



July 7, 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: 7:34 pm

2) Roll Call of Council Members

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

Excused: None

Also present: Mayor Seren, Director Hanna, Clerk Balester

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

Motion to amend the agenda to add ORD 143, and RES 144 and 145: Jim Petras

Seconded: Davida Russell

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

- Made an announcement that the third phase of the North Park resurfacing project is underway.
- Announced that they are wrapping up the sanitary sewer project from Arlington to Coventry, so once that project is complete, the expectation is that the road will then be repaired. We may have to do a change order for the project.
- The next step is Euclid Heights Blvd and that will be a two-phase project as well.
- Noted that the project at Cain Park is underway near the sledding hill installing a new ADA accessible ramp/entryway into the park

7) City Administrator's Report

- None

8) Departmental Report(s)

- None

9) Report of the Clerk of Council

- None

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
Susan Efroymson	Resident	Antisemitism at City Hall; Recall
Susan Wood	Resident	Question about the agenda
Christopher Wood	Resident	Against recall
Tom Hudak	Resident	Against recall
Susan Miller	Resident	Question about City Council Minutes
Melody Joy Hart	Resident	Against the recall
Drew Herzig	Resident	ORD 139-2025
Angel Fasolo	Resident	Recall
Marty Gelfand	Resident	ORD 139-2025

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
Geraldine Blair	Resident	Tree roots damaging sidewalk
David Berenson	Resident	Ranked Choice Voting
James Bates	Resident	The state of the City
James Williams	Resident	Sang a song
Mike Ungar	Resident	Investigation of Council Members
Jason Davis	Resident	Cumberland Pool safety petition
David Popivker	Resident	Public comment at council meetings
Barbara Sosnowski	Resident	Decorative pots
Simcha Popivker	Resident	What are our standards?
Karin Lash	Resident	Issues in the City
Sarah Popivker	Resident	Globalization of intifada
Alic Popivker	Resident	IHRA definition of antisemitism

12) LEGISLATION

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

a. First Readings – Consideration of Adoption Requested

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

Introduced by Councilmember Cobb

Motion to adopt: Anthony Mattox Jr.

Seconded: Craig Cobb

Discussion: Larson says the Mayor did indeed access her emails without using the public records request process. Cobb said he was unaware of the Mayor looking at Council members emails. In May of this year, he sent an email to the IT director, asking under what circumstances can Councilmember emails be accessed, but he didn't really get a clear answer. The Mayor launched an investigation into 4 councilmembers, he was not one of them. The Mayor asked the law firm to investigate as to whether these councilmembers were using their personal emails, so he doesn't understand why the mayor is looking at his city emails when he was not part of the investigation. To allege that Council members are not cooperating is false. He is outraged that one elected official feels that they can look at another elected officials' emails. Petras asked if it was okay for Governor Mike DeWine to tap into every single email of legislators in the statehouse; that would be an abuse of power. The same thinking applies in Cleveland Heights. Mayor Seren said he finds it odd that Council members would talk about an abuse of power when this began with an email being mistakenly sent to Council's sole employee, indicating that council members had been engaged in behavior that is unlawful under Ohio law and our local code. His responsibility is to ensure that the laws are faithfully followed and enforced. Council doesn't enforce, they legislate. Executive branch enforces, and that requires investigation. He thinks this Ordinance is bad law. Posch finds it suspicious that this investigation happened just as he was appointed to Council, and nothing has happened. So why is all of this being run through the mud when the mayor apparently has all this evidence. He suggested that the Mayor should take it to the common pleas court and get a judgement. Mattox expressed his concerns about transparency and accountability for leadership. He has asked this Council to institute legislation that puts guardrails around our City's leadership in terms of public meetings and he was ignored. He believes the rest of Council is being hypocritical. He thinks that Council needs to stop posturing because so many of them are running for office. We need to make sure we are doing city business in the light of day. She has been quite on a lot of these issues because this city needs to heal and move forward, but she wants to make it clear that she has not had any illegal meetings with anybody. Cuda thinks there isn't a question that the Mayor should not be going through elected officials emails. For the record, council leadership has cooperated every step of the way during this investigation of the Mayors. There are a lot of things the Mayor thinks that are okay, that a lot of us don't think are okay.

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

No: None

LEGISLATION PASSED

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

Introduced by Councilmember Cobb

Motion to adopt: Jim Petras

Seconded: Craig Cobb

Motion to amend: Craig Cobb

Seconded: Jim Petras

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

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

Introduced by Councilmember Cobb

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

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

Introduced by Mayor Seren

Motion to adopt: Anthony Mattox Jr.

Seconded: Gail Larson

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

No: None

LEGISLATION PASSED

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

Introduced by Council President Cuda and Councilmembers Larson and Posch

Motion to adopt: Gail Larson

Seconded: Jim Posch

Discussion: The citizens did the work on this recall, the BOE validated the signatures, and this recall will happen on the September 9 ballot. Posch the recall becomes more urgent every day and he is sick of reading bad headlines in the paper about our city and our mayor. He is concerned about staffing stability; a week ago the Mayor fired another director. We lack leadership, so the longer he stays on, the more people we will lose. Russell says she is supporting the legislation because the people have spoken. Petras shared that the charter states that the council shall call the question upon the removal of the mayor, and council doesn't not have a choice in the matter. The Mayor stated that he believed the organizers of the recall petition took unfounded, unsupported, and unproven accusations in order to sensationalize and imagine things that happened in city hall. They were successful in getting enough signatures, and Councilman Petras is correct that it is the responsibility of Council to place the recall on the ballot. Cuda says that it is unfortunate that more than 4,000 of our residents want to recall our mayor, that it has even come to this. He is disturbed by the mayor and a handful of residents characterizing the recall as undemocratic. He spoke about the First Amendment, specifically freedom of speech, and freedom of assembly. What could be more democratic?

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

No: None

Abstain: None

RESOLUTION NO. 144-2025(CRR): First Reading. A Resolution amending Resolution No. 012-2025 for the purpose of authorizing the expenditure of an additional Five Thousand, Two Hundred Sixty-Three and 92/100 Dollars (\$5,263.92) under the agreement with Frank Novak & Sons, Inc. to furnish the labor, material, and equipment necessary for sandblasting, painting, and

related services for the purpose of repairing the Cumberland pool; repealing Resolution No. 012-2025 in its entirety; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren

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

Introduced by Mayor Seren

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

b. Second Readings

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

Motion to amend: Jim Petras

Seconded: Davida Russell

Discussion: There was some back and forth about the specific language regarding the amendments to the legislation being made.

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

13) Committee Reports

- None

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.)

- **Mattox:** Mattox wants to know when Council will be discussing risk mitigation and how we are going to manage Council's own processes. Cuda says when the investigation is over then those councilmembers are ready to talk.
- **Cobb:** Apologized for losing his cool with the Mayor earlier. It was a secret to him that the Mayor was looking at his emails, and he thinks this is just continued deflections and misrepresentations without him ever directly answering questions.
- **Russell:** She is tired of the hate. It is so hard to sit and see the residents tear each other apart. The city has to start to heal. Everybody has to calm down and move forward. We are neighbors. She reiterated that she has not had a secret meeting or been in one ever.

17) Council President's Report

- Thanked Mike Unger for taking this job on for his hard work. Thanked Craig for leading on all the pieces of legislation he introduced tonight.

18) Adjournment

End: 9:56 pm

NEXT MEETING OF COUNCIL: AUGUST 4, 2025

MINUTES APPROVED: SEPTEMBER 2, 2025



Tony Cuda
President of Council



Addie Balester
Clerk of Council