



July 7, 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)**
- 6) **Communications from the Mayor**
- 7) **City Administrator's Report**
- 8) **Departmental Report(s)**
- 9) **Report of the Clerk of Council**
- 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

ORDINANCE NO. 139-2025(AS): First Reading. An Ordinance amending Chapter 105, “Public Records” to add a new Section 105.04 to prohibit the review or access of city email accounts of employees or elected officials without consent or lawful approval pursuant to Ohio Public Records Law; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb
Move for Adoption

ORDINANCE NO. 140-2025(AS): First Reading. An Ordinance amending Chapter 121.05 “Rules and Regulations” relating to the Mayor’s authority over city property; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb
Move for Adoption

ORDINANCE NO. 141-2025(AS): First Reading. An Ordinance amending Chapter 105, “Public Records” to add Section 105.05 to prohibit the use of city social media accounts and email systems for political messaging and limiting their use to official informational purposes; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb
Move for Adoption

ORDINANCE NO. 142-2025(MSES): First Reading. An Ordinance amending Ordinance No. 27-2025 to provide for the resurfacing of the eastbound, rather than westbound, portion of Euclid Heights Boulevard between Cedar Road and Coventry Road in the City of Cleveland Heights, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

ORDINANCE NO. 143-2025(COTW): First Reading. An Ordinance calling an election to be held September 9, 2025 upon the question of the removal of the Mayor from office; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Council President Cuda
Move for Adoption

RESOLUTION NO. 144-2025(CRR): First Reading. A Resolution amending Resolution No. 012-2025 for the purpose of authorizing the expenditure of an additional Five Thousand, Two Hundred Sixty-Three and 92/100 Dollars (\$5,263.92) under the agreement with Frank Novak & Sons, Inc. to furnish the labor, material, and equipment necessary for sandblasting, painting, and related services for the purpose of repairing the Cumberland pool; repealing Resolution No. 012-2025 in its entirety; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 145-2025(CRR): A Resolution amending Resolution No. 242-2024 for the purpose of authorizing the expenditure of an additional Eighteen Thousand, Two Hundred Eighty-Four and 69/100 Dollars (\$18,284.69) under the agreement with SCG Fields, LLC to furnish the labor, material, and equipment necessary for the public improvement of a new synthetic turf soccer field at Denison Park; repealing Resolution No. 242-2024 in its entirety; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

b. Second Readings

ORDINANCE NO. 131-2024(AS): Second Reading (Amended 07.07.2025). An Ordinance amending Chapter 105, "Public Records" of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, by adding a Section 105.03 "Rules for City Emails."

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: AUGUST 4, 2025



Date: 7.2.25

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: AMENDING CHAPTER 105, "PUBLIC RECORDS" TO ADD SECTION 105.04 TO PROHIBIT THE REVIEW OR ACCESS OF CITY EMAIL ACCOUNTS OF EMPLOYEES OR ELECTED OFFICIALS WITHOUT CONSENT OR LAWFUL APPROVAL PURSUANT TO OHIO PUBLIC RECORDS LAW

Purpose Statement: To create rules regarding access to City email accounts.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? There is a need to protect employees and elected officials from unauthorized access to official email accounts which also include communications from residents who may feel reluctant to communicate with their elected representatives or intimidated knowing that their communications are subject to being monitored without compliance with Ohio Revised Code §149.43.

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

If yes, why? This legislation would immediately stop unauthorized review of City email accounts.

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

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

Proposed: 07/07/2025

ORDINANCE NO. 139-2025(AS), *First Reading*

By Councilmember Cobb

An Ordinance amending Chapter 105, "Public Records" to add a new Section 105.04 to prohibit the review or access of city email accounts of employees or elected officials without consent or lawful approval pursuant to Ohio Public Records Law; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights, Ohio, maintains official email accounts for employees and elected officials to conduct the business of the City; and

WHEREAS, Ohio Revised Code § 149.43 establishes the right of the public to access public records, subject to certain legal exceptions and redactions; and

WHEREAS, the City of Cleveland Heights recognizes the need to protect employees and elected officials from unauthorized access to official email accounts while ensuring compliance with Ohio's public records law; and

WHEREAS, procedures are needed to safeguard the confidentiality and integrity of City managed email accounts and to establish clear, lawful procedures for any review or disclosure in compliance with Ohio Revised Code § 149.43.

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

SECTION 1. Chapter 105 of the Codified Ordinances of Cleveland Heights is hereby amended to add Section 105.04 review or access of City email accounts as set forth in Exhibit 1 attached hereto and incorporated herein.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 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 Resolution to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the

ORDINANCE NO. 139-2025(AS)

inhabitants of the City of Cleveland Heights, such emergency being the need to protect employees and elected officials from unauthorized access to official email accounts. 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 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

EXHIBIT 1

105.04 REVIEW OR ACCESS OF CITY EMAIL ACCOUNTS

(a) DEFINITIONS

For purposes of this ordinance:

- 1. "City Email Account"** means any email address or account issued or maintained by the City of Cleveland Heights for use by an employee or elected official in the conduct of official City business.
- 2. "Review" or "Access"** means opening, inspecting, searching, copying, or otherwise examining the content, metadata, or attachments of any messages within a City Email Account.
- 3. "Employee"** means any person employed by the City, including full-time, part-time, contract, or appointed personnel.
- 4. "Elected Official"** means any individual duly elected to public office within the City, including but not limited to the Mayor and City Council members.
- 5. "Law Director or Designee"** means the City Law Director or an attorney within the Law Department who is authorized to act on the Law Director's behalf.

(b) PROHIBITION ON UNAUTHORIZED EMAIL ACCOUNT ACCESS

1. No City employee, elected official, department head, IT staff member, or other individual shall review, access, or inspect the contents of a City Email Account assigned to another employee or elected official except under one of the following conditions:

A. Written consent is provided by the account holder; or

B. A public records request is first submitted pursuant to Ohio Revised Code § 149.43 and the request is:

(1) Reviewed by the Law Director or designee, and

(2) Approved by the Law Director or designee to ensure compliance with applicable exemptions, redactions, and statutory requirements.

2. Access to City Email Accounts for purposes of routine system maintenance, IT support, or cybersecurity—*without examining message content*—is not prohibited by this ordinance.

(c) PUBLIC RECORDS REVIEW PROCESS

ORDINANCE NO. 139-2025(AS)

1. All public records requests involving City Email Accounts shall be processed under the requirements of Ohio Revised Code § 149.43.

2. The Law Director or designee shall determine:

- A. Whether the request seeks public records subject to disclosure under Ohio law;
- B. Which, if any, information must be redacted pursuant to statutory exemptions;
- C. Whether review of the email account is necessary to fulfill the request;
- D. What scope of access is required to comply without exceeding the limits of the law.

3. No disclosure shall take place until this legal review is completed and approval given.

(d) ENFORCEMENT AND PENALTIES

1. Violations of this Ordinance by City employees shall be grounds for disciplinary action consistent with the City's personnel policies, civil service rules, or applicable collective bargaining agreements.

2. Violations by elected officials may be subject to appropriate remedies permitted under the City Charter, Ordinances or applicable state or common law.



Date: 7.2.25

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: AMENDING ORDINANCE 121.05 "RULES AND REGULATIONS" RELATING TO THE MAYOR'S AUTHORITY OVER CITY PROPERTY

Purpose Statement: To maintain appropriate checks and balances on executive authority, and to ensure transparency and accountability in the use of City property.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? There is an immediate need to prevent actions that have been taken within City Hall property that potentially violate, among other things, Ohio Revised Code Section 2921.03, intimidate or hinder a public servant in the discharge of their duties.

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

If yes, why? 5 votes are needed to pass as emergency to remove the surveillance equipment within the law department.

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

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

Proposed: 07/07/2025

ORDINANCE NO. 140-2025(AS), *First Reading*

By Councilmember Cobb

An Ordinance amending Chapter 121.05 “Rules and Regulations” relating to the Mayor’s authority over city property; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the existing Chapter 121.05 of the Codified Ordinances of the City of Cleveland Heights grants the Mayor broad authority to establish rules and regulations concerning the care, control, and use of all City property; and

WHEREAS, it is the intent of the City Council to maintain appropriate checks and balances on executive authority, and to ensure transparency and accountability in the use of City property; and

WHEREAS, concerns have arisen regarding actual, potential or perceived misuse of this authority, warranting a mechanism for Council oversight.

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

SECTION 1. Chapter 121.05, “Rules and Regulations” is hereby amended as set forth in Exhibit 1 attached hereto and incorporated herein.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 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 Resolution to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to ensure only appropriate uses of all City Property and to prevent potential violations of Ohio Revised Code Section 2921.04, and the intimidation, or hindering of a public servants and officials in the discharge of their duties. 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 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

EXHIBIT 1

121.05 RULES AND REGULATIONS.

(a) The Mayor is hereby authorized and directed to establish rules and regulations governing the conduct and performance of all City employees, and the care, control and use of all City property, both real and personal, provided such rules and regulations are not inconsistent with the Charter and City ordinances.

Notwithstanding the foregoing and Ordinance 135.03, any use, rule or regulation established by the Mayor or Department of Parks and Recreation relating to the care, control, or use of City property shall be subject to override by a vote of five (5) City Council members, through duly adopted resolution. Upon such vote, the specified use, rule or regulation shall be deemed null and void to the extent of the Council's resolution."

(b) Such rules and regulations shall be in written form and on file in the office of the Mayor.



Date: 7.2.25

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: AMENDING CHAPTER 105, "PUBLIC RECORDS" TO ADD SECTION 105.05 TO PROHIBIT THE USE OF CITY SOCIAL MEDIA ACCOUNTS AND EMAIL SYSTEMS FOR POLITICAL MESSAGING AND LIMITING THEIR USE TO OFFICIAL INFORMATIONAL PURPOSES

Purpose Statement: To ensure that the City's communication platforms are used solely for nonpartisan, official informational purposes and are not misused for opinion, political advocacy, electioneering, or the endorsement or opposition of any candidate, ballot measure, or political party.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? There is a need to end ongoing social media releases that are potentially inflammatory and divisive threatening the public peace and safety of residents and elected officials.

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

If yes, why? In order to have to have this legislation go into effect requires 5 votes. It is anticipated that the abuse of the social media and email platforms will only increase as Sept. 7, 2025 approaches.

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

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

Proposed: 07/07/2025

ORDINANCE NO. 141-2025(AS), *First Reading*

By Councilmember Cobb

An Ordinance amending Chapter 105, "Public Records" to add Section 105.05 to prohibit the use of city social media accounts and email systems for political messaging and limiting their use to official informational purposes; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights maintains official communication platforms, including but not limited to social media accounts and email systems, for the purpose of disseminating information to the public in a fair, neutral, and transparent manner; and

WHEREAS, the City of Cleveland Heights seeks to ensure that its communication platforms are used solely for nonpartisan, official informational purposes and are not misused for political advocacy, electioneering, or the endorsement or opposition of any candidate, ballot measure, or political party; and

WHEREAS, City of Cleveland Heights communication platforms are funded by public resources and must therefore be used solely to serve the interests of the community in a fair and unbiased manner; and

WHEREAS, the inappropriate use of City of Cleveland Heights communication platforms for personal, political messaging or partisan purposes can undermine public trust and violate ethical standards; and

WHEREAS, the City of Cleveland Heights seeks to establish clear guidelines to prevent the use of public communication resources for electioneering, political advocacy, or personal political gain; and

WHEREAS, it is in the public interest to ensure that all City communications remain focused on providing accurate information about municipal services, policies, and public safety, without advancing any personal or political agenda; and

WHEREAS, this Ordinance is intended to align with applicable federal, state, and local laws governing the appropriate use of public resources and government communications;

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

ORDINANCE NO. 141-2025(AS)

SECTION 1. The purpose of this ordinance is to protect the integrity of public communication systems by restricting their use to official, informational purposes and prohibiting political messaging that may suggest partisanship or political favoritism.

SECTION 2. Chapter 105 of the Codified Ordinances of Cleveland Heights is hereby amended to add Section 105.05 "Use of City Social Media Accounts and Email Systems" as set forth in Exhibit 1 attached hereto and incorporated herein.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 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 Resolution to the City of Cleveland Heights website.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to end social media communications that are potentially inflammatory and divisive from threatening the public peace and safety of residents and elected officials. 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 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

EXHIBIT 1

105.05 USE OF CITY SOCIAL MEDIA ACCOUNTS AND EMAIL SYSTEMS

(a) DEFINITIONS

For the purposes of this ordinance:

- 1. "City Communication Platforms"** means any official social media account, email address, website, or electronic communication system operated or managed by the City of Cleveland Heights.
- 2. "Political Messaging"** means any communication that expressly or implicitly supports or opposes a candidate for public office, a political party, or a ballot measure, or that constitutes electioneering or political advocacy.
- 3. "Informational Purposes"** means communications that provide factual information about City services, operations, policies, events, and initiatives, including legally mandated notices and neutral explanations of ballot measures.
- 4. "Opinion"** means any statement, comment, or communication expressing a subjective belief, value judgment, endorsement, criticism, or position on a matter of public, political, or social debate.

(b) PROHIBITED USES

No City employee, elected official, or their representative shall use City Communication Platforms to:

1. Express criticism, support for, or opposition to any person holding public office;
2. Advocate for or against any political party;
3. Advocate for or against any ballot measure, unless providing a neutral, legally permitted explanation pursuant to state law;
4. Engage in or promote political fundraising, campaigning, or partisan activity.
5. Express a personal opinion or viewpoint.

(c) PERMITTED USES

City Communication Platforms may be used only to:

1. Disseminate factual, neutral information regarding City programs, services, and operations;
2. Announce City-sponsored events or public meetings;
3. Provide emergency notifications and public safety information;

4. Issue legally required notices, including impartial explanations of ballot measures consistent with state and local laws.

(d) ENFORCEMENT AND PENALTIES

1. Violations of this ordinance may result in disciplinary action for City employees in accordance with the City's personnel policies and procedures.
2. Elected officials found to have violated this ordinance may be subject to public censure or other actions as permitted by law.

Proposed: 07/07/2025

ORDINANCE NO. 142-2025(MSES), *First Reading*

By Mayor Seren

An Ordinance amending Ordinance No. 27-2025 to provide for the resurfacing of the eastbound, rather than westbound, portion of Euclid Heights Boulevard between Cedar Road and Coventry Road in the City of Cleveland Heights, and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance 27-2025 provided for contracting with Cuyahoga County for a Project defined as the resurfacing of the westbound portion of Euclid Heights Boulevard between Cedar Road and Coventry Road in the City of Cleveland Heights; and

WHEREAS, the Director of Public Works has determined that the eastbound portion of this stretch of Euclid Heights Boulevard is in more urgent need of resurfacing than the westbound portion, and she and the Mayor wish to redefine the Project described in Ordinance 27-2025 to accomplish that urgent work.

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

SECTION 1. The definition of "Project" appearing in Ordinance 27-2025 shall be and is hereby amended to be: Resurfacing of Euclid Heights Boulevard (eastbound) from Cedar Road to Coventry Road in the City of Cleveland Heights.

SECTION 2. All remaining provisions of Ordinance No. 27-2025 shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 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 to the City of Cleveland Heights 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

ORDINANCE NO. 142-2025(MSES)

need to expedite roadway improvements within the City to promote public safety. 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 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

Proposed: 07/07/2025

ORDINANCE NO.143-2025(COTW), *First Reading*

By Council President Cuda

An Ordinance calling an election to be held September 9, 2025 upon the question of the removal of the Mayor from office; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the people of the City of Cleveland Heights, Ohio have reserved unto themselves the right to recall and remove the Mayor from office through Article IV, Section 11 of the City Charter, by the filing of a recall petition bearing the signatures of at least 25 percent of the number of electors that voted in the most recent mayoral election; and

WHEREAS, a petition setting forth the basis for such a recall and containing 4,424 signatures was filed with the Clerk of Council on June 23, 2025; and

WHEREAS, the Director of the Cuyahoga County Board of Elections attested on June 25, 2025, that the Board had examined the part-petitions comprising the petition and determined there were 279 valid part-petitions with 3,845 valid signatures; and

WHEREAS, the Clerk of Council certified the same, and the sufficiency of the number of signatures, which exceeded the number required by the Charter, to this Council at the next regular Council meeting, held on June 30, 2025, and furnished the Mayor with electronic/digital and physical copies of said certification on that same day; and

WHEREAS, the Mayor had five (5) days after being furnished a copy of the certification to tender a written resignation to the Clerk of Council and forego an election upon the question of his removal; and

WHEREAS, the five (5) day period, calculated in accordance with Section 101.03 of the Cleveland Heights Codified Ordinances, has elapsed, and the Clerk of Council has not received a written resignation from the Mayor; and

WHEREAS, this Council, under Article IV, Section 11 of the City Charter must now call an election upon the question of the recall and removal of the Mayor.

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

SECTION 1. This Council hereby calls for an election, and authorizes and directs the submission to the electors of Cleveland Heights, Ohio at the next primary election scheduled for September 9, 2025, the following question: "Shall Kahlil Seren be removed from the office of Mayor by recall?" with provision on the ballot for voting affirmatively or negatively on such question. The question shall be presented on the ballot in English and in Spanish and the ballot shall indicate that a majority affirmative vote shall be

ORDINANCE NO. 143-2025(COTW)

required for passage, to-wit.

**City of Cleveland Heights
Mayoral Recall Election**

A majority affirmative vote is required for passage.

Shall Kahlil Seren be removed from the office of Mayor by recall?

	For the recall of Kahlil Seren
	Against the recall of Kahlil Seren

Rev. 6-27-2025

**Ciudad de Cleveland Heights
Elección de Destitución de Alcalde**

Se requiere un voto afirmativo por mayoría para su aprobación.

¿Deberá cesarse a Kahlil Seren del cargo de Alcalde por destitución?

	A favor de la destitución de Kahlil Seren
	En contra de la destitución de Kahlil Seren

Rev. el 27-6-2025

SECTION 2. The Clerk of Council is hereby authorized and directed to certify the action of this Council in passing this Ordinance to the Cuyahoga County Board of Elections.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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 Resolution to the City of Cleveland Heights website, and as otherwise required by law.

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the

ORDINANCE NO. 143-2025(COTW)

City of Cleveland Heights, such emergency being the need to timely comply with the Charter requirement to call an election upon the question of whether to recall and remove the mayor from office, given that sufficient elector signatures were obtained on the recall petition. 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 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: 6/27/2025

To: City Council

From: Andres Gonzalez, Director of Parks & Recreation

Subject: Frank Novak & Sons Cumberland Pool Change Order

Purpose Statement:

To amend Resolution 012-2025 to change the dollar amount from \$197,861.00 to \$203,124.92 (difference of \$5,263.92). This change order was to allow Frank Novak & Son's to do work on Cumberland Pool during off hours (nights and weekends) since the weather in May was unfavorable and allowed us to stick to our advertised opening date of the pool of June 16, 2025.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To allow us to process payment for Frank Novak & Sons.

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

If yes, why? Same reason as above.

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

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

Proposed: 07/07/2025

RESOLUTION NO. 144-2025 (CRR), *First Reading*

By Mayor Seren

A Resolution amending Resolution No. 012-2025 for the purpose of authorizing the expenditure of an additional Five Thousand, Two Hundred Sixty-Three and 92/100 Dollars (\$5,263.92) under the agreement with Frank Novak & Sons, Inc. to furnish the labor, material, and equipment necessary for sandblasting, painting, and related services for the purpose of repairing the Cumberland pool; repealing Resolution No. 012-2025 in its entirety; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the concrete surfaces and caulking of Cumberland Pool require repair, sealing, and caulking to remedy water leakage in order for the pool to open for the 2025 season;

WHEREAS, Council passed Resolution No. 012-2025 on January 21, 2025, authorizing the Mayor to execute such a contract in an amount not to exceed One Hundred Ninety-Seven Thousand, Eight Hundred Sixty-One and 00/100 Dollars (\$197,861.00)

WHEREAS, the vendor was required to perform work on nights and weekends in order to complete the scope of work prior to Cumberland Pool's advertised opening date of June 16, 2025, which necessitated a change order in the amount of Five Thousand, Two Hundred Sixty-Three and 92/100 Dollars (\$5,263.92);

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

SECTION 1. Section 1 of Resolution No. 012-2025 is hereby amended to read as follows:

Notwithstanding any provision of Codified Ordinances Chapter 171 to the contrary, the Mayor is hereby authorized to execute a contract with Frank Novak & Sons, Inc., for the purpose of furnishing the labor, materials, and equipment necessary for the sandblasting, painting, and other services related to the repair of the Cumberland Pool, in an amount not to exceed ~~One Hundred Ninety-Seven Thousand, Eight Hundred Sixty-One and 00/100 Dollars (\$197,861.00)~~ Two Hundred Three Thousand, One Hundred Twenty-Four and 92/100 Dollars (\$203,124.92). The agreement shall contain such other terms as recommended by the Mayor and Director of Law, and shall be approved as to form by the Director of Law.

SECTION 2. All remaining sections of Resolution No. 012-2025 not amended

RESOLUTION NO. 144-2025(CRR)

herein shall continue in full force and effect as if rewritten in their entirety herein.

SECTION 3. Resolution No. 012-2025 is hereby repealed in its entirety.

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 on 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 public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to fully process the change order to fully compensate the vendor for the service performed. 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 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

Frank Novak & Sons, Inc.
23940 Miles Road
Cleveland, Ohio 44128

Authorized Extra Work Order
INVOICE

Cleveland Heights Parks and Recreation
40 Severence Circle
Cleveland Heights, OH 44118

Date: 6/1//25

FNS Project # 24-11-265

Invoice: TF- 35616

Re: Cumberland Pool Painting

EXTRA WORK ORDER # 35616

Premium time for Saturday 5/24/25. Double time for Sunday 6/1/25

			per unit price	price
	hours	journeyman painter:	\$ 86.92	\$ -
48	hours	journeyman painter - prem time only:	\$ 31.26	\$ 1,500.48
	hours	journeyman painter - prem time:	\$ 118.18	\$ -
48	hours	journeyman painter - double time only:	\$ 62.52	\$ 3,000.96
8	hours	foreman painter - prem time only:	\$ 31.77	\$ 254.16
	hours	foreman painter - prem time:	\$ 119.67	\$ -
8	hours	foreman painter - double time only:	\$ 63.54	\$ 508.32
		delivery/fuel surcharge	\$ 20.00	\$ -
		parking/union fringe	\$ 10.00	\$ -
		job set-up fee	\$ 125.00	\$ -
		trucking /hour	\$ 75.00	\$ -
Subtotal				\$ 5,263.92

MATERIAL

quantity	material	per unit price	price
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
		\$ 0.00	\$ -
0	misc materials, stock sundry items		
Subtotal:			\$ -

GRAND TOTAL: \$ 5,263.92

THIS WORK HAS BEEN AUTHORIZED AND IS NOT PART OF OUR CONTRACT.
PAYMENT OR A CHANGE ORDER MUST BE ISSUED WITHIN 30 DAYS.



Date: 6/27/2025

To: City Council

From: Andres Gonzalez, Director of Parks & Recreation

Subject: Denison Park Scoreboard Project

Purpose Statement: To amend resolution 242-2024 to reflect a not to exceed amount of \$1,114,450.00 to \$1,132,734.69. Denison Soccer Field currently sits on a land fill. When the footers for the new scoreboard were being dug up, they hit the landfill and had to re-engineer the footers. It was determined that a spread footer was necessary and required a change order in the amount of \$18,284.69.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? In order to move forward with the PO process to secure the funds for SCG Fields for this project.

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

If yes, why? Same as above

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

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

Proposed: 07/07/2025

RESOLUTION NO. 145-2025(CRR), *First Reading*

By Mayor Seren

A Resolution amending Resolution No. 242-2024 for the purpose of authorizing the expenditure of an additional Eighteen Thousand, Two Hundred Eighty-Four and 69/100 Dollars (\$18,284.69) under the agreement with SCG Fields, LLC to furnish the labor, material, and equipment necessary for the public improvement of a new synthetic turf soccer field at Denison Park; repealing Resolution No. 242-2024 in its entirety; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the conditions of the Denison Park turf field has deteriorated and necessitate replacement with a new synthetic turf soccer field; and

WHEREAS, this Council approved \$3,540,000.00 of funding received through the American Rescue Plan Act of 2021 ("ARPA") to provide for improvements to Cain, Denison, and Forest Hills Parks through the passage of Ordinance 179-2023;

WHEREAS, Council passed Resolution No. 242-2024 on December 16, 2024, authorizing the Mayor to execute such a contract in an amount not to exceed One Million, One Hundred Fourteen Thousand, Four Hundred Fifty Dollars and 00/100 (\$1,114,450.00);

WHEREAS, in the course of performing the work, the vendor discovered certain conditions at the site that were not obvious and unknown to vendor, necessitating an expansion of the scope of work and change order in an amount Eighteen Thousand, Two Hundred Eighty-Four and 69/100 Dollars (\$18,284.69) to be paid out of an appropriate non-ARPA account; NOW, THEREFORE

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

SECTION 1. Section 1 of Resolution No. 242-2024 is hereby amended to read as follows:

Notwithstanding any provision of Codified Ordinances Chapter 171 to the contrary, the Mayor is hereby authorized to execute all agreements and related documents necessary to facilitate the design, provision, installation, and related construction services for the public improvement of a new synthetic turf soccer field at Denison Park in accordance with SCG's proposal, attached hereto as Exhibit "A" and on file with the Clerk of Council for an amount not to exceed One Million, One Hundred Thirty-Two Thousand, Seven Hundred Thirty-Four and 69/100 Dollars (\$1,132,734.69) ~~One Million, One Hundred Fourteen Thousand,~~

RESOLUTION NO. 145-2025(CRR)

~~Four Hundred Fifty Dollars and 00/100 (\$1,114,450.00).~~ All contracts hereunder shall be in a form approved by the Director of Law.

SECTION 2. All remaining sections of Resolution No. 242-2024 not amended herein shall continue in full force and effect as if rewritten in their entirety herein.

SECTION 3. Resolution No. 242-2024 is hereby repealed in its entirety.

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 on 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 public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to fully process the change order to fully compensate the vendor for additional work required as a result of the discovery of a hidden, unknown condition. 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 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



CONTRACTOR CHANGE ORDER

Project: Denison Park
1015 Quarry Dr
Cleveland Heights, Ohio 44121

Date: 06/24/25
Change Order#: 01

Owner: Cleveland Heights Parks and Recreation
40 Severance Circle
Cleveland Heights, Ohio 44118

Contractor Job #: 250101-ST

Contractor: SCG Fields, LLC
10303 Brecksville Rd
Brecksville, OH 44141

In accordance with the terms and conditions of this Contract, the following changes are approved:

1. Spread Footer for New Scoreboard

Total Change Order: **\$18,284.69**

Following documents are attached and form part of this change order:

1. N/A
- 2.

Sub-Contract Adjustments:

Original Sub-Contract Amount		\$	1,114,450.00
Previous Change Order(s)	0	\$	-
This Change Order #	01	\$	18,284.69
New Sub-Contract Amount		\$	1,132,734.69
New Completion Date		TBD	

The said Contract as hereby amended shall remain in full force and effect.

IN WITNESS WHEREOF the said parties have caused this agreement to be executed as of the day and year signed below.

OWNER
Cleveland Heights Park and Recreation

CONTRACTOR
SCG Fields, LLC

By _____

By _____

Date _____

Date _____



Date: August 2, 2024

To: City Council

From: Mayor Seren

Subject: Chapter 105.03 "Rules for Emails"

Purpose Statement:

To amend Chapter 105 of the City's Codified Ordinances to enact a new Section 105.03, "Rules for Emails," to require that the Mayor and all members of Council have City-provided e-mails, and that the use of private e-mail accounts for conducting public business is prohibited. This rule will enhance the City's ability to comply with public records requests, and to operate in accordance with its public records retention schedules. The use of private e-mail accounts for public business is not consistent with the Sunshine laws and creates significant burdens for City staff in responding to public records requests, as well as discovery requests in litigation.

As the Ohio Electronic Records Committee has stated, "Using private e-mails for public business should be avoided....If constituents...send e-mail to a private e-mail address, it should be forwarded to a governmental e-mail account and the response should be send from the government account."

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: _____ No: X

If yes, why?

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

If yes, why?

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

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

N/a



Date: 7.2.25

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: An Ordinance amending Chapter 105, "Public Records" of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, by adding a Section 105.03 "Rules for City Emails."

Purpose Statement: To amend Chapter 105 to establish rules for use of City email accounts by employees, elected officials and City contractors.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? There have been persistent allegations of past and ongoing email abuses by City Council members in violation of Ohio's Sunshine Laws that have led to an investigation and expenses incurred in retaining legal council acting on behalf of the Mayor. This is undermining the public's confidence in its government. This will immediately end unauthorized use of city email accounts.

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

If yes, why? To establish guidelines/rules to bring the City into compliance with Ohio Revised Code Chapter 149.

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

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

Proposed: 8/5/2024

ORDINANCE NO. 131-2024(AS), SecondFirst Reading (As Amended 07.07.2025)

By Mayor Seren

An Ordinance amending Chapter 105, “Public Records” of Part One, *Administrative Code*, of the Codified Ordinances of the City of Cleveland Heights, by adding a Section 105.03 “Rules for City Emails;” and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, under Ohio and Cleveland Heights law, emails which serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the public office are public records; and

WHEREAS, emails sent from or received by private email accounts which meet the definition of public records, are more administratively challenging to produce in response to public records requests and more prone to retention mismanagement and failure to disclose in response to public records requests; and

WHEREAS, the Ohio Electronic Records Committee, in their 2019 publication “Guidelines for Managing Email” states that “Using private email accounts for public business should be avoided. An email on a private email account that includes content that is a record, according to the Ohio Revised Code is still a record and is subject to retention schedules and public record requests. If constituents do send email to a private email address, it should be forwarded to a government email account and the response should be sent from the government account.”; and

WHEREAS, there are both legal and non-legal consequences of failure to properly respond to a public records request. In addition to the distrust in government that failure to comply may cause, the public office’s failure to comply with a request may result in a court ordering the public office to comply with the law and to pay the requester attorney’s fees and damages; and

WHEREAS, policies which promote prompt and complete response to public record requests and inhibit violations of public records laws are in the best interest of the City, its residents, and the general goal of civic transparency; and

WHEREAS, a requirement that Council members and the Mayor refrain from using private email accounts to conduct city business is such a policy which promotes prompt and complete response to public record requests and inhibits violations of public records laws, and as such, is in the best interest of the City, its residents, and the general goal of civic transparency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND HEIGHTS, THAT:

SECTION 1. Chapter 105, "Public Records" of Part One, Administrative Code, of the Codified Ordinances of the City of Cleveland Heights, shall be and is hereby amended by adding a new Section 105.03 "Rules for City Emails" to read as follows:

105.03 RULES FOR CITY EMAILS

- (a) ~~A Documents~~ in email format, created or received by or coming under the jurisdiction of any public office or public body of the City which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the City, is a "record" within the meaning of this chapter and as defined by the Ohio Revised Code.
- (b) The Mayor shall provide or cause to be provided official City email accounts for use by the Mayor, ~~and~~ each member of Council, and each City employee. The Mayor may provide an official City email to anyone providing contract services with the City. No other person shall be issued or allowed to use or access a City email account.
- (c) When practical and subject to the provisions of Ohio Revised Code § 149.43, official City email accounts shall be used by the Mayor and members of Council to conduct City business. City employees are prohibited from using a personal email account when conducting City business.~~The Mayor and Council members are prohibited from using private email accounts to conduct City business and shall exclusively use the above referenced official City email accounts when conducting City business through the email medium.~~
- (d) If the Mayor, ~~or a~~ member of Council, or City employee or contract receive a document in email format to a private email account which is a public record, they shall forward such email to the official City email account provided for their use. When practical, Any response shall be sent from the official City email account.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance 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 ~~32~~. Notice of 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.

SECTION 43. It is necessary that ~~T~~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 to ensure compliance with the Ohio Public Records Act. 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. ~~shall take effect and be in force at the earliest time permitted by law.~~

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor