully implemented the ARPA-funded Program and has nearly expended all of the original \$150,000 contract amount; and

WHEREAS, HRRC is an over 40-year non-profit partner to the City of Cleveland Heights; and

WHEREAS HRRC is the sole HUD-Certified Housing Counseling Agency located in the City of Cleveland Heights; and

WHEREAS, HRRC has a long track record of administering Federal funds in partnership with the City; and

WHEREAS, payment for the continuation of such services is possible in part because of funds made available with the expenditure of ARPA funds towards eligible City employee salaries in FY 2024; and

WHEREAS, this Council wishes to authorize a contract with HRRC for program management services for the Program.

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

SECTION 1. The Mayor shall be and is hereby authorized to execute a contract with the HRRC in furtherance of the Program. The contract shall not provide for payments by the City in excess of Six Hundred Thousand and 00/100 Dollars (\$600,000.00), and shall be approved as to form, and include any provisions deemed necessary, by the Director of Law.

RESOLUTION NO. 137-2025(PD)

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken 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.

SECTION 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for uninterrupted service of the Program. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Date: 6.25.25

To: City Council

From: Brian Anderson, Assistant Director of Economic Development

Subject: Cedar Fairmount SID's petition for the adoption of their public services and improvement plan.

Purpose Statement: To approve the Cedar Fairmount SID's petition for the adoption of their public services and improvement plan.

This is the next required step in the SID approval process after approving/returning the proposed plan without comment by Resolution 60-2025. Additional steps will need to be passed via Resolution in August and in advance of the County's deadline to submit special assessments.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: _____ No: X

If yes, why?

Is passage on first reading necessary: Yes: X No: _____

If yes, why?

Passing on first reading allows the SID to complete the renewal process in time to meet the County's special assessment deadline.

If funding is required, is it already budgeted for? Yes: _____ No: X

If not already budgeted for, where will funding come from?

N/A

Proposed: 06/30/2025

RESOLUTION NO. 138-2025(F), *First Reading*

By Mayor Seren

A Resolution approving a petition for the adoption of a public services and improvements plan for the Cedar Fairmount Special Improvement District.

WHEREAS, Ohio Revised Code Chapter 1710, "Special Improvement Districts," provides for the voluntary creation of nonprofit corporations by groups of property owners to fund mutually beneficial improvements through self-assessment; and

WHEREAS, the Board of Directors of the Cedar Fairmount Special Improvement District ("Cedar Fairmount SID") have approved a proposed public services and improvements plan for the next five years, with an expanded territory; and

WHEREAS this Council returned said plan to the Board of Directors without comments or recommendations for changes by Resolution No. 60-2025; and

WHEREAS, said plan has been approved by the owners of property constituting over sixty percent (60%) of the front footage of the property included in the district and has been submitted to this Council for its approval; and

WHEREAS, approval of the public services and improvements plan would be in the best interest of the Cedar Fairmount SID and the residents of this community.

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

SECTION 1. This Council hereby approves the petition for adoption of the submitted public services and improvements Plan for the Cedar Fairmount Special Improvement District, ("Cedar Fairmount SID"), the originals of which petition are on file with the Clerk of Council, and a copy of which Plan is attached to this Resolution as **Exhibit "A"** and incorporated herein by reference.

SECTION 2. This Council hereby finds that the petition for the adoption of said Plan for the Cedar Fairmount SID was executed by the owners of over sixty percent (60%) of the front footage of all real property located in the district, as required by Ohio Revised Code Section 1710.06 and finds that the adoption of the submitted public services and improvements Plan will be in the best interest of the Cedar Fairmount SID and the residents of this community.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken 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.

RESOLUTION NO. 138-2025(F)

SECTION 4. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 5. This Resolution shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

EXHIBIT A



March 4, 2025

Mr. Tony Cuda
Council President
City of Cleveland Heights
40 Severance Circle
Cleveland Heights, OH 44118

Dear Council President Cuda:

Per Ohio Revised Code 1710, the Cedar Fairmount Special Improvement District Plan of Services is being submitted to initiate our renewal process. This document also includes a district map and budget for the five-year term, which would commence in January 1, 2026, pending approval of property owners who represent 60% of the frontage within our service area.

Please reach out to any member of our Board of Trustees if you have any questions or concerns.

Respectfully submitted,

Sal A. Russo
Board President

PLAN OF SERVICES

To be provided by

CEDAR FAIRMOUNT IMPROVEMENT DISTRICT

Forward

Chapter 1710 of the Ohio Revised Code, effective September 1994, provides that owners of sixty percent (60%) of the front footage of an area can petition to create a Special Improvement District. The SID is a non-profit corporation, governed by trustees elected by the property owners (one of which is the City Executive or his/her designee, and one appointed by City Council) of an area/district, to provide special desired services such as marketing, beautification/maintenance, economic development, and physical improvement planning services. These services are set forth in the “Plan of Services” and are in addition to services normally provided by the City.

Property owners representing at least sixty percent of the front footage of the Cedar Fairmount Special Improvement District (which is herein defined) are petitioning the Council of the City of Cleveland Heights for the continuance of the Cedar Fairmount Special Improvement District (the “District”) and for approval of the Plan of Services for Cedar Fairmount Special Improvement District.

The Plan of Services as its overall goal to maintain and to enhance the economic viability of the Cedar Fairmount District. To that end, it provides marketing, beautification/maintenance, economic development, and physical improvement planning services.

The Services

The services to be provided by the Cedar Fairmount Special Improvement District, as part of the plan, are listed below as types of activities to be undertaken. These are given as representative samplings. The intent is not to limit the services to those specifically described or bind services to this initial conceptual schedule. This plan authorizes all activities as permitted under Ohio Revised Code Section 1710.06(a).

The Cedar Fairmount Special Improvement District will provide the professional management to deliver the services in the district. The managed services will be overseen by the nine member Board of Directors of the SID consisting of seven members elected by the property owners, one appointee by City Council and the Mayor (or Mayor’s designee).

Marketing Program

- Promote the district as a premier retail, dining, business and office district.
- Present marketing and promotional events that highlight the district such as annual Street Festival, neighborhood happy hours and winter ice carving.
- Maintain a district website, oversee social media channels and create email campaigns to engage and inform the neighborhood and surrounding area of district happenings.
- Keep merchants informed of marketing and promotional opportunities.

Beautification and Maintenance

- Coordinate the delivery of designed maintenance programs on a scheduled basis.
- Seasonal plantings, watering and care: multiple-weekly schedule as seasonally needed.
- Snow removal: as seasonally needed.
- Power washing of sidewalks/pedestrian spaces: annually.
- Sidewalk sweeping/vacuuming: multiple-weekly schedule.
- Litter and debris removal: multiple-weekly schedule.
- Maintain garbage receptacles and benches.

Connector to the City of Cleveland Heights

- Work in partnership with the Police Department to address crime prevention and safety awareness.
- Keep merchants informed of planned City projects affecting the district such as changes to traffic, street closings, parking and construction.
- Collaborate with the Economic Development Department on available commercial spaces and develop lead generation.

Cost

The costs of the Plan of Services shall include those permitted pursuant to the Ohio Revised Code, Section 1710.07. The annual cost of the Plan of services is budgeted for each of the five years of the plant and will be generated by property owners' assessments. See Exhibit A.

Areas to be Served:

The area to be served is as follows:

- Cedar Road, on the north side from Euclid Heights Boulevard to 12479 Cedar Road Parcel Number 685-16-053
- Cedar Road, on the south side from Parcel Number 685-24-075 to Fairmount Boulevard
- Bellfield, on west side , Parcel Number 685-24-075
- Bellfield, on east side, Parcel Number 685-26-001
- Lenox Road, on the west side, from Cedar Road to Euclid Heights Boulevard
- Lenox Road, on the east side, from Cedar Road to Euclid Heights Boulevard
- Grandview, on the west side, Parcel Number 685-26-003
- Grandview, on the east side, Parcel Number 685-26-004
- Surrey Road, on the west side, from Cedar Road to Euclid Heights Boulevard
- Surrey Road , on the east side, Parcel Number 685-16-057
- Euclid Heights Boulevard, on the south side, from Surrey Road to 2378 Euclid Heights Boulevard Parcel Number 685-18-006 and Parcel 685-18-042
- Fairmount Boulevard, on the south side, 2460 Fairmount Boulevard Parcel Number 685-26-004

A detailed map showing the area is attached as the last page of this Plan of Services as Exhibit B.

Method of Assessment

The assessments to be used by Cedar Fairmount Special Improvement District shall be by Assessed Value as determined by the Cuyahoga County Fiscal Officer. The total assessed costs will be determined based on the annual budget for that year as it is approved by the Board of Directors. As permitted by section 1710.06 of the Ohio Revised Code, the assessment methodology of the district will be based on assessed value, with a maximum value of a property within the District capped at \$2,500,000.

The formula that will be used to determine each Members assessment amount is set forth below:

Annual SID Budget	X	Assessed Value of Parcel(s)	=	Annual Contribution to the SID
		Total Assessed Value of All District Parcels		

The assessment will be collected semi-annually.

Term of the Plan

The term of the Plan of Services shall be for five (5) years from January 1, 2026 through December 31, 2030. Services will be provided during the same term. The commencement date may be adjusted by the Board of Directors by up to six (6) month later as necessary to give flexibility in meeting all requirements as provided in Chapter 1710 of the Ohio Revised Code and/or as necessary to provide for funds collection and cash flow to commence operation.

Period of Assessment

The term of assessment levied by the district shall be for five (5) years from January 1, 2026 through December 31, 2030. It may also be adjusted by the Board of Directors as stated above under the Term of Plan.

Annual and 990 Report

The Executive Director or Treasurer of the Board of Directors shall submit by the last day of March each year to the City of Cleveland Heights Finance Director (and/or Mayor), a report of the Cedar Fairmount Special Improvement District's activities and financial condition for the previous year. An annual report will also be submitted to the Ohio Auditor of State office for public view.

Cedar Fairmount Special Improvement District



-  SID Boundary
-  Parcels

Proposed: 06/16/2025

RESOLUTION NO. 118-2025(F), *Second Reading*

By Mayor Seren

A Resolution approving the adoption of the 2026 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Mayor prepared and submitted to the Council a proposed 2026 Tax Budget for Council's review and evaluation; and

WHEREAS, a copy of the proposed 2026 Tax Budget is available for inspection by the general public at the office of the Director of Finance at the City Hall.

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

SECTION 1. This Council hereby approves the adoption of the 2026 Tax Budget which is on file in the office of the Director of Finance.

SECTION 2. The Clerk of Council is hereby directed to make a copy of the approved 2026 Tax Budget a matter of record.

SECTION 3. The Director of Finance is hereby directed to file a copy of the approved 2026 Tax Budget with the Cuyahoga County Budget Commission.

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken 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.

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 6. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being to permit its timely filing with the Budget Commission within the period permitted by law. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 118-2025(F)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

	A	B	C	D	E	F	G	H	I
1	DIVISION OF TAXES LEVIED								
2	(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)								
3	(List All Levies Of The Taxing Authority)								
4	City of Cleveland Heights - 2026								
5								SCHEDULE 1	
6	I	II	III	IV	V	VI	VII	VIII	IX
7			Authorized		Number	Tax	Collection		\$ AMOUNT
8			By Voters	Levy	Of Years	Year	Year	Maximum	Requested
9	Fund	Purpose	On	Type	Levy	Begins/	Begins/	Rate	Of Budget
10			MM/DD/YY		To Run	Ends	Ends	Authorized	Commission
11	101-GENERAL FUND	Current Expenses		Inside and Charter		January 1, 2025	January 1, 2026	9.62	\$11,209,996.95
12	216-RECREATION FACILITIES IMPROVEMENT	Current Expenses		Charter		January 1, 2025	January 1, 2026	0.70	\$815,696.24
13	232-POLICE PENSION	Current Expenses		Charter		January 1, 2025	January 1, 2026	0.30	\$349,584.10
14	233-FIRE PENSION	Current Expenses		Charter		January 1, 2025	January 1, 2026	0.30	\$349,584.10
15	301-BOND RETIREMENT	Debt Service		Debt Millage		January 1, 2025	January 1, 2026	1.50	\$1,747,920.52
16									
17									
18									
19									
20									
21	Totals							12.42	\$14,472,782

	A	B	C	D	E	F	G
1	STATEMENT OF FUND ACTIVITY						
2	(List All Funds Individually)						
3							
4							SCHEDULE 2
5	I	II	III	IV	V	VI	VII
6		Beginning			Total	Total	Ending
7	Fund	Estimated			Resources	Estimated	Estimated
8	BY	Unencumbered	Property Taxes and	Other Sources	Available for	Expenditures &	Unencumbered
9	Type	Fund Balance	Local Government Revenue	Receipts	Expenditures	Encumbrances	Balance
10	101-GENERAL FUND	28,454,750.01	13,267,452.95	47,275,075.45	88,997,278.41	62,254,889.42	26,742,388.99
11	102-BUDGET STABILIZATION ACCOUNT	1,400,000.00	0.00	0.00	1,400,000.00	0.00	1,400,000.00
12	201-STREET MAINTENANCE FUND	3,686,764.57	0.00	2,366,400.00	6,053,164.57	4,329,294.97	1,723,869.60
13	202-FOUNDATION GRANTS FUND	93,815.91	0.00	0.00	93,815.91	0.00	93,815.91
14	203-FIRST SUBURBS CONSORTIUM FUND	2,501.21	0.00	0.00	2,501.21	0.00	2,501.21
15	204-COMMUNICATIONS DISPATCH FUND	0.43	0.00	0.00	0.43	0.00	0.43
16	205-PUBLIC WORKS MAINTENANCE FUND	282,123.17	0.00	0.00	282,123.17	267,357.00	14,766.17
17	206-LAW ENFORCEMENT TRUST FUND	609,412.79	0.00	169,830.00	779,242.79	87,182.82	692,059.97
18	207-DRUG LAW ENFORCEMENT FUND	774,207.00	0.00	255,000.00	1,029,207.00	198,390.00	830,817.00
19	208-COMMUNITY DEVELOPMENT BLOCK GRANT FUND	0.89	0.00	2,714,819.76	2,714,820.65	2,714,819.76	0.89
20	210-EPA BROWNFIELD GRANT	274,500.00	0.00	279,990.00	554,490.00	0.00	554,490.00
21	211-H.O.M.E. PROGRAM FUND	370,692.47	0.00	877,200.00	1,247,892.47	660,990.00	586,902.47
22	212- FEMA FUND	159,526.25	0.00	0.00	159,526.25	0.00	159,526.25
23	213-POLICE IMPROVEMENT FUND	23,079.49	0.00	10,200.00	33,279.49	21,452.32	11,827.17
24	214-LOCAL PROGRAMMING FUND	1,140,430.65	0.00	453,900.00	1,594,330.65	519,420.90	1,074,909.75
25	215-CAIN PARK FUND	182,427.34	0.00	1,946,670.00	2,129,097.34	1,883,995.10	245,102.24
26	216-RECREATIONAL FACILITIES IMPROVEMENT FUND	1,095,562.91	815,696.24	41,103.76	1,952,362.91	1,538,871.27	413,491.64
27	217-PUBLIC RIGHT OF WAY FUND	183,196.74	0.00	2,040.00	185,236.74	0.00	185,236.74
28	218-MISCELLANEOUS STATE GRANTS	368.00	0.00	0.00	368.00	0.00	368.00
29	221-INDIGENT DUI TREATMENT FUND	309,357.07	0.00	14,280.00	323,637.07	14,698.50	308,938.57

	A	B	C	D	E	F	G
1	STATEMENT OF FUND ACTIVITY						
2	(List All Funds Individually)						
3							
4							SCHEDULE 2
5	I	II	III	IV	V	VI	VII
6		Beginning			Total	Total	Ending
7	Fund	Estimated			Resources	Estimated	Estimated
8	BY	Unencumbered	Property Taxes and	Other Sources	Available for	Expenditures &	Unencumbered
9	Type	Fund Balance	Local Government Revenue	Receipts	Expenditures	Encumbrances	Balance
10	222-COURT COMPUTER FUND	213,591.11	0.00	51,000.00	264,591.11	74,940.29	189,650.82
11	223-DUI ENFORCEMENT EDUCATION FUND	140,242.00	0.00	4,080.00	144,322.00	0.00	144,322.00
12	224-COURT SECURITY GRANT	98,814.00	0.00	0.00	98,814.00	0.00	98,814.00
13	225-COURT SPECIAL PROJECTS FUND	2,260,887.22	0.00	84,660.00	2,345,547.22	84,026.58	2,261,520.64
14	226-LEAD SAFE FUND	513,017.00	0.00	1,390,976.04	1,903,993.04	1,554,793.70	349,199.34
15	227-NEIGHBORHOOD STABILIZATION PROGRAM FUND	123,583.81	0.00	0.00	123,583.81	0.00	123,583.81
16	228-COVID	243,563.00	0.00	357,829.26	601,392.26	352,958.00	248,434.26
17	230-STREET LIGHTING FUND	1,449,471.20	0.00	1,020,000.00	2,469,471.20	1,085,000.25	1,384,470.95
18	231-FORESTRY FUND	843,677.82	0.00	1,122,000.00	1,965,677.82	2,028,679.31	-63,001.49
19	232-POLICE PENSION FUND	196,957.30	349,584.10	0.00	546,541.40	390,303.00	156,238.40
20	233-FIRE PENSION FUND	318,272.20	349,584.10	0.00	667,856.30	390,303.00	262,218.00
21	234-EARNED BENEFITS FUND	16,840.51	0.00	0.00	16,840.51	306,000.00	-289,159.49
22	237-FIRST SUBURBS DEVELOPMENT COUNCIL	57,753.82	0.00	0.00	57,753.82	0.00	57,753.82
23	238-CORONAVIRUS RELIEF FUND	48.00	0.00	0.00	48.00	0.00	48.00
24	239-REFUSE GRANT FUND	27,259.78	0.00	0.00	27,259.78	0.00	27,259.78
25	240-FEDERAL MISCELLANEOUS GRANTS	0.00	0.00	1,461,880.32	1,461,880.32	1,461,880.32	0.00
26	241-LOCAL FISCAL RECOVERY	0.00	0.00	0.00	0.00	0.00	0.00
27	242-ONEOHIO OPIOD SETTLEMENT	129,840.31	0.00	20,400.00	150,240.31	0.00	150,240.31
28	244 - NOPEC FUND	3,500.00	0.00	204,000.00	207,500.00	205,500.00	2,000.00
29	260 - TOP-OF-THE-HILL TIF FUND	0.00	0.00	1,020,000.00	1,020,000.00	1,020,000.00	0.00
30	261- CEDAR LEE & MEADOWBROK TIF FUND	0.00	0.00	0.00	0.00	0.00	0.00
31	301-BOND RETIREMENT FUND	1,047,393.53	1,747,920.52	157,184.48	2,952,498.53	1,494,353.04	539,288.73
32	402-CAPITAL EQUIPMENT/IMPROVEMENTS FUND	3,562,227.28	0.00	0.00	3,562,227.28	3,562,227.28	0.00
33	411-ECONOMIC DEVELOPMENT FUND	10,918.72	0.00	1,020.00	11,938.72	1,020.00	10,918.72
34	412-CITY HALL MAINTENANCE FUND	161,221.53	0.00	29,580.00	190,801.53	21,331.66	169,469.87
35	415-RING ROAD CONSTRUCTION FUND	35,045.37	0.00	0.00	35,045.37	0.00	35,045.37

	A	B	C	D	E	F	G
1	STATEMENT OF FUND ACTIVITY						
2	(List All Funds Individually)						
3							
4							SCHEDULE 2
5	I	II	III	IV	V	VI	VII
6		Beginning			Total	Total	Ending
7	Fund	Estimated			Resources	Estimated	Estimated
8	BY	Unencumbered	Property Taxes and	Other Sources	Available for	Expenditures &	Unencumbered
9	Type	Fund Balance	Local Government Revenue	Receipts	Expenditures	Encumbrances	Balance
36	416-REFUSE CAPITAL FUND	1,242,165.03	0.00	130,560.00	1,372,725.03	536,840.71	835,884.32
37	601-WATER FUND	1,563,834.77	0.00	1,030,200.00	2,594,034.77	1,263,629.17	1,330,405.60
38	602-SEWER FUND	9,114,549.66	0.00	7,640,233.50	16,754,783.16	9,779,260.56	6,975,522.60
39	603-PARKING FUND	17,022.21	0.00	333,030.00	350,052.21	333,030.00	17,022.21
40	605-REFUSE FUND	612.39	0.00	3,306,330.00	3,306,942.39	3,306,330.00	612.39
41	606-AMBULANCE SERVICE FUND	1,026,338.62	0.00	1,284,690.00	2,311,028.62	1,785,091.60	525,937.02
42	701-HOSPITALIZATION	120,801.77	0.00	8,315,040.00	8,435,841.77	8,315,040.00	120,801.77
43	703-WORKERS COMP	204,766.68	0.00	0.00	204,766.68	0.00	204,766.68
44	804-OFFICE ON AGING DONATIONS FUND	21,407.75	0.00	0.00	21,407.75	1,785.00	19,622.75
45	808-YOUTH RECREATION DONATION FUND	107,387.73	0.00	510.00	107,897.73	5,100.00	102,797.73
46	809-POLICE MEMORIAL FUND	11,808.04	0.00	0.00	11,808.04	0.00	11,808.04
47	810-YOUTH ADVISORY COMMISSION FUND	71.20	0.00	0.00	71.20	0.00	71.20
48	811-JUVENILE DIVERSION PROGRAM FUND	9,389.85	0.00	12,240.00	21,629.85	12,240.00	9,389.85
49	850-FLEXIBLE SPENDING ACCOUNT	14,415.15	0.00	153,000.00	167,415.15	153,000.00	14,415.15
50	857-SALES TAX FUND	299.99	0.00	0.00	299.99	51.00	248.99
51	858-MISCELLANEOUS AGENCY FUND	1,585,631.64	0.00	108,120.00	1,693,751.64	115,003.68	1,578,747.96
52	864-NEORSO BILLING FUND	277.50	0.00	0.00	277.50	0.00	277.50
53							
54							
55	Total	26,494,905.49	2,447,088.73	29,238,563.60	58,180,557.82	39,639,718.15	17,606,647.60

	A	B	C	D	E	F
1	UNVOTED GENERAL OBLIGATION DEBT					
2	(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)					
3	(Do Not Include General Obligation Debt Being Paid By Other Sources)					
4	(Do Not Include Special Obligation Bonds & Revenue Bonds)					
5						
6	SCHEDULE 3					
7	I	II	III	IV	V	VI
8					Amount Required	
9				Principal Amount	To Meet	Amount Receivable
10			Final	Outstanding	Calendar Year	From Other Sources
11	Purpose Of Bonds Or Notes	Date Of	Maturity	At The Beginning	Principal & Interest	To Meet
12		Issue	Date	Of The Calendar Year	Payments	Debt Payments
13	Refund Series 2014 Ring Road	12/21	12/29	\$1,059,000.00	\$171,024.80	
14	2022 - Parking Deck Refunding Bonds	02/22	12/33	\$2,137,000.00	\$298,724.00	
15	2018 - Vehicle Bonds	2018	12/27	\$140,000.00	\$72,696.00	
16	2020 - Various Purpose Bonds - Restructuring	07/05	12/37	\$9,620,000.00	\$546,407.50	
17	2021 - Various Purpose Bonds	07/22	12/30	\$585,000.00	\$122,594.40	
18	2022 - Top of the Hill Bonds	04/22	12/31	\$835,000.00	\$150,690.00	
19	Totals			\$14,376,000.00	\$1,362,136.70	
20						
21						
22	Data Source: Mike Burns from Baird Bond Reports					



Date: 6.25.25

To: City Council

From: Brian Anderson, Assistant Director of Economic Development

Subject: Legislation related to the sale of two City-owned properties on Cedar Road for development

Purpose Statement: To authorize the Mayor to enter into a Purchase Agreement with Cedar Hill Development, LLC for residential development.

The administration and developer have had additional conversations since this legislation was last read on June 2. The developer has expressed his desire verbally and in writing to proceed with the proposed project pending Council approval.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? Passing as an emergency allows the developer to pursue necessary approvals, complete design work, and begin the project sooner.

Is passage on first reading necessary: Yes: _____ No: X

If yes, why?

If funding is required, is it already budgeted for? Yes: _____ No: X

If not already budgeted for, where will funding come from?

N/A

Proposed: 04/21/2025

ORDINANCE NO. 063-2025(PD), *Fourth Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to execute a real estate purchase agreement for the sale of certain vacant real property located on South Overlook Road and Cedar Road, consisting of approximately 0.54 acres and identified as permanent parcel numbers 685-24-001 and 685-24-033 in the Cuyahoga County records; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights, Ohio owns certain real property identified as Permanent Parcel Numbers 685-24-001 and 685-24-033 in the Cuyahoga County Records, and consisting of approximately 0.54 acres of vacant land located on South Overlook Road and Cedar Road (collectively, the "Property"); and

WHEREAS, the City desires to sell the Property to Cedar Hill Development, LLC ("Purchaser") for redevelopment; and

WHEREAS, the City intends to sell the Property for a purchase price of Forty Thousand Dollars (\$40,000.00) (the "Purchase Price"), pursuant to the terms and conditions set forth in the proposed real estate purchase agreement between the City and the Purchaser, a draft of which is attached hereto as Exhibit A, and incorporated herein by reference (the "Purchase Agreement"); and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to authorize the Mayor to execute the Purchase Agreement for the sale of the Property.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor is hereby authorized to execute the Purchase Agreement and any and all other related documents, and take any actions necessary, to sell the Property to the Purchaser. The Purchase Agreement shall be substantially in accordance with the terms of the draft agreement attached hereto as Exhibit A. The Purchase Price for the Property shall be the sum of Forty Thousand Dollars (\$40,000.00) as set forth in the Purchase Agreement. The Purchase Agreement shall contain such further terms as recommended by the Mayor and Director of Law and shall be approved as to form by the Director of Law.

SECTION 2. This Council finds the aforementioned Property to be sold is no longer needed for municipal purposes.

ORDINANCE NO. 063-2025(PD)

SECTION 3. It is found and determined that all formal actions of the Council 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.

SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City's website.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the timely redevelopment of the Property. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take immediate effect and be force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Exhibit A

See attached.

REAL ESTATE PURCHASE AGREEMENT

THIS REAL ESTATE PURCHASE AGREEMENT (“Agreement”) is entered into on _____, 2025 (“Effective Date”), by and between the **CITY OF CLEVELAND HEIGHTS, OHIO**, an Ohio municipality organized under the laws of the State of Ohio and its Charter, with its principal place of business located 40 Severance Circle, Cleveland Heights, Ohio 44118 (“Seller”) and **CEDAR HILL DEVELOPMENT, LLC**, an Ohio limited liability company with its principal place of business located at 2593 Fairmount Boulevard., Cleveland Heights, Ohio 44106 (“Purchaser”).

WHEREAS Seller is the owner of certain real property as set forth herein, and desires to sell the same to the Purchaser upon the terms and conditions set forth in this Agreement; and

WHEREAS, Purchaser desires to purchase from Seller that certain real property upon the terms and conditions set forth in this Agreement.

NOW THEREFORE, IN CONSIDERATION of the mutual covenants set forth herein, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

DESCRIPTION OF PROPERTY; AGREEMENT OF PURCHASE AND SALE

1.1 Purchase and Sale; Property. In exchange for the consideration described in Section 2.1 herein and pursuant to the terms and conditions of this Agreement, the Seller agrees to convey to Purchaser the following:

The real property identified as Permanent Parcel Number 685-24-001 in the Cuyahoga County Records, consisting of 0.29 acres of vacant land, located on South Overlook Road, Cleveland Heights, Ohio 44106, and Permanent Parcel Number 685-24-033 in the Cuyahoga County Records, consisting of 0.25 acres of vacant land, which is located along Cedar Road in Cleveland Heights, Ohio, 44106 along with any improvements thereon, and easements, appurtenances, rights, privileges and hereditaments appertaining thereto, as further described in the legal description which is attached hereto and incorporated herein by reference as Exhibit A, (collectively the “Property”).

PURCHASE PRICE

2.1 Purchase Price. The total purchase price for the Property, subject to prorations and adjustments as provided in this Agreement, shall be Forty Thousand Dollars (\$40,000.00) (“Purchase Price”). The Purchase Price shall be due and payable from Purchaser as follows:

(a) Five Thousand Dollars (\$5,000.00) in immediately available cash funds upon execution of this Agreement (“Earnest Money”), which shall be deposited with the Title Company and may be returned to the Purchaser pursuant to Section 3.2, 3.3, or in the event the Seller fails to consummate the sale of the Property to the Purchaser without any fault of the Purchaser.

(b) Fifteen Thousand Dollars (\$15,000.00) in immediately available cash funds on the Closing Date, which shall be pre-funded by Purchaser at least 24 hours prior to Closing. Upon Closing, said funds and the Earnest Money shall be distributed to the City by the Title Company.

(c) Twenty Thousand Dollars (\$20,000.00) on the Closing Date in the form of a promissory note in favor of the Seller (the “Note”), which shall be secured by a mortgage upon the Property (the “Mortgage”). Both the Note and Mortgage shall be in forms agreed upon by the parties. The Mortgage shall provide for partial release of the Mortgage upon any subsequent sale of a portion of the Property and payment by Purchaser of a proportionate share of the principal balance of the Note. The Note shall bear interest at the rate of 0% per annum and shall mature on the 2-year anniversary of the Closing Date, and all outstanding principal shall be due on the maturity date if not previously paid.

(d) If the site remains undeveloped, meaning that no construction of any home on the site has started as of the 2-year anniversary of the Closing Date, then the City shall pay to Buyer all portions of the Purchase Price that have been paid by that date, and thereafter reenter and take possession of the Property and terminate and revert in City the estate conveyed by the Deed to Purchaser.

To secure Purchaser’s obligation in the prior paragraph, the Deed shall contain a condition subsequent to the effect that in the event Purchaser fails to commence construction of any home on the site by the 2-year anniversary of the Closing Date, the City may, at its option, declare the Purchaser to be in default of its obligation, and all of the rights and interests in the Property conveyed by the Deed to Purchaser, and the title, rights and interest of Purchaser, and any assigns or successors in interest, to and in the Property, shall revert to the City, provided, that the City repays all portions of the Purchase Price paid by that date.

TITLE AND SURVEY; INSPECTION

3.1 Title. Seller shall, at Closing, convey to Purchaser title to the Property by limited warranty deed (the “Deed”).

3.2 Title Commitment. Within ten (10) days after the Effective Date, Purchaser shall obtain a commitment ("Title Commitment") for an Owner's Policy of Title Insurance for the Property ("Title Policy") issued by Surety Title Agency, Inc., 1120 Chester Avenue, #400, Cleveland, OH 44115 ("Title Company") setting forth the condition of title to the Property, and will provide the same to the Seller. Purchaser shall have fifteen (15) days after receipt of the Title Commitment ("Title Review Period") to review the condition of title to the Property. If during the Title Review Period Purchaser determines that there is any matter or condition in the Title Commitment which, in Purchaser's reasonable opinion, renders the Property unfit for its intended use, Purchaser will provide written notice to the Seller on or before the expiration of the Title Review Period of any such matter or condition ("Title Objection Notice"). The Seller will have no obligation to correct or cure such objections, but may at its sole option, elect to cure or correct such objections. Within ten (10) days after receipt of Purchaser's Title Objection Notice, Seller will advise the Purchaser in writing whether or not the Seller will correct or cure such matter or condition ("Seller's Response"). If the Seller elects to correct or cure such matter or condition, the Seller will commence such cure with due diligence and in such event the closing of the sale will be extended for a reasonable period of time to complete such cure. If the Seller elects not to correct or cure such matter or condition, Purchaser will have the right, upon written notice to the Seller within three (3) days after receipt of the Seller's Response, to either (a) agree to waive any objection to such matter or condition and proceed to Closing without any cure of such matter or condition and without any reduction in the Purchase Price; or (b) elect to terminate this Agreement. Purchaser's failure to deliver the Title Objection Notice on or before the expiration of the Title Review Period will constitute a waiver by Purchaser of any right to object to any matter or condition relating to the Title Commitment or the condition of title to the Property and any right to terminate the purchase agreement. In the event this Agreement is terminated for the reasons set forth in this paragraph, the Earnest Money payment will be returned to Purchaser.

3.3 Due Diligence. For a period commencing upon the Effective Date, and continuing for sixty (60) days ("Inspection Period"), Purchaser, together with its agents, employees, and authorized representatives ("Purchaser's Agents"), shall have the right to perform any and all due diligence inspections, including, without limitation, any general inspections and surveys of the Property, soil testing, quality and compaction, environmental and any other appropriate tests to determine the condition of the Property, the suitability for its intended use, whether the Property is in compliance with all applicable federal, state, or local laws, rules, ordinances, regulations, and codes, and any other matters which Purchaser desires to inspect ("Inspections").

(a) Seller shall provide Purchaser with reasonable access to the Property, upon reasonable advance written notice from Purchaser, to perform such due diligence inspections by Purchaser, and its respective agents. The Seller shall have the right to have

its representative present at the Property during any Inspections. In no event shall Purchaser's agents make any intrusive physical testing of the Property without the prior written consent of Seller which consent shall not be unreasonably withheld. Purchaser shall promptly restore the Property to the condition existing prior to the Inspections and repair any damage to the Property resulting from any of the Inspections conducted by or on behalf of Purchaser.

(b) If during the Inspection Period, the results of the due diligence inspections reveal conditions of the Property that are unacceptable to Purchaser or that render the Property unfit for Purchaser's intended use, in its reasonable discretion, then Purchaser may terminate this Agreement. To effectuate a termination of this Agreement pursuant to this Section, the Purchaser shall provide the Seller written notice of said termination on or before the expiration of the Inspection Period of any such unacceptable matter or condition, together with a copy of any applicable report or survey describing such matter. Upon the termination of this Agreement under this Section, the Earnest Money shall be returned to Purchaser.

(c) Upon request from Purchaser, Seller shall provide Purchaser with copies of all tests, surveys, reports, or other documents ("Reports") concerning the Property in Seller's possession. Upon request from Seller, Purchaser shall provide Seller with copies of all Reports related to the Inspections.

3.4 PURCHASER ACKNOWLEDGES AND AGREES THAT THE SALE OF THE PROPERTY PURSUANT TO THIS AGREEMENT IS AND WILL BE MADE ON AN "AS IS, WHERE IS" AND "WITH ALL FAULTS" BASIS, WITHOUT REPRESENTATIONS OR WARRANTIES OF ANY KIND OR NATURE BY SELLER, INCLUDING WITHOUT LIMITATION THE CONDITION OR VALUE OF THE PROPERTY OR THE SUITABILITY OF THE PROPERTY FOR PURCHASER'S INTENDED USE. PURCHASER FURTHER ACKNOWLEDGES AND AGREES THAT SELLER HAS AFFORDED PURCHASER THE OPPORTUNITY FOR FULL AND COMPLETE INVESTIGATIONS, EXAMINATIONS AND INSPECTIONS OF THE PROPERTY AND THAT PURCHASER WILL ACQUIRE THE PROPERTY SOLELY ON THE BASIS OF PURCHASER'S OWN REVIEW AND INSPECTION OF THE PROPERTY. BY EXECUTING THIS AGREEMENT, PURCHASER EXPRESSLY ACKNOWLEDGES AND AGREES TO THE FOREGOING PROVISIONS OF THIS PARAGRAPH, WHICH ARE MATERIAL, NEGOTIATED TERMS OF THIS AGREEMENT WITHOUT WHICH SELLER WOULD NOT ENTER INTO THIS AGREEMENT WITH PURCHASER.

CONDITIONS TO CLOSING

4.1 Conditions. The obligations of the parties to close the transaction contemplated by this Agreement are subject to the following conditions:

(a) The representations and warranties of the parties contained in Section 5 of this Agreement shall be true on the date of Closing as though those representations and warranties were made on that date.

(b) Neither Purchaser nor Seller shall have breached any affirmative covenant contained in this Agreement to be performed by them on or before to the date of Closing.

(c) Purchaser shall have approved all of the matters set forth in Section 3 in respect to which Purchaser has, under provisions of this Agreement, a right of inspection and/or approval; or, in the event Purchaser has delivered written objections to Seller in respect to any of those matters, Seller has elected to and has remedied Purchaser's objections prior to Closing in the manner and within the time period provided in this Agreement or if Seller has not remedied Purchaser's objections prior to Closing, then Purchaser has waived said objections.

(d) Seller shall have timely delivered to Purchaser in satisfactory form the documents and all other items referred to in Section 6 below.

(e) The Title Company shall at Closing have delivered or irrevocably committed itself in writing to deliver the Title Policy.

(f) The Purchaser shall have delivered the Purchase Price to the Title Company for distribution to Seller, unless otherwise provided herein.

(g) Purchaser shall have accepted a deposit in the amount of \$5,000 from a home buyer and executed a sale for at least one single family house.

(h) Purchaser shall have executed and delivered such documents and agreements as may be necessary or required in the reasonable mutual opinion of Seller's counsel and Buyer's counsel.

4.2 Additional Conditions. Additionally, because Purchase intends to develop the Property following Closing, Purchaser shall provide to Seller evidence, in form reasonably satisfactory to Seller, that the following conditions have been satisfied:

(a) In addition to the submission of plans and associated documents for planning and zoning approval, Purchaser shall conduct at least one community engagement meeting, open to the general public, to present Purchaser's planned development and to seek input and feedback from the community.

(b) Purchaser has obtained the appropriate zoning certificate and all other necessary zoning approvals from the City of Cleveland Heights, Ohio for Purchaser's use of the Property.

(c) Purchaser has obtained the appropriate approvals from the Planning Commission of the City of Cleveland Heights, Ohio necessary to permit the Purchaser's development of the Property.

REPRESENTATIONS, WARRANTIES, INDEMNITY

5.1 Seller's Representations. Seller makes the following representations to Purchaser as of the date of this Agreement and the date of the Closing:

(a) Seller is an Ohio municipality organized under the laws of the State of Ohio and its Charter, and has all necessary power and authority to enter into this Agreement and to consummate the transactions contemplated hereby.

(b) Seller has duly authorized the execution, delivery and performance of this Agreement.

(c) There are no suits, actions, or proceedings pending or, to the best of Seller's knowledge, contemplated against or concerning the Property.

(d) Seller's execution, delivery and performance of this Agreement will not constitute a default under any agreement, lease, indenture, order or other instrument or document by which Seller or the Property may be bound.

5.2 Purchaser's Representations. Purchaser makes the following representations to Seller as of the date of this Agreement and the date of the Closing:

(a) Purchaser is an Ohio limited liability company and has all necessary power and authority to enter into this Agreement and to consummate the transactions contemplated hereby.

(b) Purchaser has duly authorized the execution, delivery and performance of this Agreement.

(c) There are no suits, actions, or proceedings pending or, to the best of Purchaser's knowledge, contemplated against or concerning the Purchaser which would have a material and adverse impact upon Purchaser's ability to enter into and perform this Agreement.

(d) Purchaser's execution, delivery and performance of this Agreement will not constitute a default under any agreement, lease, indenture, order or other instrument or document by which Purchaser may be bound.

5.4 Survival. Each of the covenants, warranties, representations and agreements contained in this Agreement shall be made as of the date hereof and shall be deemed renewed on the Closing Date and shall survive until the five (5) year anniversary of the Closing Date, the payment of the Purchase Price and the filing of the Deed for record and shall not be merged therein.

CLOSING AND TRANSFER OF TITLE

6.1 Closing. Unless extended by written agreement of the parties, the closing ("Closing") for the delivery of Seller's Deed, payment of the Purchase Price, plus or minus Closing adjustments, and delivery of the other instruments provided for in this Agreement, shall occur within thirty (30) days after the expiration of the Inspection Period, provided that all other Conditions to Closing under Section 4 have been satisfied. The Title Company shall serve as escrow agent for the Closing of the transaction.

6.2 Seller's Documents; Other Deliveries. At Closing, Seller shall execute and/or deliver to the Title Company the following:

(a) The Deed to the Property;

(b) Such other documents or instruments as may be reasonably requested by Purchaser, required by other provisions of this Agreement or reasonably necessary to effectuate the Closing. All of the documents and instruments to be delivered by Seller shall be in the form and substance reasonably satisfactory to counsel for Purchaser.

6.3 Purchaser's Documents; Other Deliveries. At Closing, Purchaser shall execute and/or deliver to the Title Company the following:

(a) The Purchase Price, less the Earnest Money;

(b) The Note;

(c) The Mortgage;

(d) Such other documents or instruments as may be reasonably requested by Seller, required by other provisions of this Agreement or reasonably necessary to effectuate Closing. All of the documents and instruments to be delivered by Purchaser shall be in form and substance reasonably satisfactory to counsel for Seller.

POSSESSION

7.1 Seller shall deliver exclusive possession of the Property to Purchaser at Closing.

PRORATIONS AND EXPENSES

8.1 Real Estate Taxes and Assessments. Real property taxes, general and special assessments, and assessments for sewer, water, and other utilities, shall be prorated between the Seller and Purchaser as of the date of Closing, using the rate and valuation shown on the most recent tax information available.

8.2 Closing Costs. In closing this transaction, the Escrow Agent shall charge Seller with the following:

- (a) the cost of paying off and satisfying any mortgage indebtedness for which Seller is liable, together with the cost of any mortgage cancellation, recording fee, or other costs incident to the satisfaction of any such indebtedness;
- (b) the cost of any transfer tax and conveyance fee;
- (c) one-half (1/2) the cost of the Title Commitment, title search, and an owner's title policy in the amount of the Purchase Price;
- (d) one-half (1/2) of the escrow fees;
- (e) the cost of any commission required to be paid to its Brokers hereunder, if any; and
- (f) all prorations set forth herein and all other costs chargeable to Seller;

- (g) all other charges relating to this Agreement or are customary which are chargeable to Seller.

and thereafter shall deliver to Seller the balance of the funds in its hands due under the terms hereof, and any documents due Seller.

In closing this transaction, the Escrow Agent shall charge Purchaser with the following:

- (a) any cost of financing this transaction which may be arranged for by Purchaser;
- (b) one-half (1/2) of the escrow fees;
- (c) the cost of filing the deed and mortgage for record;
- (d) one-half (1/2) the cost of the Title Commitment, title search, and owner's title policy in the amount of the Purchase Price;
- (e) the cost of any lender's title policy and all endorsements required by lender;
- (f) the cost of any commission required to be paid to its Brokers hereunder, if any; and
- (g) the cost of the survey (if any); and
- (h) all other charges relating to this Agreement or are customary chargeable to Purchaser;

and thereafter, the Escrow Agent shall deliver to Purchaser the said title insurance, the recorded Deed or county recorder's receipt therefor, any prorations to which Purchaser is entitled, and any other funds or documents due Purchaser. Seller shall be responsible for the payment of its own legal fees.

At Closing, the parties shall execute and deliver to each other an agreed-upon closing statement which reflects the allocation of costs, adjustments due to credits or prorations, and disbursement of the Purchase Price, all as set forth more fully in this Agreement.

8.3 Utility Expenses. Purchaser shall be responsible for making all arrangements to obtain utility services, if any.

NOTICES

9.1 All notices permitted or required under this Agreement shall be in writing and shall be deemed properly delivered immediately upon hand delivery or three business days after being deposited in the United States mail sent certified with return receipt requested, postage prepaid, addressed to the parties at their respective addresses set forth below, or by email immediately upon delivery, or as they may otherwise specify by written notice delivered in accordance with this Section:

Purchaser:	Cedar Hill Development, LLC 2593 Fairmount Blvd. Cleveland Heights, OH 44106 Attn: Paul Volpe, Member
Seller:	City of Cleveland Heights, Ohio 40 Severance Circle Cleveland Heights, Ohio 44118 Attn: Law Director
With a copy to:	Roetzel & Andress 222 South Main Street Akron, Ohio 44308 Attn: Jason Dodson, Esq.

MISCELLANEOUS

10.1 Entire Agreement. This Agreement constitutes the entire contract between the parties and supersedes all prior understandings, oral agreements, written agreements, promises, conditions, representations or terms of any kind. There are no conditions or inducements relied upon by either party prior to the execution of this Agreement. Any subsequent conditions, representations, warranties or agreements shall not be valid and binding upon the parties unless in writing and signed by both parties.

10.2 Successor and Assigns; Assignment. This Agreement shall be binding and inure to the benefit of the heirs, successors, agents, representatives and assigns of the parties hereto, provided however that, neither party may assign its rights hereunder without the prior written consent of the other which consent shall not be unreasonably withheld.

10.3 Counterparts. This Agreement may be executed by all parties in counterparts, each of which shall be deemed an original, but all of such counterparts taken together shall constitute one and the same Agreement.

10.4 Governing Law. This Agreement shall be construed, and the rights and obligations of the parties shall be determined, in accordance with the laws of the State of Ohio. Venue for any action or proceeding shall be in court of competent jurisdiction in Cuyahoga County, Ohio.

10.5 Waiver. The waiver of or failure to enforce any provision of this Agreement shall not be a waiver of any further breach of such provision or of any other provision hereof.

10.6 Modifications. No change or addition to this Agreement or any part hereof shall be valid unless in writing and signed by each of the parties.

10.7 Headings. The headings in this Agreement are for convenience only and shall not be used to interpret this Agreement.

10.8 Time; Calculation of Time Periods. Time is of the essence in the performance of this Agreement. Unless otherwise specified, in computing any period of time described herein, the day of the act or event after which the designated period of time begins to run is not to be included and the last day of the period so computed is to be included, unless such last day is a Saturday, Sunday or legal holiday for national banks in the location where the Property is located, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday or legal holiday. The last day of any period of time described herein shall be deemed to end at 5:00 p.m., Cleveland Heights, Ohio time.

[Remainder of Page Intentionally Blank; Signature Page to Follow]

IN WITNESS WHEREOF, the parties below have executed this Agreement effective as of the date hereinabove.

SELLER:

CITY OF CLEVELAND HEIGHTS, OHIO

Kahlil Seren, Mayor

Date: _____

PURCHASER:

CEDAR HILL DEVELOPMENT, LLC

By: _____
Paul Volpe, Member

Date: _____

Approved as to form and correctness:

William R. Hanna, Law Director

EXHIBIT A

Legal Description for Property

Permanent Parcel Number: 68524001

Address: Vacant lot located on South Overlook Road, Cleveland Heights, Ohio 44106

Prior Instrument Number: _____

Legal Description:

To be supplemented to this Agreement upon the Title Company providing the same to the Parties.

Permanent Parcel Number: 68524033

Address: Vacant lot located on Cedar Road, Cleveland Heights, Ohio 44106

Prior Instrument Number: Vol. 6647, Page 583

Legal Description:

Being a parcel of land situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being a part of Original 100 Acre Lot No. 413, Township 7N, Range 12W and a part of Sublot No. 78 of the Cedar Hill Allotment, as recorded in Plat Book Volume 55, Page 24 in the office of the Cuyahoga County Recorder, and being located within the following described points in the boundary thereof;

Beginning in the southerly right-of-way line of Cedar Road at a point located 40.00 feet right of Station 13+68.00 of the centerline survey of said road as recorded in Volume _____ of Plats, Page _____ in the office of the Cuyahoga County Recorder;

Thence along said right-of-way line on the arc of a curve deflecting to the left (the radius of which is 452.37 feet and the chord of which bears North 86°51'29" East and is 10.97 feet in length), a distance of 10.97 feet to a point;

Thence South 3°50'12" East, 7.00 feet to a point;

Thence South 86°51'29" West, 11.14 feet to a point;

Thence North 2°26'50" West, 7.00 feet to the point of beginning and containing 77 square feet of land, more or less, as calculated and described in April, 1994 by Richard J. Bilski, Ohio Registered Surveyor No. 5244 of CT Consultants, Inc., Registered Engineers and Surveyors.