



August 18, 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. May 5, 2025
 - b. June 30, 2025
- 6) **Communications from the Mayor**
- 7) **City Administrator's Report**
- 8) **Departmental Report(s)**
- 9) **Report of the Clerk of Council**
 - a. Received a Notice to Legislative Authority that all Class C and D retail permits that sell alcoholic beverages will expire on October 1, 2025. To maintain permit privileges, every retail permit holder must file an online renewal application with the Division of Liquor Control.

To register a valid objection with the Division of Liquor Control and request a hearing, the legislative authority must pass a resolution that specifies the problems at the liquor permit premises and the legal grounds for the objection as set forth in Ohio Revised Code Section 4303.292(A). Objections must be postmarked no later than September 2, 2025.
- 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. 157-2025(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 011-2025, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 158-2025(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with GPD Group, for construction management and observation services relating to the 2025 Road Program; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 159-2025(MSES): First Reading. A Resolution authorizing a change order to the Agreement with Ronyak Paving, Inc. as general contractor for the 2025 Road Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 160-2025(MSES): First Reading. A Resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the North Park SSO Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 161-2025(PSH): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Dr. Arnold J. Feltoon to provide medical control services for the City of Cleveland Heights, Ohio Jail facility; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

RESOLUTION NO. 165-2025(COTW): First Reading. A Resolution providing for a contribution in support of the 2025 Cleveland Heights Happy 5K, 10K, and Fun Run; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Petras
Move for Adoption

b. Second Readings

ORDINANCE NO. 152-2025(PD): Second Reading. An Ordinance authorizing the Mayor to execute a Subordination Agreement with Peoples Bancorp Inc. to subordinate the City's Mortgage on the real property located at 12426-12438 Cedar Road, Permanent Parcel No. 685-26-004, and owned by Cedar-Grandview Company; and declaring the necessity that this legislation becomes immediately effective as an emergency measure.

Introduced by Mayor Seren
Move for Adoption

c. Third Readings

ORDINANCE NO. 127-2025(HB): Third Reading (As Amended). 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
Move for Adoption

d. Consent Agenda

RESOLUTION NO. 162-2025(COTW): First Reading. A Resolution recognizing September 2025 as *Suicide Prevention Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by All City Councilmembers

RESOLUTION NO. 163-2025(COTW): First Reading. A Resolution proclaiming October 19 – 25, 2025, *National Lead Poisoning Prevention Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by All City Councilmembers

RESOLUTION NO. 164-2025(COTW): First Reading. A Resolution recognizing September 2025, as *National Service Dog Month* in the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by All City Councilmembers

Move to Suspend Rules
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: SEPTEMBER 2, 2025



May 5, 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: 7:58pm

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

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

Motion to amend the agenda to include 088-2025 on First Reading and add a speaker: 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)

- None

6) Communications from the Mayor

- Sealed bids were received on April 24, 2025 for project #25-03 – “S. Taylor and Blanche Sewer Project.” Great Lakes Crushing submitted the lowest and best bid in the amount of \$115,675.00.
- Sealed bids were received on April 30, 2025 for Project #25-01 – “2025 Road Program.” Ronyak Paving Inc. submitted the lowest and best bid in the amount of \$2,333,785.00.

7) City Administrator's Report

- None

8) Departmental Report(s)

- None

9) Report of the Clerk of Council

- Clerk Balester was presented with her Certified Municipal Clerks designation and pin.

10) Public Comment - Legislative Agenda Items only

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

Speakers

Name	Resident/Board Member/Other	Topic
Kelly Ovsek	Resident	ORD 063-2025: South Overlook/Cedar Rd Parcels
Louis Mande	Resident	ORD 063-2025: South Overlook/Cedar Rd Parcels
Ann Sherif	Resident	ORD 063-2025: South Overlook/Cedar Rd Parcels
Diana Gurley	Resident	ORD 063-2025: South Overlook/Cedar Rd Parcels

11) Public Comment - General

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

Speakers

Name	Resident/Board Member/Other	Topic
CJ Nash	Resident	Denison Park
Melody Joy Hart	Resident	Congratulations to the Clerk on her CMC Designation
John Gall	Resident	City Administrators Duties
Eli Mann	Resident	Prentis Place Project
Amy Eugene	Resident	Dysfunction in City Hall
Angel Fasolo	Resident	Seren should resign
David Sheagley	Resident	Social Security Resolution

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. 071-2025(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with The McLean Company for the acquisition of a Falcon 6-ton Recycler diesel dump trailer hot box and accessories 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

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. 072-2025(AS): First Reading. A Resolution appointing Jennifer Bartlett as a member of the Parks and Recreation Advisory Board of the City of Cleveland Heights, OH to fill the vacancy for the remainder of the unexpired term; and declaring the necessity that this legislation become immediately effective as an emergency measure.

1 Introduced by Councilmember Cobb
2

3 **Motion to adopt:** Anthony Mattox Jr.
4

5 **Seconded:** Jim Petras
6

7 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
8 Russell, Jim Petras, Jim Posch
9

No: None

LEGISLATION PASSED

10 **RESOLUTION NO. 073-2025(AS): First Reading.** A Resolution appointing
11 Patrick Crago as a member of the Transportation and Mobility Committee of
12 the City of Cleveland Heights, OH to fill the vacancy for the remainder of the
13 unexpired term; and declaring the necessity that this legislation become
14 immediately effective as an emergency measure.
15

16 Introduced by Councilmember Cobb

17 **Motion to adopt:** Anthony Mattox Jr.
18

19 **Seconded:** Davida Russell
20

21 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
22 Russell, Jim Petras, Jim Posch
23

No: None

LEGISLATION PASSED

24 **RESOLUTION NO. 074-2025(AS): First Reading.** A Resolution appointing
25 Susan Kenney as a member of the Commission on Aging of the City of
26 Cleveland Heights, OH; and declaring the necessity that this legislation
27 become immediately effective as an emergency measure.
28

29 Introduced by Councilmember Cobb

30 **Motion to adopt:** Anthony Mattox Jr.
31

32 **Seconded:** Davida Russell
33

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

No: None

LEGISLATION PASSED

37 **RESOLUTION NO. 075-2025(AS): First Reading.** A Resolution appointing
38 Eric Silverman and Wes Schaub as members of the Citizens Advisory
39 Commission of the City of Cleveland Heights, OH to fill the vacancies for the
40 remainder of the unexpired term; and declaring the necessity that this
41 legislation become immediately effective as an emergency measure.

1 Introduced by Councilmember Cobb

2 **Motion to adopt:** Gail Larson

3 **Seconded:** Craig Cobb

4
5 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Davida Russell, Jim Petras, Jim
6 Posch

7 **No:** Anthony Mattox Jr.

8 **LEGISLATION PASSED**

9 **ORDINANCE NO. 076-2025(F): First Reading.** An Ordinance amending
10 Ordinance No. 011-2025, relating to appropriations and other expenditures of
11 the City of Cleveland Heights, Ohio for the fiscal year ending December 31,
12 2025; and declaring the necessity that this legislation become immediately
13 effective as an emergency measure.

14
15 Introduced by Councilmember Larson

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

17 **Seconded:** Gail Larson

18
19 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
20 Russell, Jim Petras, Jim Posch

21 **No:** None

22 **LEGISLATION PASSED**

23 **RESOLUTION NO. 077-2025(PD): First Reading.** A Resolution authorizing
24 the Mayor to submit an application to the Northeast Ohio Area Wide
25 Coordinating Agency ("NOACA") for a grant under the Congestion Mitigation
26 and Air Quality ("CMAQ") program to fund a multiple-use trail along
27 Washington Boulevard and to accept and enter into any agreements related
28 to the Grant Program; and declaring the necessity that this legislation become
29 immediately effective as an emergency measure.

30
31 Introduced by Mayor Seren

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

33 **Seconded:** Gail Larson

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 **RESOLUTION NO. 078-2025(PD): First Reading.** A Resolution authorizing
40 the Mayor to execute an agreement with UBIZ Venture Capital for the purpose

of conducting a Small Business Support Program; repealing Resolution No. 207-2024 in its entirety; 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: Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras, Jim Posch

No: None

LEGISLATION PASSED

RESOLUTION NO. 079-2025(MSES): First Reading. A Resolution authorizing the Mayor to execute an agreement with Yagour Group, LLC d/b/a Perfection Landscapes to furnish the labor, materials, equipment, and associated landscaping services necessary for the 2025 Facilities Landscape Installation & Maintenance Project; 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: Gail Larson

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 080-2025(COTW): First Reading. A Resolution providing for a contribution of Two Thousand Five Hundred Dollars (\$2,500.00) in support of the 2025 Heights Tiger 5k and Fun Run; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

Motion to adopt: Gail Larson

Seconded: Davida Russell

Motion to amend: Craig Cobb

Seconded: Anthony Mattox Jr.

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

No: None

MOTION PASSED

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

No: None

LEGISLATION PASSED

b. First Readings Only

RESOLUTION NO. 081-2025(MSES): *First Reading.* A Resolution adopting the City of Cleveland Heights' Climate Forward: An Action and Resilience Plan.

Introduced by Mayor Seren

READ INTO THE RECORD
REFERRED TO COMMITTEE

ORDINANCE NO. 082-2025(AS): First Reading. An Ordinance amending Section 143.04, “Compensation of Members,” of Chapter 143, “Landmark Commission,” of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 083-2025(PSH): First Reading. A Resolution authorizing the Mayor to execute an agreement with Lexipol, LLC for annual subscription services used to provide the Police Department with comprehensive departmental policy management solutions; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren

READ INTO THE RECORD

ORDINANCE NO. 084-2025(COTW): *First Reading.* An Ordinance enacting a new Section 171.16, *City Contract Publication Requirement*, requiring transparency and accountability for contracts.

Introduced by Vice President Russell

READ INTO THE RECORD
REFERRED TO COMMITTEE

RESOLUTION NO. 087-2025(PD): First Reading. A Resolution authorizing the Mayor to enter into an agreement with 3 D Moore Enterprises LLC for a loan under the City's Storefront Loan Fund Program to help renovate the storefronts at 3936-3946 Mayfield Road; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren

READ INTO THE RECORD
REFERRED TO COMMITTEE

RESOLUTION NO. 088-2025(PD): First Reading. A Resolution authorizing the Mayor to enter into an agreement with 3 D Moore Enterprises LLC for a loan under the City's Storefront Loan Fund Program to help renovate the storefronts at 3948 Mayfield Road; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren

READ INTO THE RECORD
REFERRED TO COMMITTEE

c. Second Readings

RESOLUTION NO. 054-2025(COTW): Second Reading. An Ordinance amending Section 121.01, "Powers and Duties," of Chapter 121, *Mayor*, of the Codified Ordinances of the City of Cleveland Heights, Ohio.

Introduced by President Cuda

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. 063-2025(PD): Second 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

1 immediately effective as an emergency measure.

2
3 Introduced by Mayor Seren

4 **NO VOTE**

5 **d. Third Readings**

6
7 **ORDINANCE NO. 023-2025(AS): Third Reading (Amended**
8 **04.21.2025).** An Ordinance establishing salary schedules, position
9 classifications, and other compensation and benefits for officers and
10 employees of the City; 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 **e. Consent Agenda**

22 **Motion to suspend rules:** Anthony Mattox Jr.

23 **Seconded:** Craig Cobb

24
25 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
26 Russell, Jim Petras, Jim Posch

27 **No:** None

28 **MOTION PASSED**

29
30 **Motion to adopt:** Anthony Mattox Jr.

31 **Seconded:** Davida Russell

32
33 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
34 Russell, Jim Petras, Jim Posch

35 **No:** None

36 **LEGISLATION PASSED**

37
38 **RESOLUTION NO. 085-2025(CRR): First Reading.** A Resolution
39 recognizing May 18-24, 2025 as *National Public Works Week*; and declaring
40 the necessity that this legislation become immediately effective as an
41 emergency measure.

Introduced by Mayor Seren

Passed on consent agenda

RESOLUTION NO. 086-2025(COTW): First Reading. A Resolution to save neighborhood Social Security Offices, Medicare and Medicaid; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Vice President Russell

Passed on consent agenda

13) Committee Reports

- **HB:** There will be a Public Hearing on May 7 at 6 p.m. The next regularly scheduled meeting is on Monday, May 12, at 5:30 pm.
- **F:** Update from previous committee meeting. The next Finance Committee Meeting will be Tuesday, June 3, at 5:30 pm
- **MSES:** The next meeting will be the week of May 12.
- **AS:** The next meeting will be either Monday the 12 or Tuesday the 13.
- **PD:** Will be scheduling a PD meeting to discuss 087-2025 and 088-2025, and to meet with merchants on Taylor Rd.
- **PSH:** Update from the PSH Public Hearing last week regarding the city's deer population. The next committee meeting will be Tuesday, May 13, at 5 pm.

14) Old Business

- None

15) New Business

- None

16) Council Member Comments

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

- **Cobb:** He would like the Clerk to work with the Administration and the Communications Department to include a link to the Council's Agendas and Minutes page in the Friday Email Newsletter. Would like the city to work on communicating about sales of city-owned property better.
- **Mattox:** Wished his sister a happy birthday.
- **Posch:** Encourages people to go vote tomorrow on the May 6 primary.
- **Russell:** Thanked Mr. Ivory for being here tonight, and thanked the others who came in to support the social security resolution.
- **Larson:** Heights Bike Club is sponsoring several events for Mary Dunbar Bike Month including a Kids Bike Afternoon at on May 6th from 4:00pm-5:30pm, Bike-to-Work Week May 12 – 16, and starting June 3rd and going into October there will be a Tuesday evening community bike ride.

17) Council President's Report

- Lots of important issues were raised tonight by our residents and he thanked everybody who came in to speak. He spoke about the date the budget is due being changed to November 1. He thanked Clerk Balester for doing such a great job for Council and Council is so fortunate to have her.

18) Adjournment

End: 9:21 pm

NEXT MEETING OF COUNCIL: MAY 19, 2025



June 30, 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: 7:31 pm

2) Roll Call of Council Members

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

Excused: Jim Posch

Also Present: Director Hanna, Clerk Balester

3) Excuse absent members

- Councilmember Jim Posch is excused

4) Amendments to the Agenda (if necessary)

- None

5) Approval of minutes from previous meeting(s)

a. June 2, 2025

APPROVED

b. June 13, 2025

APPROVED

c. June 16, 2025

APPROVED

d. June 25, 2025

6) Communications from the Mayor

- None

7) City Administrator's Report

- None

8) Departmental Report(s)

- None

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

- A Recall Petition seeking the removal of the Mayor of the City of Cleveland Heights, submitted to the Clerk of Council of the City of Cleveland Heights, has been reviewed by the Cuyahoga County Board of Elections and has been found to contain a total of **3,845** valid signatures of qualified City electors. This number exceeds the minimum required under Article IV, Section 11 of the Charter of the City of Cleveland Heights to initiate a recall. Pursuant to the Charter, this Certification is hereby formally presented to the Cleveland Heights City Council at its regular meeting on *June 30, 2025*. As required, a copy of this Certification will also be furnished to the Mayor in accordance with the Charter. Under the Charter, the Mayor shall have five (5) days from the date of this notification to resign from office. If the Mayor does not resign within that time, Council shall call an election upon the question of the removal of the Mayor to the electors of the City.

10) Public Comment - Legislative Agenda Items only

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

Speakers

Name	Resident/Board Member/Other	Topic
Ann Sherif	Resident	ORD 063-2025
Drew Herzig	Resident	RES 135-2025
Phillip Wadsworth	Resident	ORD 063-2025
Lou Mande	Resident	ORD 063-2025
Erin Miyoshi	Resident	ORD 063-2025

11) **Public Comment - General**

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

Speakers

Name	Resident/Board Member/Other	Topic
Melody Joy Hart	Resident	CH Mayoral Recall
Christopher Woods	Resident	Racism in Cleveland Heights
Tom Hudak	Resident	CH Mayoral Recall
Melissa Woods	Resident	Weaponization of Anti-Semitism
Richard Goodwin	Resident	Firing of Jessica Schantz
James Bates	Resident	Response to Mayor's communications, the recall, and leadership
Susan Wood	Resident	CH Mayoral Recall
Eileen Ramerman	Resident	CH Mayoral Recall
Karin Lash	Resident	CH Mayoral Recall
Matthew Keri	Resident	Development on Cedar Rd.
Jason Davis	Resident	Cumberland Pool Safety Policies

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

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

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

No: None

LEGISLATION PASSED

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

Motion to adopt: Anthony Mattox Jr.

Seconded: Jim Petras

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

No: None

LEGISLATION PASSED

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

Motion to adopt: Anthony Mattox Jr.

Seconded: Jim Petras

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

No: None

LEGISLATION PASSED

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

Motion to suspend rules: Anthony Mattox Jr.

Seconded: Gail Larson

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

4 **MOTION PASSED**

5
6 **Motion to adopt:** Anthony Mattox Jr.
7 **Seconded:** Davida Russell

8
9 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
10 Russell, Jim Petras
11 **No:** None

12 **LEGISLATION PASSED**

13 **b. Second Readings**

14
15 **RESOLUTION NO. 118-2025(F): Second Reading.** A Resolution approving
16 the adoption of the 2026 Tax Budget; and declaring the necessity that this
17 legislation become immediately effective as an emergency measure.

18
19 Introduced by Mayor Seren
20 Move for Adoption

21 **Motion to adopt:** Anthony Mattox Jr.
22 **Seconded:** Gail Larson

23
24 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Davida
25 Russell, Jim Petras
26 **No:** None

27 **LEGISLATION PASSED**

28 **c. Fourth Readings**

29
30 **ORDINANCE NO. 063-2025(PD): Fourth Reading.** An Ordinance
31 authorizing the Mayor to execute a real estate purchase agreement for the
32 sale of certain vacant real property located on South Overlook Road and
33 Cedar Road, consisting of approximately 0.54 acres and identified as
34 permanent parcel numbers 685-24-001 and 685-24-033 in the Cuyahoga
35 County records; and declaring the necessity that this legislation become
36 immediately effective as an emergency measure.

37
38 Introduced by Mayor Seren

39 **Motion to postpone indefinitely:** Gail Larson
40 **Seconded:** Davida Russell

41
42 **Yes:** Tony Cuda, Gail Larson, Jim Petras
43 **No:** Craig Cobb, Anthony Mattox Jr., Davida Russell

44 **MOTION FAILED**

Motion to reconsider: Craig Cobb

Seconded: Davida Russell

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

No: None

MOTION PASSED

Motion to Postpone Indefinitely: Gail Larson

Seconded: Davida Russell

Yes: Tony Cuda, Gail Larson, Davida Russell, Jim Petras

No: Craig Cobb, Anthony Mattox Jr.

MOTION PASSED

13) Committee Reports

- **F:** The Finance Committee will have its next meeting in August, the exact date TBD.
- **MSES:** The MSES Committee will have its next meeting in August, the exact date TBD.
- **AS:** Gave an update from the AS tonight.

14) Old Business

- **Mattox** brought up RES 097-2025 and the confusion about where the funds will come from.

15) New Business

- **Larson** spoke to the Cumberland Pool safety issues brought up by one of the public comments tonight.

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.)

- **Larson** spoke about the recall.
- **Cobb** spoke about the Mayor's decision to fire the city's previous

1 Communications Director and hire the new Communications Director.

2
3 **17) Council President's Report**

- 4
5 • **Cuda** gave a brief look back at the Resolutions Council recently passed
6 regarding the situation with the mayor.

7
8 **18) Adjournment**

9 End: 8:47

10
11 **NEXT MEETING OF COUNCIL: JULY 7, 2025**

Memo

To: City Council
From: Rodney Hairston, Finance Director
Date: August 13, 2025
Re: August 18, 2025 Budget Adjustment

For the August 18, 2025 Council Meeting, I am requesting a total budget increase of \$1,102,456.00 to the 2025 budget.

Here is a summary of the budget adjustments:

2025 Road Program:

Added two additional streets to the road program, \$251,963

North Park Change Order: \$266,456

To repave the NorthPark Road, between Coventry and Arlington

Balance Due the County for Coventry Road: \$516,745

(the majority of this amount projected at \$440,000 was handled via a budget adjustment in 2023 but not carried over).

GPD Construction Management Road Program: \$67,292.00

GPD is conduction inspections and contract administration for the 2025 road program

Proposed: 08/18/2025

ORDINANCE NO. 157-2025(F), *First Reading*

By Mayor Seren

An Ordinance to amend certain subparagraphs of Ordinance No. 011-2025, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council wishes to amend certain appropriations made through Ordinance No. 011-2025, as amended by Ordinances No. 076-2025 and 146-2025, passed March 17, May 05 2025, and August 4, 2025, respectively, in the manner more fully described herein,

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

SECTION 1. Certain subparagraphs of Ordinance No. 011-2025, as amended by Ordinances No. 076-2025, and 146-2025 relating to appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2025 be, and the same hereby are increased, decreased, and/or transferred in the amounts set forth in Exhibit A, attached hereto. All appropriations not so amended shall remain in full force and effect through the passage of this Ordinance.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2025, shall be made within appropriations herein provided. "Appropriation" as used herein means the total amount appropriated for the individual fund. Notwithstanding the financial detail herein presented within an individual fund, the Mayor is authorized to transfer budgeted amounts within each fund, so long as the total amount appropriated for each individual fund is not exceeded.

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 contents, prepared by the Director of Law, once in one paper of general circulation in the City of Cleveland Heights, or by posting the full text of this Ordinance on the City of Cleveland Heights website.

SECTION 5. The prior version of Ordinance No. 011-2025, as amended by Ordinances No. 076-2025 and 146-2025 is hereby repealed in its entirety.

ORDINANCE NO. 157-2025(F)

SECTION 6. It is necessary that this Ordinance become immediately effective as an emergency necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the ongoing and continuous need to preserve the faith and credit of the City. 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

2025 Budget Adjustments
Public Works

	A	B	C	D	E	F
1	EXHIBIT A					
2	From			To		
3	<u>Fund# and Description</u>	<u>2025 Adjustment</u>		<u>Fund# and Description</u>	<u>2025 Adjustment</u>	<u>Notes</u>
4						
5	101 General Fund	\$ 251,963		2025 Road Program 201-6236-3122.01	\$ 251,963	Added two additional streets to the road program
6	101 General Fund	\$ 266,456		North Park Change Order 201-6236-3122.01	\$ 266,456	To repave the Northpark Road, between Coventry and Arlington
7	101 General Fund	\$ 516,745		Balance Due to the County for Coventry Road 201-6236-3122.01	\$ 516,745	(the majority of this amount projected at \$440,000 was handled via a budget adjustment in 2023 but not carried over).
8	101 General Fund	\$ 67,292		GPD Construction Management Road Program	\$ 67,292	GPD is conduction inspections and contract administration for the 2025 road program
9	Total	\$ 1,102,456			\$ 1,102,456	



Date: July 23, 2025

To: Addie Balester, Clerk of Council

Cc: Kahlil Seren, Mayor; Danny Williams, CAO
Christopher Heitzel, Assistant Law Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Construction Administration Services with GPD Group

Purpose Statement: To authorize the Mayor to enter into an agreement with GPD Group for construction administration and observation services in the amount of \$67,292.00 for the 2025 Road Program project. .

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? The road program currently underway

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

If yes, why? The road program is currently in process

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

If not already budgeted for, where will funding come from? Fund 201

Proposed: 08/04/2025

RESOLUTION NO. 158-2025(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with GPD Group, for construction management and observation services relating to the 2025 Road Program; and declaring the necessity that this legislation become immediately effective as an emergency.

WHEREAS, it is necessary to retain an engineering firm to perform construction management and observation services relating to the 2025 Road Program;

WHEREAS, the Mayor has recommended that the services offered by GPD Group best meet the City's needs; and

WHEREAS, such services are professional services for which no bidding is necessary;

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 GPD Group to provide professional construction management and observation services relating to the 2025 Road Program. The contract shall provide for services as set forth in the Scope of Services dated June 9, 2025 submitted by GPD Group a copy of which is attached hereto as Exhibit "A" and incorporated herein. Compensation for the services detailed therein shall not exceed Sixty-Seven Thousand Two Hundred Ninety-Two Dollars (\$67,292.00). All agreements hereunder shall be approved as to form by 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 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 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 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 to timely meet project deadlines. Wherefore, provided it receives the affirmative vote of

RESOLUTION NO. 158-2025(MSES)

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.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor



Mrs. Collette Clinkscale
Service Director
City of Cleveland Heights
40 Severance Circle
Cleveland Heights, Ohio 44118

2025 Asphalt Road Program Construction Management and Construction Observation

Dear Mrs. Clinkscale

GPD Group is pleased to submit this proposal for professional services on the above referenced project. Attached you will find a Work Description, Scope of Services, and Fee Proposal for your consideration. Also included is an itemized task breakdown complete with man-hour and fee estimates.

Project Understanding

GPD Group will provide construction administration services and resident inspection services as described herein in the Scope of Services. These projects are governed by the City of Cleveland Heights ordinances, policies, and procedures.

Construction for the 2025 Asphalt Road Program is a 9-week construction duration. Our services will involve providing construction management and inspection during and post-construction. Our efforts will include interpreting plans and specifications and protecting the City against deficiencies in the contractor's work.

We will also serve as the City's liaison with the contractor and report directly to the Service Director. GPD Group is prepared to begin work immediately upon written notice to proceed

Scope of Services

I. Project Task Summary

- a. Provide Construction Management and Inspection Services with the expressed goal of having the project finished on time and on budget.
- b. Perform pay applications to conform to local requirements
- c. Provide Post-Construction Services

II. Specific Tasks

a. Construction Administration and Inspection

- i. Project Directory – Prepare a project directory of all personnel involved and their contact information and distribute. An e-mail user group will also be developed to promptly distribute project information. Maintain Detailed Estimate for the Project.
- ii. Kick-off Meeting – Schedule, coordinate and administer a Kick-off Meeting with GPD, City Officials and Test Lab to introduce all parties and establish contact information/protocol.

- iii. Pre-construction Meetings – Schedule, coordinate and administer a pre-construction meeting with the City Officials, Contractor, and the pertinent Utilities Companies. Prepare and make available the meeting minutes to all attendees and other interested parties.
- iv. Implement Document Control System
 - 1. Document Management System – Maintain a document management system for tracking all related project correspondence and records including: transmittals, test specimens, samples, schedules, change orders, shop drawings, request for information, letters, punch lists, photographs, etc. Monitor Contractor's Construction Schedule. Request updates as required.
- v. Provide Resident Construction Administrator – GPD Group will provide a licensed Professional Engineer with extensive knowledge of contract compliance and construction contract administration to manage the inspection team.
- vi. Provide Full-Time Construction Inspection – For the 2025 Asphalt Road Program, GPD will inspect and record the contractor's daily progress. For pricing purposes, we have anticipated the need for full-time inspection throughout the 9-week contract duration. Daily inspection records will be developed and will include the following documentation:
 - 1. Project Name, Report Number and Date
 - 2. Weather conditions
 - 3. Names of the contractors, subcontractors, or other entities performing the work, including the hours worked
 - 4. Listing of all equipment used, including the hours used or idle
 - 5. Listing of materials delivered to the site, including delivery tickets
 - 6. Names, titles, affiliations of all visitors to the site
 - 7. Monitor Maintenance of Traffic Zones for safety and compliance with plans; identity problems
 - 8. Monitor contractor SWPPP measures for compliance with EPA rules and regulations
 - 9. Location of work (stations and offsets)
 - 10. Pay items of work performed. Note: A daily log of all pay items installed will be kept in a separate binder.
 - 11. Observations in general
 - 12. Specific observations in more detail of work performed
 - 13. Observations of testing of materials performed and results
 - 14. Instructions received from Resident Project Engineer or City Officials
 - 15. Instructions given to the contractor
 - 16. Request for information received from contractor
 - 17. Damages to property
 - 18. Incidents of changed conditions that may affect the work
 - 19. Actual and potential claims, changes in the work, delays, or other factors that may result in modifications to the work and/or contract
 - 20. Calculations and sketches used in determining payment quantities or other conditions or the work.
- vii. Hold Special Site Meetings as needed. Invite City Officials as needed.
- viii. Perform Shop Drawing and Submittal Reviews – Review and provide a disposition of comments concerning all shop drawings of products and materials to be incorporated into the work, unless otherwise specified in

- 
- the Contract Documents. Maintain a log that accounts for the receipt and disposition of all shop drawing and project related submittals.
- ix. Monitor Contractor Safety Program
 - x. Monitor Contractors' Compliance with Bond / Insurance requirements
 - xi. Review and Monitor the Contractor's Maintenance of Traffic (MOT).
Inform City Safety Chiefs on any revisions required
 - xii. Monitor contractor Performed Continuously Updated As-Builts
 - xiii. Maintain Set of Continuously Updated As-Builts – Maintain a field set of drawings ("red-line set") indicating the as-built conditions to be utilized in the preparation of record drawings that will be turned over to the City at the conclusion of the project work.
 - xiv. Work performed by the Contractor upon which partial payments to the Contractor shall be based. Recommend work known to be in conformance to the Contract Documents be accepted and paid for by the City.
 - xv. Change Order Requests – GPD Group will review all Change Order requests by the contractor and make recommendations to the City. The review of all claims submitted by the contractor throughout the duration of the project will be processed through GPD internal claims process. GPD will evaluate the validity of any disputes and prepare recommendations for the City of Cleveland Heights. Also, GPD will review all cost and quantities submitted and take part in all negotiations.
 - xvi. Provide Advice, Recommendations to the City on Construction Issues
 - xvii. Prepare Correspondence for City's Signature on Construction Issues
 - xviii. Coordinate the Interaction of All Parties to the Contract
 - xix. Maintain Photo Log
 - xx. Provide Claims Avoidance, Mitigation and Dispute Resolution – Identify non-conforming work and verify the contractor's compliance with the technical requirements of the project. The contractor will be notified on the non-conforming work when identified so the proper corrective actions can be taken. Bring to the immediate attention of the City instances where the contractor fails to be in compliance with the terms of the Contract Documents and when the Contractor acts in a manner, which is not in the best interest of the City.

III. Close-Out Services

- a. Coordinate and Organize final walk thru of the projects. Prepare a punch list of items to be resolved prior to final acceptance. Verify punch list items have been resolved. Recommend final project to the City as accepted and in compliance with the plans and specifications.

IV. Post Construction Services

- a. Close-Out Documents – Assist in the execution of the contract close-out documents (i.e., final pay application, final change order to adjust contract price, affidavit of prevailing wages, consent of Surety Company for final payment and affidavit of final acceptance date and correction period). At the conclusion of the projects, the project documents will be delivered to the City for the records. A statement of quality assurance will be included with this submittal.
- b. Resolution of Miscellaneous Claims and Complaints.
- c. Attend Post Construction Meeting, if necessary to hold.

V. Authority of the Consultant

- a. The authority of the Consultant shall have the following limitations, except as duly authorized in writing by the Service Director and agreed upon by the Consultant:
 - i. Deviation from the Contractor Documents and any changes in materials or equipment shall not be authorized.
 - ii. The Consultant will not perform any function that is the responsibility of the contractor, contractor's suppliers or subcontractors.
 - iii. The Consultant shall not be liable for defective work, acts of omission or operating procedures of the contractor.

VI. Estimated Fee

GPD Group proposes to perform the above-described scope of services for an **estimated hourly** fee of **\$67,292**. We anticipate the expenditure of approximately **668** manhours to complete these services.

The fees are based upon the construction schedule and include the work reasonably necessary under the scope of work presented herein. It is understood that if the schedule or tasks increase materially from the described, GPD Group will be entitled to a reasonable upward adjustment of our fee commensurate with the increase in work.

We thank you for the opportunity to present our proposal to assist the City of Cleveland Heights. We are available to answer any questions that you may have and to begin our services immediately upon authorization. Please do not hesitate to call me at 330.572.2796 office or 216.408.3080 cell or contact me via e-mail at dneumeyer@gpdgroup.com. Thank you for your consideration of GPD Group.

Sincerely,

GPD Group



David Neumeyer, PE
Senior Project Manager

2025 Asphalt Road Program
Construction Management and Observation
Cleveland Heights, Ohio
9-Jun-25



Item/Task	Weeks	Project Manager	Resident Engineer	Construction Inspector	Total Hours
Pre-Construction Services					
Pre-Construction Meeting (2 Meetings, 1 Per Project)		6	8	6	20
Review Shop Drawings			60		60
Project Administration					
Project Administration	9	18	36		54
Daily Project Inspection (1 Full Time)	9			360	360
Pay Applications (3)			24		24
Quantities				40	40
Change Orders		10	24		34
Project Finalization					
Final Inspection and Acceptance		4	4	8	16
Resolution and Punch List Items		2	8	20	30
Final Quantities and Payment			20	10	30
Preparation of Project Closeout Documents			20		20
Totals		40	204	444	668
Avg Bill Rate		\$185.00	\$120.00	\$73.00	\$96.25
Fee		\$7,400	\$24,480	\$32,412	\$64,292
Direct Expenses (Travel, Misc Reproduction)					\$3,000
Total Cost					\$67,292



Date: July 23, 2025

To: Addie Balester, Clerk of Council

Cc: Kahlil Seren, Mayor; Danny Williams, CAO
Christopher Heltzel, Assistant Law Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for a change order to the 2025 Road Program project agreement with Ronyak Paving, Inc.

Purpose Statement: To authorize the Mayor to execute a change order in the amount of \$251,963.00 to the agreement with Ronyak Paving, Inc. to add two (2) streets to the 2025 Road Program project.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To repave 2 additional streets (Goodnor and Marlindale) as part of the 2025 Road Program project.

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

If yes, why? To complete the 2025 project.

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

If not already budgeted for, where will funding come from? Fund 201

Proposed: 08/04/2025

RESOLUTION NO. 159-2025(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing a change order to the Agreement with Ronyak Paving, Inc. as general contractor for the 2025 Road Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in accordance with C.O. § 171.03, the Mayor submitted to this Council his request for authorization to proceed to bid the public improvement of the 2025 Road Program (#25-01), which this Council approved by motion on March 17, 2025;

WHEREAS, the bids received in response to the invitation were opened on April 30, 2025, and Ronyak Paving, Inc. ("Contractor") was determined to be the lowest and best bidder and subsequently contracted with the City to provide the public improvements described therein ("Agreement");

WHEREAS, the City subsequently added two streets to the 2025 Road Program which necessitate a change order to that Agreement to provide for additional expenses related to this project;

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

SECTION 1. The Mayor is hereby authorized to execute a change order to the Agreement and any other related documents, instruments, or contracts for an amount not to exceed Two Hundred Fifty-One Thousand Nine Hundred Sixty Three Dollars and 00/100 (\$251,963.00) to provide for the labor, materials, and other services associated with the 2025 Road Program for change order related work described herein.

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 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 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 complete the project in a timely manner. Provided it receives the affirmative vote of five

RESOLUTION NO. 159-2025(MSES)

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: July 23, 2025

To: Addie Balester, Clerk of Council

Cc: Kahlil Seren, Mayor;
Christopher Heltzel, Assistant Law Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Change Order to the North Park SSO Project agreement with Fabrizi Trucking & Paving, Inc.

Purpose Statement: To authorize the Mayor to execute a change order in the amount of \$266,455.50 to the agreement with Fabrizi Trucking and Paving, Inc. for the North Park SSO Project to re-pave North Park Blvd at the site of this project.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To close out this project.

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

If yes, why? To repave the pavement at the site of this project.

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

If not already budgeted for, where will funding come from? Fund 201

Proposed: 08/04/2025

RESOLUTION NO. 160-2025(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the North Park SSO Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance No. 140-2021, passed November 15, 2021, authorized the allocation, appropriation, and expenditure of ARPA funds for sewer infrastructure improvement projects described in the Integrated Overflow Control Master Plan ("IOCMP");

WHEREAS, in accordance with C.O. § 171.03, the Mayor submitted to this Council his request for authorization to proceed to bid the public improvement of the North Park SSO Project; (#24-06) to one general contractor, which this Council approved by motion on June 17, 2024;

WHEREAS, the bids received in response to the invitation were opened on October 24, 2024, and Fabrizi Trucking & Paving Co., Inc. ("Contractor") was determined to be the lowest and best bidder and subsequently contracted with the City to provide the public improvements described therein ("Agreement");

WHEREAS, the discovery of existing utility lines and related complications during Contractor's performance does not allow for adequate funding to repave the road and therefore necessitate a change order to that Agreement to provide for additional expenses associated with repaving of the road;

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

SECTION 1. The Mayor is hereby authorized to execute a change order to the Agreement and any other related documents, instruments, or contracts for an amount not to exceed Two Hundred Sixty-Six Thousand Four Hundred Fifty-Five Dollars and 50/100 (\$266,455.50) to provide for the labor, materials, and other services associated with repaving the roadway described herein.

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.

RESOLUTION NO. 160-2025(MSES)

SECTION 3. 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 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 complete the project in a timely manner. 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

CONTRACT CHANGE ORDER

ORDER NO. 1

DATE 7/11/2025

CONTRACT FOR

North Park Boulevard CH-36 & CH-37 SSO Control and Sewer Replacement

OWNER

City of Cleveland Heights, 40 Severance Circle Cleveland Heights, Ohio 44118

To Fabrizi Trucking and Paving Co., Inc., 20389 First Avenue Middleburg Heights, OH 44130
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE in Contract Price	INCREASE in Contract Price
ODOT 254 - Pavement Planing, Asphalt Concrete (12966 SY)		\$ 29,173.50
ODOT 407 - Tack Coat (2594 GAL)		\$ 7,782.00
ODOT 441 - 1.25" - Asphalt Concrete Surface Course, Type 1, PH64-22 (450 CY)		\$ 103,500.00
ODOT 441 - 1.75" - Asphalt Concrete Surface Course, Type 2, PH64-22 (630 CY)		\$ 126,000.00
TOTALS		\$266,455.50
NET CHANGE IN CONTRACT PRICE		\$266,455.50

JUSTIFICATION:

This change order is necessary to reinstate four asphalt paving items that were previously directed to be "non-performed" from the contract.

It has been determined that completing the full scope of asphalt paving as originally specified is in the best interest of the project. These paving items are critical to restoring the roadway to its intended design and ensuring long-term durability along the North Park Blvd.

Reinstating these four asphalt paving items will require a contract adjustment in the amount of \$266,455.50, reflecting the direct costs of labor, materials, and equipment required to complete the work. This change will restore the scope of work to align with the original design intent and will ensure the project delivers the expected quality and performance standards.

The amount of the Contract will be Increased By The Sum Of: Two hundred sixty-six thousand four hundred fifty-five dollars and fifty cents.(\$ 266,455.50).The Contract Total Including this Change Orders Will Be: Two million six hundred fifty-six thousand nine hundred sixty-two dollars and fifty cents(\$ 2,656,962.50).

The Contract Period Provided for Completion Will Be Unchanged.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested: City of Cleveland Heights
(Owner)

(Date)

Recommended: Kellie Rotunno, R2O Consulting LLC
(Engineer)7/11/2025

(Date)

Accepted: _____
(Contractor)

(Date)

Proposed: 08/18/2025

RESOLUTION NO. 161-2025(PSH), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Dr. Arnold J. Feltoon to provide medical control services for the City of Cleveland Heights, Ohio Jail facility; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, The City of Cleveland Heights, Ohio ("City") operates a twelve-day jail pursuant to the Ohio Revised and Administrative Codes, and the Standards for Twelve-Day Jails in Ohio;

WHEREAS, Ohio Administrative Code Section 5120:1-10-09 requires all twelve-day jails to designate a health authority with responsibility for health and/or mental health care services either through contract or, if an employee of the authority operating the jail, job description ("Medical Control Physician"), and establishes the duties to be performed by the designated health authority ("Medical Control Services").

WHEREAS, Dr. Feltoon is licensed physician in the State of Ohio and has served as Medical Control Physician for the City's Jail facility since 2018; and

WHEREAS, the current agreement between the City and Dr. Feltoon for Medical Control Services will terminate in October 2025 and the City wishes to contract with Dr. Feltoon for an additional five (5) years;

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

SECTION 1. The Mayor is hereby authorized to execute a contract(s) with Dr. Arnold J. Feltoon to provide Medical Control Services as the Medical Control Physician for the City's twelve-day jail for a term(s), the total duration of which shall not to exceed five (5) years. The contract(s) 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. 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 NO. 161-2025(PSH)

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 earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Agreement to Provide Medical Control Cleveland Heights Jail

This contract is between the City of Cleveland Heights, Ohio and Arnold J. Feltoon, M.D., Inc. and replaces all previous contracts.

This agreement signed below confirms that Arnold Feltoon, M.D., a physician licensed in the State of Ohio, will provide medical control for the City of Cleveland Heights, Ohio Jail facility.

Dr. Feltoon will provide the City with the following services: oversight of the administration of all medications given to inmates, both prescription and non-prescription; review of inmate medical records; coordination of emergency medical care including assessment by the Fire Department paramedics and/or transfer to a hospital; approval of any and all policies pertaining to medical care rendered in the Jail; development of standing orders for the administration of non-prescription medications; review of special diet requests; up to one hour per month of scheduled on-site examinations of inmates; communication with other physicians concerning medical care of inmates; screening for communicable diseases when indicated; and any other aspects of medical care related to inmates of the Jail. Dr. Feltoon will be available by pager 24 hours a day, seven days a week, and will answer such pages within 30 minutes whenever possible. Dr. Feltoon will provide alternate coverage by another licensed physician when he is unavailable for more than 12 hours and notify the jail of any such alternate coverage.

The City of Cleveland Heights will provide Dr. Feltoon with the following: notification of inmate requests for medications; notification of special diet requests; notification of an inmate's request for medical care; accessibility of inmates' medical records and booking records if medically applicable; copies of Jail policies and procedures for the provision of medical care; and access to any other information that may impact on the medical care of the inmates. The City will also provide a private area and basic medical equipment as deemed necessary for the evaluation of an inmate's medical concerns while in the Jail.

In return for providing such medical coverage as stated above, the City of Cleveland Heights will compensate Arnold J. Feltoon, MD, Inc. \$1500 for the month of October, 2025 and in the amount of \$700 per month as of November 1, 2025. Such fees will be due by the fifteenth of each month to cover the preceding month's services. An invoice will be sent to the City at the beginning of each month for the preceding month's services. Such fees will cover 24 hour/day on-call services, as well as all of the other services as listed above. Any additional on-site time will be billed at \$100/hour.

This agreement shall commence on October 10, 2025 and shall be in effect until December 31, 2026. This agreement shall automatically be renewed at the end of this period for an additional twelve (12) months unless written notification to cancel or alter this agreement is provided by either party no less than 30 days before the expiration date.



For the City of Cleveland Heights

For Arnold J. Feltoon, MD, Inc.

Proposed: 08/18/2025

RESOLUTION NO. 165-2025(COTW), *First Reading*

By Councilmember Petras

A Resolution providing for a contribution in support of the 2025 Cleveland Heights Happy 5K, 10K, and Fun Run; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the 10th annual Happy 5K, 10K, and Fun Run will be held on October 5, 2025, with proceeds supporting the Cleveland Heights Youth Scholarship Fund/Youth Recreation Donation Fund, which was established in 2009 by Ordinance 50-2009; and

WHEREAS, historically, the Happy 5K, 10K and Fun Run event has been the largest generator of donations for the Youth Scholarship Fund/Youth Recreation Donation Fund; and

WHEREAS, this Council would like to support the event with a contribution of up to Five-Thousand Dollars (\$5,000.00) to cover various related expenses including table and chair rentals, a face painter, balloon artist and a band, to be paid for up front by the Cedar Lee Special Improvement District with the understanding that it will be reimbursed up to Five-Thousand Dollars (\$5,000.00) by the City.

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

SECTION 1. This Council hereby allocates the sum of up to Five-Thousand Dollars (\$5,000.00) and authorizes the contribution of such amount from unencumbered general funds to the Cedar-Lee Special Improvement District as reimbursement for some costs of the 5K, 10K and Fun Run, upon receipt of a written request for same and such reasonable evidence of expenses as the Director of Finance may require.

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

RESOLUTION NO. 165-2025(COTW)

the inhabitants of the City of Cleveland Heights, such emergency being the need to make the contribution on a timely basis. 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 become immediately effective 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: 8.1.25

To: City Council

From: Brian Anderson, Assistant Director of Economic Development

Subject: Legislation related to subordination of the City's mortgage on the property at 12426-12438 Cedar Road

Purpose Statement: To authorize the Mayor to enter into a Subordination Agreement with Peoples Bancorp Inc. to subordinate the City's mortgage on the property located at 12426-12438 Cedar Road.

Per Ordinance 101-2024, the City entered into a loan agreement with the Cedar-Grandview Company for a commercial loan to assist with the build out of the property for the new tenancy of Grocery Outlet. That loan is secured by a second position mortgage that was subordinate to a mortgage from Peoples Bancorp.

Due to additional costs associated with that build out, the Cedar-Grandview Company is pursuing an additional loan from Peoples Bancorp. In order to move forward with the additional loan, it is requested by the lender and borrower for the City to further subordinate the City's mortgage.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? Passing as an emergency allows the bank and property owner to complete the loan transaction in a timelier manner.

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

If yes, why?

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

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

N/a

Proposed: 08/04/2025

ORDINANCE NO. 152-2025(PD), *Second Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to execute a Subordination Agreement with Peoples Bancorp Inc. to subordinate the City's Mortgage on the real property located at 12426-12438 Cedar Road, Permanent Parcel No. 685-26-004, and owned by Cedar-Grandview Company; and declaring the necessity that this legislation becomes immediately effective as an emergency measure.

WHEREAS, pursuant to Ordinance No. 101-2024, this Council authorized the Mayor to execute an agreement with Cedar-Grandview Company for a commercial development loan in the sum of Three Hundred Forty Thousand Dollars (\$340,000.00), to be secured by a mortgage on real property located at 12426-12438 Cedar Road, Permanent Parcel No. 685-26-004 (the "Property"); and

WHEREAS, the loan from the City was provided to Cedar-Grandview Company to fund the improvement of the Property for the new tenancy of Grocery Outlet, for the purpose of creating jobs within the City and providing additional food opportunities for the residents of the City; and

WHEREAS, subsequent to the adoption of Ordinance No. 101-2024, the City made the loan to Cedar-Grandview Company and the mortgage to secure the City's loan was filed on October 10, 2024; and

WHEREAS, the loan agreement and mortgage previously approved by Ordinance No. 101-2024 recognized that the City's mortgage would be subordinate to a mortgage recorded in favor of Peoples Bancorp Inc. to secure the senior loan used to undertake the improvements to the Property; and

WHEREAS, Cedar-Grandview Company has now requested that the City further subordinate its mortgage behind an additional mortgage from Peoples Bancorp Inc. securing an additional loan of \$300,000 needed to fully complete the necessary improvements to the Property; and

WHEREAS, to facilitate the improvement of the Property, the City desires to enter into a Subrdination Agreement with Peoples Bancorp Inc. to subordinate the City's mortgage behind both of the aforementioned mortgages in favor of Peoples Bancorp Inc.; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to authorize the Mayor to the Subordination Agreement as provided herein.

ORDINANCE NO.152-2025(PD)

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 Subordination Agreement with Peoples Bancorp Inc. in a form substantially similar to Exhibit A, attached hereto and incorporated herein, with such revisions thereto as are not materially adverse to the City, which shall be conclusively evidenced by the execution of the same by the Mayor. The Subordination Agreement shall be approved as to form by the Director of Law prior to execution.

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 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 4. 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

ORDINANCE NO.152-2025(PD)

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

Exhibit A

See attached.

SUBORDINATION AGREEMENT

This Subordination Agreement (the “Agreement”) is made and entered into as of the ____ day of _____, 2025, by and between THE CITY OF CLEVELAND HEIGHTS, OHIO, an Ohio municipal corporation (the “City”), and PEOPLES BANCORP INC., an Ohio for-profit corporation (“Peoples Bank”).

WHEREAS, the Cedar-Grandview Company, an Ohio corporation (the “Mortgagor”), executed and delivered to the City an Open-End Mortgage and Security Agreement dated July 1, 2024, encumbering the real property located at 12426-38 Cedar Road, Cleveland Heights, Ohio 44106, identified as Permanent Parcel Number 685-26-004 in the Cuyahoga County Records (the “Property”), which mortgage was recorded as instrument number 202410100420 in the Cuyahoga County Records on October 10, 2024 (the “City Mortgage”); and

WHEREAS, the Mortgagor has executed and delivered to Peoples Bank an Open-End Mortgage and Security Agreement dated _____, encumbering the Property, which mortgage was recorded as instrument number _____ in the Cuyahoga County Records on _____ (the “First Peoples Bank Mortgage”); and

WHEREAS, the Mortgagor has further executed and delivered to Peoples Bank an Open-End Mortgage and Security Agreement dated _____, 2025, encumbering the Property, which mortgage was recorded concurrently with this Agreement on _____, 2025 as instrument number _____ in the Cuyahoga County Records (the “Second Peoples Bank Mortgage”); and

WHEREAS, Peoples Bank has requested that the First Peoples Bank Mortgage and Second Peoples Bank Mortgage each have priority, in the order that each was recorded in the Cuyahoga County Records, over the City Mortgage; and

WHEREAS, in the interest of promoting economic development and creating jobs within the City of Cleveland Heights, the City desires to subordinate the City Mortgage to the First Peoples Bank Mortgage and Second Peoples Bank Mortgage, as provided for herein.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City agrees as follows:

1. Subordination. The City hereby agrees that the City Mortgage shall be, and hereby is, subordinated in all respects to the First Peoples Bank Mortgage and the Second Peoples Bank Mortgage, which shall have priority over the City Mortgage in the order that each such mortgage was recorded in the Cuyahoga County Records, regardless of whether each such mortgage was recorded prior to, or after, the City Mortgage. Such priority shall extend

to, and include, any extensions, modifications, assignments, replacements, and renewals of either the First Peoples Bank Mortgage or the Second Peoples Bank Mortgage.

2. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
3. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio and the venue for any action concerning this Agreement shall be in the Cuyahoga County, Ohio Court of Common Pleas.

[Balance of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the City has executed this Agreement as of the date first written above.

THE CITY OF CLEVELAND HEIGHTS,
OHIO

Kahlil Seren, Mayor

Approved as to form:

William Hanna, Director of Law

STATE OF OHIO)
)ss
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025
by Kahlil Seren, the Mayor of the City of Cleveland Heights, on behalf of the City.

Notary Public

PEOPLES BANCORP INC.

By: _____
Name: _____
Title: _____

STATE OF OHIO)
)ss
COUNTY OF CUYAHOGA)

The foregoing instrument was acknowledged before me this _____ day of _____, 2025
by _____, the _____ of Peoples Bancorp Inc., an Ohio for-profit
corporation, on behalf of the corporation.

Notary Public

This Instrument prepared by:

Jason D. Dodson, Esq.
Roetzel & Andress
222 South Main Street
Akron, OH 44308
(330) 376-2700
jdodson@ralaw.com



Date: June 16, 2025; **Updated August 18, 2025**

To: City Council

From: Eric Elmi, Chief Building Official; Eric Zamft, Director of Planning, Neighborhoods & Development

Subject: 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 and garage facades within the City.

Purpose Statement: In recent years, there have been a couple of façade wall collapses that have impacted public thoroughfares. The City currently does not have standards for the inspection of and certification of the structural integrity of the facades of buildings and garages. City staff examined a number of other communities – including the Cities of Cleveland, Lakewood, and Lorain. Based upon that review and in order to ensure public health and safety, a new chapter of the Building Code is suggested. This new Chapter 1373 contains provisions for the inspection, reporting, and certification of exterior walls/appurtenances and garages, as well as the penalties for building owners that do not comply with the proposed regulations.

The ordinance (Exhibit A) has been updated to reflect comments received. The main changes are:

- Clarifying height to two (2) stories/20 feet or with a parapet wall
- Limiting the requirements to commercial/multi-family garages, by exempting garages accessory to one-, two-, and three-family
- Extending the inspection period from two (2) years to five (5)
- Adding language for both structures and garages to allow for extensions – based upon the practice in Lakewood
- Adding additional industry references

Staff recommends that Council approve the amended ordinance on 3rd Reading.

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: NA No: NA

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

Proposed: 06/16/2025

ORDINANCE NO. 127-2025(HB), *Third
Reading (Amended 08.14.2025)*

By Mayor Seren

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.

WHEREAS, in recent years there have been façade collapses within the City that have impacted the public thoroughfare; and

WHEREAS, the City currently does not have specific standards to regulate exterior walls and appurtenances for buildings and garages; and

WHEREAS, such standards are necessary to protect the health and safety of the City, its residents, property owners, businesses, and visitors.

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

SECTION 1. This Council hereby adopts 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, as set forth in **Exhibit A** attached hereto.

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 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 4. This Ordinance shall take effect and be in force at the earliest time permitted by law.

TONY CUDA
President of Council

ORDINANCE NO. 127-2025(HB)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor

EXHIBIT A (Amended 8/14/2025)

CHAPTER 1373 – EXTERIOR WALLS AND APPURTENANCES; PARKING GARAGES

1373.01 Definitions

1373.02 Inspection and Reporting Requirements for Exterior Walls and Appurtenances;
Fee

1373.03 Certificate of Exterior Walls and Appurtenances Inspection

1373.04 Inspection and Reporting Requirements for Parking Garages

1373.05 Certificate of Parking Garage Inspection

1373.98 Rules

1373.99 Penalties

§ 1373.01 Definitions

(a) “Building Commissioner” means the individual defined in Section 1361.09 of the Building Code or their designee.

(b) “Historic Commercial Building” / “Substantial Structure” means a multi-level structure which is: 1) a minimum of two (2) stories or 20 feet in height, whichever is less, or has a parapet wall, and 2) is 30 years old or older. One-, two-, and three-family residential structures are not considered Historic Commercial Buildings or Substantial Structures.

(c) “Parking Garage” means a multi-level structure of other than Type V construction intended for the parking or storage of motor vehicles. A parking garage may be accessory to a principal use or structure on a lot or may be the principal structure on a lot. A parking garage accessory to a one-, two-, and three-family residential structure shall not be considered a “Parking Garage” for purposes of this Chapter.

(d) “Police Chief” means the Police Chief of the City of Cleveland Heights and/or their designee.

(e) “Protected Distance” means the horizontal distance measured perpendicular from any Historic Commercial Building or Substantial Structure to a public way, open pedestrian walkway or plaza, public land, other structure, or adjoining property.

(f) “Qualified Inspector” means a registered architect, or engineer specializing in structural engineering, and licensed by the State of Ohio.

§ 1373.02 Inspection and Reporting Requirements for Exterior Walls and Appurtenances;
Fee

In order to maintain a Historic Commercial Building’s or Substantial Structure’s exterior walls and appurtenances in a safe condition, the following requirements shall apply to all structures subject to the regulations of this Chapter and have a Protected Distance that is equal to or less than the height of the structure from its tallest height above grade.

(a) Inspection Requirements. The owner of a Historic Commercial Building or Substantial Structure shall cause an inspection of the condition of all exterior walls and appurtenances to be conducted at least once every five (5) years, in accordance with the following standards:

ORDINANCE NO. 127-2025(HB)

(1) Such inspection shall be conducted by a Qualified Inspector, and shall meet or exceed the general inspection standards under the most current American Society for Testing and Materials (ASTM) E2270-14 (Standard Practice for Periodic Inspection of Building Facades for Unsafe Conditions). Any areas found to be deficient in the general inspection shall require a detailed inspection.

(2) Such inspection shall be completed and a report shall be filed, per subsection (c) herein, within the following time:

A. All new inspections and reports shall be completed and filed within one (1) year of the effective date of this Chapter. Successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with subsection (c).

B. If a Historic Commercial Building or Substantial Structure has already been inspected within one (1) year prior to the adoption of this Chapter in a manner that would satisfy the requirements of this Chapter, the owner must file a report of that inspection within six (6) months of the effective date of this Chapter. Successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with subsection (c).

(b) Inspection Report.

(1) Such report shall include the following:

- A. The location of the structure by address and permanent parcel number;
- B. The year the structure was built;
- C. The date the structure was inspected;
- D. The name, address, and title of the person or firm who conducted the inspection;
- E. Complete description of inspections conducted based on ASTM E2270-14, including the locations of and descriptions the general inspection areas and any of detailed inspection areas; and

F. A conclusion regarding the condition of all exterior walls and appurtenances as either 'safe', 'unsafe', or 'safe with a repair and maintenance program'.

(2) Such report shall document all significant deterioration, unsafe conditions, and movement observed, in sufficient detail so that a comparison of successive reports will indicate any change of condition.

(3) Such report must be signed by and bear the professional seal of the Qualified Inspector.

(c) Report Filing; Fee. The inspection report shall be filed with the Building Commissioner together with a fee, as established by the Building Commissioner.

(d) Extension. The Building Commissioner shall establish a procedure by which an owner of a Historic Commercial Building or Substantial Structure can request an extension of the time to file the inspection report, provided that proof is submitted that a Qualified Inspector has been retained and a reason(s) why the extension is needed.

§ 1373.03 Certificate of Exterior Walls and Appurtenances Inspection

(a) Issuing of Certificates. The Building Commissioner shall issue a Certificate of Exterior walls and Appurtenances Inspection only after having received satisfactory proof of inspection, and after the inspection report of the Qualified Inspector reports a safe condition.

(b) Keeping and Producing of Certificates and Inspection Documentation. The owner subject to the requirements of this Chapter shall keep and maintain such Certificate and any other applicable inspection documentation on-site or produce said certificate or documentation within 48 hours of any request by the Building Commissioner or the Chief of Fire or their designee.

§ 1373.04 Inspection and Reporting Requirements for Parking Garages

In order to maintain Parking Garages in a safe condition, the following requirements shall apply:

(a) Inspection Requirements. All Parking Garages shall be inspected at least once every five (5) years.

(1) Such inspection shall be conducted by a Qualified Inspector, on behalf of the owner of the Parking Garage. Such inspection shall include, but is not limited to, all structural components, columns, piers, beams, concrete, steel, roof decks, floor and pavement, and exterior cladding, if applicable. .

(2) Such inspection shall be conducted using the most current American Society of Civil Engineers (ASCE) 11-99 Guidelines (Guideline for Structural Condition Assessment of Existing Buildings) and American Concrete Institute (ACI) 562-19 Requirements (Code Requirements for Assessment, Repair, and Rehabilitation of Existing Concrete Structures and Commentary). The Qualified Inspector shall perform a preliminary assessment as defined in the Guidelines and Requirements and provide a determination as to whether a detailed assessment is required. When in the opinion of the Qualified Inspector a detailed assessment is required, such an inspection shall be performed according to the Guidelines and Requirements and a detailed report be produced.

(3) Such inspection shall be completed and a report filed, per subsection (c) herein, within the following time:

A. All new inspections and reports shall be completed and filed within one (1) year of the effective date of this Chapter. Successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with subsection (c).

B. If a Parking Garage has already been inspected within one (1) year prior to the adoption of this Chapter in a manner that would satisfy the requirements of this Chapter, the owner must file a report of that inspection within six (6) months of the effective date of this Chapter. Successive inspections and reports shall be completed every five (5) years from the date of the original inspection report filed in accordance with subsection (c).

(b) Inspection Report.

(1) Such report shall include the following:

- A. The location of the Parking Garage by address and permanent parcel number;
- B. The year the Parking Garage was built;
- C. The date the Parking Garage was inspected;
- D. The name, address, and title of the person or firm who conducted the inspection;
- E. A conclusion regarding whether the Parking Structure and all parts thereof are either 'safe', 'unsafe', or 'safe with repairs and/or engineering monitoring' and whether, in the judgment of the Qualified Inspector, remedial work is required, based on the most recent

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version of ASCE 11-99 and ACI 562-19, including the locations of and descriptions the general inspection areas and any of detailed inspection areas.

(2) Such report shall document all significant deterioration, unsafe conditions, and movement observed, in sufficient detail so that a comparison of successive reports will indicate any change of condition.

(3) Such report must be signed by and bear the professional seal of the Qualified Inspector.

(c) Report Filing; Fee. The inspection report shall be filed with the Building Commissioner together with a fee, as established by the Building Commissioner.

(d) Extension. The Building Commissioner shall establish a procedure by which an owner of a Parking Garage can request an extension of the time to file the inspection report, provided that proof is submitted that a Qualified Inspector has been retained and a reason(s) why the extension is needed.

§ 1373.05 Certificate of Parking Garage Inspection

(a) Issuing of Certificates. The Building Commissioner shall issue a Certificate of Parking Garage inspection only after having received satisfactory proof of inspection, and after the inspection report of the Qualified Inspector reports a safe condition.

(b) Keeping and Producing of Certificates and Inspection Documentation. The owner subject to the requirements of this Chapter shall keep and maintain such Certificate and any other applicable inspection documentation on-site or produce said Certificate or documentation within 48 hours of any request by the Building Commissioner or the Chief of Fire.

§ 1373.06 Certificate Required for Occupancy

No building owner shall permit the occupancy of a building or structure subject to the requirements in this Chapter unless in compliance with this Chapter.

§ 1373.07 Notice of Unsafe Condition

Within 24 hours of the discovery of an unsafe condition relating to a structure subject to the regulations of this Chapter, the owner shall notify the Building Commissioner immediately in writing of such condition, and immediately begin repair, reinforcement, or precautionary measures to abate the unsafe condition to ensure public safety.

§ 1373.98 Rules

The Building Commissioner may promulgate any rules as may be necessary for the purposes of carrying out the provisions of this Chapter.

§ 1373.99 Penalties

A violation of this Chapter shall be subject to the penalties set forth in Chapter 1365.99.

Proposed: 08/18/2025

RESOLUTION NO. 162-2025(COTW), *First Reading*

By All City Councilmembers

A Resolution recognizing September 2025 as *Suicide Prevention Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, suicidal thoughts can affect anyone regardless of age, gender, or background and is often the result of an untreated mental health condition; and

WHEREAS, over 49,000 lives were lost to suicide in 2024 alone according to the Centers for Disease Control and Prevention (CDC); and

WHEREAS, 46% of people who die by suicide had a diagnosed mental health condition—but research suggests that 90% may have experienced symptoms of a mental health condition whether or not such a condition had been diagnosed; and

WHEREAS, 79% of all people who die by suicide are male, and although more women than men attempt suicide, men are 4 times more likely to die by suicide; and

WHEREAS, Suicide is the 2nd leading cause of death among people aged 10-14, the 3rd leading cause of death among those aged 15-24, and the 12th leading cause of death overall in the U.S.; and

WHEREAS, Lesbian, gay, and bisexual youth are 4 times more likely to attempt suicide than straight youth and transgender adults are nearly 9 times more likely to attempt suicide at some point in their life compared to the general population; and

WHEREAS, if you or someone you know is experiencing a mental health crisis, call or text **988** immediately, or if you are uncomfortable talking on the phone, you can chat the Suicide & Crisis Lifeline at **988lifeline.org**; and

WHEREAS, this Council encourages all residents of Cleveland Heights to know the risk factors of suicide including:

- A family history of suicide
- Substance use: Drugs can create mental highs and lows that worsen suicidal thoughts
- Intoxication: analysis from the CDC indicates around 1 in 5 people who die by suicide had alcohol in their system at the time of death
- Access to firearms
- A serious or chronic medical illness

RESOLUTION NO. 162-2025(COTW)

- A history of trauma or abuse
- Prolonged stress
- A recent tragedy or loss; and

WHEREAS, this Council encourages all residents of Cleveland Heights to know the warning signs including:

- Increased alcohol and drug use
- Aggressive behavior
- Withdrawal from friends, family, and community
- Dramatic mood swings
- Impulsive or reckless behavior; and

WHEREAS, this Council recommends all residents learn how to approach a suicide related crisis by:

- Talking openly and honestly; don't be afraid to ask questions, like "Do you have a plan for how you would kill yourself?"
- Remove means such as guns, knives, or stockpiled pills
- Calmly ask simple and direct questions, like "Can I help you call your psychiatrist?"
- If there are multiple people around, have one person speak at a time
- Express support and concern
- Don't argue, threaten, or raise your voice
- Don't debate whether suicide is right or wrong
- If you're nervous, try not to fidget or pace
- Be patient

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

SECTION 1. This Council hereby proclaims September 2025 *Suicide Prevention Month* and urges the community to participate in raising awareness and to discuss this highly stigmatized topic with the goal of spreading vital information and hope to individuals, friends, and families that are impacted by suicide.

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 its contents, prepared by the Director of Law, once in one

RESOLUTION NO. 162-2025(COTW)

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 to pass this Resolution on a timely basis. 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 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: 08/18/2025

RESOLUTION NO. 163-2025(COTW), *First Reading*

By All City Councilmembers

A Resolution proclaiming October 19 – 25, 2025, *National Lead Poisoning Prevention Week*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the American Academy of Pediatrics along with other stakeholder groups, have reported on the risks of childhood lead poisoning and the need for prevention; and

WHEREAS, according to the American Academy of Pediatrics, childhood lead toxicity in children can cause language difficulties, intellectual deficits, lower IQ scores, attention problems, neurological damage and behavior disorders including attention deficit/hyperactivity disorder and conduct disorder; and

WHEREAS, children are exposed to lead from different sources such as paint, solder, and old building materials, particularly in schools, consumer products (toys, food items, and cosmetics) and through different pathways (air, food, water, dust, and soil); and

WHEREAS, in 2022, this Council adopted regulations related to lead hazards to require rental units to be certified as lead-safe as a condition of obtaining a rental occupancy permit, and to authorize the Cleveland Heights Building Commission to administer and enforce this requirement (known as the “Lead-Safe Program”); and

WHEREAS, the City of Cleveland Heights supports the removal of all sources of lead from use, including the complete removal of lead from all paints, building and consumer products.

WHEREAS, the City of Cleveland Heights advocates for lead testing and the remediation of lead contaminated soils and water.

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

SECTION 1. This Council hereby proclaims the week of October 19 – 25, 2025 *National Lead Poisoning Prevention Week* in the City of Cleveland Heights, and renews its dedication to preventing lead poisoning.

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

RESOLUTION NO. 163-2025(COTW)

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 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. This Resolution is hereby declared to be an emergency measure immediately 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 recognize *National Lead Poisoning Prevention Week* on a timely basis. Wherefore, provided it receives the affirmative vote of five (5) 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

Proposed: 08/18/2025

RESOLUTION NO. 164-2025(CRR), *First Reading*

By All City Councilmembers

A Resolution recognizing September 2025, as *National Service Dog Month* in the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in the United States, 64 million adults and children have a disability but only 16,000 service dogs from accredited programs in the U.S. (2022 Assistance Dogs International) exist nationwide and the need is growing; and

WHEREAS, Canine Companions is a nonprofit organization that created the concept of service dogs for people with disabilities, training the first service dog in 1975, and currently serves people with more than 65 different types of disabilities, with seven locations across the country; and

WHEREAS, there are more than 500 people on the Canine Companion waitlist, looking to be matched with an expertly trained service dog; and

WHEREAS, *National Service Dog Month* aims to educate our community about the benefits of service dogs and the laws protecting them; and

WHEREAS, the City of Cleveland Heights continues to be an inclusive community in which all citizens, and their service dogs, are embraced.

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

SECTION 1. This Council does hereby proclaim September 2025 to be *National Service Dog Month* and recognizes the service dogs and the adults and children with disabilities in our community.

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 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.

RESOLUTION NO. 164-2025(CRR)

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 to join with other communities in this celebration in a timely manner. 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.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Approved: _____

KAHLIL SEREN
Mayor