



**December 1, 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. September 15, 2025
  - b. October 1, 2025 - Special Council Meeting
  - c. October 1, 2025 - Emergency Council Meeting
  - d. October 6, 2025
  - e. October 15, 2025 - Special Council Meeting
- 6) Communications from the Mayor**
- 7) Proclamations and Honors**
- 8) City Administrator's Report**
- 9) Departmental Report(s)**
- 10) Report of the Clerk of Council**
- 11) Public Comment - Legislative Agenda Items only**

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

(Note: Persons wishing to speak must register in advance. A 3-minute time limit

applies. If there are more than 15 speakers, the time will be automatically reduced to 2-minutes. Council President reserves the right to reduce the time limit based on the volume of business on the agenda).

### 13) **LEGISLATION**

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

#### **a. First Readings – Consideration of Adoption Requested**

**RESOLUTION NO. 232-2025(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Energility, LLC to provide energy management services for the City of Cleveland Heights, Ohio; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**ORDINANCE NO. 242-2025(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 Cuda

**ORDINANCE NO. 243-2025(PD): First Reading.** An Ordinance designating the Cleveland Heights Community Improvement Corporation (“CHCIC”) as the agent of the City for industrial, commercial, distribution and research development in the City, approving a related Agency Agreement with the CHCIC, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 244-2025(PSH): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with American Builders and Applicators LLC, a certified lead abatement contractor, for the use of Lead Safe Ohio (LSO) Grant funds in connection with the abatement of lead-based paint hazards at Permanent Parcel Number (PPN) 687-21-028; providing compensation therefor; and declaring the necessity that this legislation

become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 245-2025(MSES): First Reading.** A resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the CH-9, CH-32, CH-57, and CH-58 SSO Control Projects; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 246-2025(MSES): First Reading.** A resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the Yellowstone Sewer Separation and Water Main Water Replacement Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 247-2025(MSES): First Reading.** A Resolution authorizing the Mayor to execute an amendment to the 2025 Direct Bill Contract for Sanitary and Storm Sewer Maintenance Services ("Agreement") extending the term and not-to-exceed amounts of the agreement to include FY 2026 and ensuring continuity of services that help to maintain the City's sanitary and storm sewers; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 248-2025(F): First Reading.** A Resolution authorizing and ratifying an amendment to the consulting contract between the City of Cleveland Heights and AISLINN Consulting, LLC for municipal financial services; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 249-2026(MSES): First Reading.** A Resolution authorizing the Mayor to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 250-2025(COTW): First Reading.** A Resolution expressing appreciation to Len Horowitz for his many years of outstanding service to the City and its residents; and declaring the necessity that this

legislation become immediately effective as an emergency measure.

Introduced by Council President Larson

**b. First Readings Only**

**RESOLUTION NO. 251-2025(F): First Reading.** A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2025 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**ORDINANCE NO. 252-2025(PSH): First Reading.** An Ordinance authorizing the renewal of an agreement with the Cuyahoga County General Health District for the provision of public health services to the City and its residents; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**RESOLUTION NO. 253-2025(PSH): First Reading.** A Resolution adopting the City of Cleveland Heights Cybersecurity Program in accordance with Ohio Revised Code Section 9.64(C); and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**ORDINANCE NO. 254-2025(AS): First Reading.** An Ordinance amending Chapter 142, "Arts Commission," of the Codified Ordinances of Cleveland Heights, Ohio, and to repeal its prior inconsistent provisions.

Introduced by All City Councilmembers and Mayor Cuda

**ORDINANCE NO. 255-2025(AS): First Reading.** An Ordinance amending Section 140.02, "Members," of Chapter 140, "Cleveland Heights Climate and Environmental Sustainability Committee," of the Codified Ordinances of Cleveland Heights to expand the resident membership of the Committee from seven (7) to nine (9) members to allow for greater resident participation.

Introduced by Councilmember Cobb

**ORDINANCE NO. 256-2025(COTW): First Reading:** An Ordinance authorizing the Mayor to enter into an agreement with the Coventry Village Special Improvement District, Inc. ("Coventry SID") for an advance of Forty Thousand Dollars (\$40,000) at zero percent (0%) interest; and declaring the necessity that this legislation become immediately effective as an emergency

measure.

Introduced by Council President Larson

**RESOLUTION NO. 257-2025(COTW): First Reading.** A Resolution providing for a contribution to the 2025 Coventry Winter Festival and Lantern Parade, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Larson

**ORDINANCE NO. 258-2025(PD): First Reading.** An Ordinance authorizing the Mayor to execute a property transfer and indemnification agreement with RP Derbyshire LLC concerning the real property located at 2450 Derbyshire Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**ORDINANCE NO. 259-2025(PD): First Reading.** An Ordinance amending Ordinance 12-2020, passed on February 18, 2020, to extend the term of that certain Tax Increment Financing exemption under Ordinance 12-2020 for an additional thirty years, pursuant to Ohio Revised Code Section 5709.51; and authorizing additional instruments, agreements, certificates, and other documents deemed necessary in connection therewith; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**c. Second Readings**

**ORDINANCE NO. 226-2025(PD): Second Reading.** An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone.

Introduced by Mayor Cuda

**ORDINANCE NO. 227-2025(PD): Second Reading.** An Ordinance changing the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road.

Introduced by Mayor Cuda

**RESOLUTION NO. 228-2025(MSES): Second Reading.** A Resolution authorizing the Mayor to submit an application to the Ohio Department of

Development for a grant under the Advanced Energy Fund Grant Program; to accept funding if awarded; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**ORDINANCE NO. 241-2025(F): Second Reading.** An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2026 through December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

**14) Committee Reports**

**15) Old Business**

**16) New Business**

**17) Council Member Comments**

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

**18) Council President's Report**

**19) Adjournment**

**NEXT MEETING OF COUNCIL: DECEMBER 15, 2025**



September 15, 2025  
Regular Meeting  
7:30 PM

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

### MEETING MINUTES

**1) Meeting called to order by Council President**

Start: 8:05pm

**2) Roll Call of Council Members**

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

**Excused:** None

**Also present:** Director Hanna, Clerk Balester

**3) Excuse absent members**

None

**4) Amendments to the Agenda (if necessary)**

**Motion to amend agenda to add ORD 188-2025 and RES 189-2025 to First Readings - Consideration of Adoption Requested:** Anthony Mattox Jr.

**Seconded:** Jim Petras

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

**No:** None

**MOTION PASSED**

**5) Approval of minutes from previous meeting(s)**

a. May 19, 2025

**APPROVED**

b. June 30, 2025

**APPROVED**

**6) Communications from the Mayor**

- None

**7) City Administrator's Report**

- None

**8) Departmental Report(s)**

**a. Building Department**

- CBO Eric Elmi provided a status update of the Cedar-Fairmount Apartment Building rebuild, Noble Court Apartments, Mayfield Rd. Facade Collapse, and Cedar-Fairmount Facade Collapse.

**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).

- None

**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                        |
|----------------|-----------------------------|------------------------------|
| Aron Lomner    | Resident                    | Decorations on public spaces |
| Sara Thomas    | Resident                    |                              |
| Myra Orenstein | Resident                    | Noble Merchants Budget       |

|                                                            |          |                                                                        |
|------------------------------------------------------------|----------|------------------------------------------------------------------------|
| Anntwinette Muhammad                                       | Resident | Noble Merchants Budget                                                 |
| Lee Barbee                                                 | Resident | Councilmember behavior                                                 |
| Jose Quiles                                                | Resident | Noble Merchants                                                        |
| Alecia Vanier                                              | Resident | Noble Rd. project/ARPA funds/community impact                          |
| Blanche Valancy                                            | Resident | Announced LWV candidate & issue forums                                 |
| Rod Rush                                                   | Resident |                                                                        |
| Jacquelyn Remmer                                           | Resident | Noble Area Business Association                                        |
| Vincent Metlock                                            | Resident | Grant funding for mental health                                        |
| Jacquelyn Remmer                                           | Resident | Policies to enforce those officers follow protocol before deadly force |
| Joseph and Penny Jordan                                    | Resident | Lee Barbee complaint witnesses                                         |
| Mike Shouman                                               | Resident | Noble food deal budget                                                 |
| Stanley Jackson (yielded time to Sarah and Genesis Thomas) | Resident | Police budget                                                          |
| Sal                                                        | Resident | Primier Auto budget                                                    |
| Graham Ball                                                | Resident | Legal representation for immigrants                                    |
| Cate Stanley                                               | Resident | Legal representation for immigrants                                    |
| Shay Singh                                                 | Resident | Legal representation for immigrants                                    |
| Charles Howard                                             | Resident | Business funding/community safety                                      |
| Karly Whitaker                                             | Resident | Legal representation for immigrants                                    |
| Quinton Yoder                                              | Resident | Legal representation for immigrants                                    |
| Raul Montego                                               | Resident | Legal representation for immigrants                                    |
| Kimberly Smith                                             | Resident | Christian Thomas                                                       |
| Edgar Mitchell                                             | Resident | Tree roots/pipes                                                       |

|                |          |                                     |
|----------------|----------|-------------------------------------|
|                |          | broken                              |
| Alec Popivker  | Resident | IHRA definition of antisemitism     |
| Sheila Keller  | Resident | Legal representation for immigrants |
| James Williams | Resident | Legal representation for immigrants |

## 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. 177-2025(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

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

**Seconded:** Gail Larson

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

**No:** Jim Posch

### **LEGISLATION PASSED**

**RESOLUTION NO. 178-2025(F): First Reading.** A Resolution accepting the amounts and rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; 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. 179-2025(F): First Reading.** An Ordinance authorizing the Mayor to execute and deliver subdivision participation and release forms to participate in nationwide settlement agreements with opioid manufacturers Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus to resolve opioid litigation; 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. 180-2025(F): First Reading.** An Ordinance authorizing the Mayor to execute and deliver subdivision participation and release forms to participate in the direct settlement of claims concerning alleged misconduct related to opioids against Purdue Pharma L.P. & Sackler Family; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Motion to adopt:** Gail Larson  
**Seconded:** Craig Cobb

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

**LEGISLATION PASSED**

**RESOLUTION NO. 181-2025(CRR): First Reading** A Resolution authorizing a change order to the Agreement with GameTime for the installation of a potable splash pad for Denison Park; 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. 182-2025(CRR): First Reading.** A Resolution authorizing the Mayor to execute a contract with The Ohio Floor Company for the sanding and refinishing of the gym floor at the Cleveland Heights Community Center and waiving competitive bidding; 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. 183-2025(COTW): First Reading.** A Resolution providing for a contribution in support of the 2025 Heights Halloween Fest & Candy Crawl; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Petras

**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**

**ORDINANCE NO. 187-2025(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

**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**

**ORDINANCE NO. 188-2025(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

**Motion to adopt:** Gail Larson

**Seconded:** Anthony Mattox Jr.

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 189-2025(PSH): First Reading.** A Resolution accepting a grant from The Ohio Department of Public Safety's Office of Criminal Justice Services, Ohio Body-Worn Camera Grant Program; authorizing the use of grant funds; authorizing the Mayor to enter into an agreement with Motorola Solutions for body-worn cameras; 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**

**b. First Readings Only**

**RESOLUTION NO. 184-2025(PD): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Cuyahoga County for funding through the HOME Program for the City's affordable housing programs through December 31, 2025.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**c. Consent Agenda**

**Motion to suspend rules:** Gail Larson

**Seconded:** Craig Cobb

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

**MOTION PASSED**

**Motion to adopt:** Gail Larson  
**Seconded:** Jim Petras

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

**LEGISLATION PASSED**

**RESOLUTION NO. 185-2025(CRR): First Reading.** A Resolution recognizing October, 2025 as *National Breast Cancer Awareness Month*; October 13, 2025 as *Metastatic Breast Cancer Awareness Day*; and October 17, 2024, as *National Mammography Day*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by All City Councilmembers

**Legislation passed on consent agenda**

**RESOLUTION NO. 186-2025(CRR): First Reading.** A Resolution recognizing October 2025 as *Domestic Violence Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by All City Councilmembers

**Legislation passed on consent agenda**

**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.)

- **Petras:** Thanked Christian Thomas' family for coming out tonight....
- **Larson:** Thanked everybody who came out to speak tonight, including Christian Thomas' family. Addressed the departure of Todd Walburn, the Mayor's Action Center Coordinator. She also addressed the Immigrants' Rights activists who came tonight; she understands the importance of the legislation they are requesting, and this legislation must be a collaborative effort between Council and the Mayor when the incoming Mayor is sworn-

1 in in January.

- 2 • **Cobb:** He acknowledges that Christian Thomas' family is looking for
- 3 answers from Council. He says what Council can say/do to address their
- 4 concerns is limited due to the pending litigation. He says they will do
- 5 whatever is necessary so that something like this will never happen again.
- 6 • **Posch:** Thanked everybody for coming out. He says it is clear Council has
- 7 its work cut out for it. He would like to open up the Public Safety and Health
- 8 Committee as a bridge to connect the administration for the safety issues
- 9 that have come up tonight, including the Immigrants' Rights legislation that
- 10 has been recommended. That meeting is set for Oct 7 at 5pm.
- 11 • **Russell:** Thanked everybody for coming tonight and said it was hard to sit
- 12 and listen tonight. She mentioned that she, and former council members
- 13 Melody Hart and Mike Unger were the ones who created the legislation
- 14 that created the Racial Justice Task Force. She wants to restart that task
- 15 force and to re-brand it as a Social Justice Task Force. She says she
- 16 needs the community's help in making this city an equitable city for
- 17 everybody. Safety in our community is not about policing, it is about
- 18 educating. She is here to help all communities in Cleveland Heights.

### 19 **13) Committee Reports**

- 20
- 21 • **MSES:** Expressed her condolences to the family and friends of William
- 22 Hannavan. On Oct. 6 we will be reading a resolution to honor him.
- 23 Thanked the administration for starting a composting program. There is an
- 24 opening on the Climate and Environmental Sustainability Committee, and
- 25 encouraged people to apply.
- 26 • **AS:** The Committee and Council have fallen a bit behind on appointing
- 27 people to vacant positions on boards/commissions, but they are making
- 28 progress, and they hope to fill these positions very soon. By mid-October,
- 29 everybody who applied should hear from the Council Clerk.
- 30 • **PD:** Gave an update from the previous meeting, and there will be another
- 31 committee meeting on September 18 at 10am.

### 32 **14) Old Business**

- 33
- 34 • None
- 35

### 36 **15) New Business**

- 37
- 38 • None
- 39

### 40 **17) Council President's Report**

- 41
- 42
- 43 • Expressed his condolences to the Thomas family and said he will be
- 44 meeting with them after Oct 1 when he becomes interim Mayor. Read a
- 45 statement regarding the recall election.

1  
2  
3  
4  
5

**18) Adjournment**

End: 9:53pm

**NEXT MEETING OF COUNCIL: OCTOBER 6, 2025**

DRAFT



October 1, 2025  
Special Meeting  
For General Purposes  
9:30 AM

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

### MEETING MINUTES

**1) Meeting called to order by Council President**

Start: 9:30 AM

**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:** Acting Law Director Heltzel, Clerk Balester

**3) Excuse absent members**

- None

**4) Report of Clerk of Council**

Certified Results from Board of Elections

- At or around 8:04 AM this morning the office of the Clerk of Council received a copy of the certification for the Cleveland Heights Mayoral Recall election held on 9/9/2025. The Cuyahoga County Board of Elections officially certified the issue on 9/25/2025, and on 9/30/2025 the deadline passed without any request for recount. In the matter of Issue 2. Mayoral Recall Election there were 6, 926 votes for the Recall of Kahlil Seren, and 1,502 votes against the Recall of Kahlil Seren

**ORDINANCE NO. 190-2025(COTW): First Reading.** An Ordinance declaring a vacancy in the office of Mayor, confirming that pursuant to the City Charter, Council President Tony Cuda shall thereupon become Mayor and cease to be a member of Council; and declaring the necessity that this Ordinance become immediately effective as an emergency measure.

Introduced by Council Vice President Russell

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**5) Swearing-In of Tony Cuda as Mayor**

- Acting Law Director Heltzel swore Tony Cuda in as Mayor.

**6) Mayor's Comments**

- The new Mayor made remarks about his goals over the next three months of being in the office of Mayor.

**8) Discussion of Appointment of City Administrator**

- a. **RESOLUTION NO. 191-2025(AS): First Reading.** A Resolution confirming the Mayor's appointment of a City Administrator for the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

**Seconded:** Gail Larson

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

**No:** None

**LEGISLATION PASSED**

**7) Discussion of Election of New Council President**

**Motion to appoint Councilmember Gail Larson as President of Council:**

Jim Posch

**Seconded:** Craig Cobb

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

**No:** None

**Abstain:** None

- Acting Director Heltzel swore in Gail Larson as President of Council

**9) Discussion of Council Vacancy Application and Appointment Process**

Applications Open Oct. 1 - Oct. 10

- General discussion about when Council will meet next to discuss applications.

**10) Adjournment**

End: 10:07 AM

**NEXT MEETING OF COUNCIL: OCTOBER 6, 2025**

DRAFT



October 1, 2025  
Emergency Meeting  
6:00 PM

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

### MEETING MINUTES

#### 1) Meeting called to order by Council President

Start: 6:01 PM

#### 2) Roll Call of Council Members

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

**Excused:** Jim Posch

**Also Present:** Clerk Balester

#### 3) Excuse absent members

- Jim Posch excused

#### 4) Executive Session

- a. *To consider the appointment of a public official.*

**Motion to enter executive session to consider the appointment of a public official:** Craig Cobb

**Seconded:** Anthony Mattox Jr.

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

**No:** None

**MOTION PASSED**

#### 5) LEGISLATION

- a. **RESOLUTION NO. 192-2025(AS): First Reading.** A Resolution confirming the Mayor's appointment of a Law Director for the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective

1 as an emergency measure.

2  
3 Introduced by Mayor Cuda

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

5 **Seconded:** Jim Petras

6  
7 **Yes:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim Petras

8 **No:** None

9 **LEGISLATION PASSED**

10 **6) Adjournment**

11 End: 6:51 PM

12  
13 **NEXT MEETING OF COUNCIL: OCTOBER 6, 2025**



October 6, 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: 7:32 PM

**2) Roll Call of Council Members**

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

**Excused:** None

**Also Present:** Mayor Cuda, Director Hanna, Administrator Dumas, Clerk Balester

**3) Excuse absent members**

- None

**4) Amendments to the Agenda (if necessary)**

- None

**5) Approval of minutes from previous meeting(s)**

- None

**6) In Memoriam**

**RESOLUTION NO. 203-2025(COTW): First Reading.** A Resolution recognizing the life and contributions of William "Bill" Hanavan; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council President Larson

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

**Seconded:** Davida Russell

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

**No:** None

**LEGISLATION PASSED**

**7) Communications from the Mayor**

- Mayor Cuda gave remarks about his first week in the office of the Mayor.

**8) City Administrator's Report**

- Administrator Dumas gave her first report as City Administrator.

**9) Departmental Report(s)**

- None

**10) Report of the Clerk of Council**

- None

**11) Public Comment - Legislative Agenda Items only**

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

**Speakers**

| Name             | Resident/Board Member/Other | Topic                         |
|------------------|-----------------------------|-------------------------------|
| Jennifer Wintner | Resident                    | ORD 175-2025 and ORD 176-2025 |

**12) Public Comment - General**

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

## Speakers

| Name               | Resident/Board Member/Other | Topic                                                                                  |
|--------------------|-----------------------------|----------------------------------------------------------------------------------------|
| Christopher Kendel | Other                       | Thanked Council and Mayor Cuda for their leadership and getting the city back on track |
| Karen Grochaw      | Resident                    | Thanked Council and the Mayor for their hard work                                      |
| Amy Eugene         | Resident                    | Election issue                                                                         |
| John Gall          | Resident                    | Speed Bump on Taylor                                                                   |
| Blanch Valancy     | Resident                    | Encouraged voter participation in the upcoming Nov. 4 election                         |
| Erin Flanagan      | Resident                    | Shaker Lakes- NEORSD Plans                                                             |
| Guy Thellian       | Resident                    | Charter Amendment                                                                      |
| James Bates        | Resident                    | Thanked Council and Mayor Cuda                                                         |

## 13) LEGISLATION

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

### a. First Readings – Consideration of Adoption Requested

**ORDINANCE NO. 193-2025(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 Cuda

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

**Seconded:** Jim Petras

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

**LEGISLATION PASSED**

5 **RESOLUTION NO. 194-2025(PD): First Reading.** A Resolution authorizing  
6 the Mayor to submit an application to the Northeast Ohio Area Wide  
7 Coordinating Agency ("NOACA") for a grant under the Transportation for  
8 Livable Communities Initiative ("TLCI") Implementation Grant Program to fund  
9 Phase 3 of the Taylor Road Corridor Road Reconfiguration and to accept and  
10 enter into any agreements related to the Grant Program; and declaring the  
11 necessity that this legislation become immediately effective as an emergency  
12 measure.  
13

14 Introduced by Mayor Cuda

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

16 **Seconded:** Craig Cobb  
17

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

20 **No:** None  
21

**LEGISLATION PASSED**

22 **RESOLUTION NO. 195-2025(PD): First Reading.** A Resolution supporting  
23 and authorizing the Mayor to submit an application to the Ohio Department of  
24 Natural Resources Land and Water Conservation Fund for a grant under the  
25 program, and to accept funding if awarded for the Attleboro-Shelburne trail,  
26 for the Doan Brook Restoration Park Improvements – Trails Project; and  
27 declaring the necessity that this legislation become immediately effective as  
28 an emergency measure.  
29

30 Introduced by Mayor Cuda

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

32 **Seconded:** Craig Cobb  
33

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

36 **No:** None  
37

**LEGISLATION PASSED**

38 **ORDINANCE NO. 196-2025(AS): First Reading.** An Ordinance amending  
39 Section 140.02, "Members," of Chapter 140, "Cleveland Heights Climate and  
40 Environmental Sustainability Committee," of the Codified Ordinances of  
41 Cleveland Heights; and declaring the necessity that this legislation become  
42 immediately effective as an emergency measure.

Introduced by Mayor Cuda

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**ORDINANCE NO. 197-2025(AS): First Reading.** An Ordinance amending Section 150.02, "Members," of Chapter 150, "Transportation and Mobility Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 198-2025(AS): First Reading.** A Resolution appointing Matt Alden as an alternate member of the Board of Zoning Appeals of the City of Cleveland Heights, OH; 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

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 199-2025(AS): First Reading.** A Resolution appointing, Adam May, Kasey Friedland, Illie Massey, Lorna Rudolph and Valarie Ross as members of the Citizens Advisory Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Cobb

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

2 **Seconded:** Craig Cobb

3  
4 **Yes:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim  
5 Petras, Jim Posch

6 **No:** None

7 **LEGISLATION PASSED**

8 **RESOLUTION NO. 200-2025(AS): First Reading.** A Resolution appointing  
9 Anne Salsich as a member of the Landmark Commission of the City of  
10 Cleveland Heights, OH; and declaring the necessity that this legislation  
11 become immediately effective as an emergency measure.

12  
13 Introduced by Councilmember Cobb

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

15 **Seconded:** Craig Cobb

16  
17 **Yes:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim  
18 Petras, Jim Posch

19 **No:** None

20 **LEGISLATION PASSED**

21 **RESOLUTION NO. 201-2025(AS): First Reading.** A Resolution appointing  
22 Patricia Smith, Wanda Owens and Colleen McGowan as members of the  
23 Commission on Aging of the City of Cleveland Heights, OH; and declaring the  
24 necessity that this legislation become immediately effective as an emergency  
25 measure.

26  
27 Introduced by Councilmember Cobb

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

29 **Seconded:** Craig Cobb

30  
31 **Yes:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Davida Russell, Jim  
32 Petras, Jim Posch

33 **No:** None

34 **LEGISLATION PASSED**

35 **RESOLUTION NO. 202-2025(AS): First Reading.** A Resolution appointing  
36 Peter Whiting to fill an unexpired term as a member of the Climate and  
37 Environmental Sustainability Committee of the City of Cleveland Heights, OH;  
38 and declaring the necessity that this legislation become immediately effective  
39 as an emergency measure.

40  
41 Introduced by Councilmember Cobb

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 204-2025(CRR): First Reading.** A Resolution recognizing October 2025 as *Sudden Unexpected Death in Epilepsy (SUDEP) Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 205-2025(F): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with the Coventry Village Special Improvement District, Inc. ("Coventry Village SID") for advancement of funds to cover a 3% increase that was not added to the assessment; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Larson, Vice President Russell, Councilmembers Posch, Mattox, and Petras

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**ORDINANCE NO. 206-2025(PD): First Reading.** An Ordinance authorizing the Mayor to execute a grant agreement with Friends of Mendelsohn in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00) and a waiver of City permitting fees up to Two Hundred Fifty Thousand Dollars (\$250,000.00), in order to fund trails, walkways, sidewalks, site lighting and landscaping improvements to the real property located at 3300 Mayfield Road, Permanent Parcel Nos. 68434015, 68434014 and 68435025, and more commonly known

as the Park Synagogue Campus; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

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

**Seconded:** Jim Posch

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

**No:** None

**LEGISLATION PASSED**

**ORDINANCE NO. 207-2025(PD): First Reading.** An Ordinance authorizing the Mayor to execute an agreement with Park Synagogue Borrower, LLC for a commercial development loan in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00), to fund improvements to the real property located at 3300 Mayfield Road, Permanent Parcel Nos. 68434015, 68434014 and 68435025, and more commonly known as the Park Synagogue Campus; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Cuda

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

**Seconded:** Jim Posch

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

**No:** None

**LEGISLATION PASSED**

**b. Second Readings**

**ORDINANCE NO. 175-2025(PD): Second Reading.** An Ordinance authorizing the Mayor to execute a real estate purchase agreement for the sale of 45 vacant residential lots located within the City to FutureHeights, Inc.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

**Seconded:** Davida Russell

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

No: None

**LEGISLATION PASSED**

**ORDINANCE NO. 176-2025(PD): Second Reading.** An Ordinance authorizing the Mayor to execute a real estate purchase agreement for the sale of 19 vacant residential lots located within the City to YRM Corp.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

**Seconded:** Davida Russell

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 184-2025(PD): Second Reading.** A Resolution authorizing the Mayor to enter into an agreement with Cuyahoga County for funding through the HOME Program for the City's affordable housing programs through December 31, 2025.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

**Seconded:** Davida Russell

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

**No:** None

**LEGISLATION PASSED**

**14) Committee Reports**

- **PSH:** There will be a PSH Committee 10/7/2025 at 5pm.
- **F:** There will be a Finance Committee meeting on 10/14/2025 at 5pm.
- **PD:** There will be no PD Committee meeting in October. Stay tuned for a date in November for the next meeting.
- **MSES:** The next meeting is 10/13/2025 at 6pm.
- Council President Larson announced that Councilmember Mattox will now be on the Planning and Development Committee and the Administrative Services Committee, and Councilmember Posch will be Acting Chair of the Finance Committee.

1     **15)     Old Business**

- 2             • None

3     **16)     New Business**

- 4             • Russell asked the Mayor if Council now has permission to interact with  
5               Directors. Mayor Cuda says yes, Council will now have permission to  
6               contact/meet with Directors.

7     **17)     Council Member Comments**

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

- 13  
14            • **Posch** thanked the residents of our community and while we have a ways  
15              to go, he sees a breath of fresh air and a path forward. He thanked Mayor  
16              Cuda for his efforts in his first week as Mayor.  
17            • **Russell** wanted to clarify that she did not mean to make a political  
18              statement when asked a question last week by a resident.  
19            • **Mattox** met with President Larson over the weekend, and he says it was  
20              an honor to be invited into her home. They had a conversation about  
21              where the Council is and where they want to go. He thought it was a great  
22              conversation and that they have some great plans for the future.

23  
24    **18)     Council President's Report**

- 25  
26            • President Larson thanked the staff of this city for the work they do every  
27              day. Though this transition may be difficult, if we all work together, we can  
28              make a better place to live and work. Thanked the residents for their  
29              participation and welcomed them to contact her at any time. Tomorrow  
30              night Council will hold a Q&A Session at the Noble Library regarding the  
31              proposed Charter Amendment.

32  
33    **19)     Adjournment**

34            End: 8:50 PM

35  
36    **NEXT MEETING OF COUNCIL: OCTOBER 20, 2025**



October 15, 2025  
Special Meeting  
6:50 PM

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

### MEETING MINUTES

**1) Meeting called to order by Council President**

Start: 6:54 PM

**2) Roll Call of Council Members**

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

**Excused:** None

**Also Present:**

**3) Excuse absent members**

- None

**4) Executive Session**

a. *To consider the appointment of a public official.*

**Motion to enter into executive session to consider the appointment of a public official:** Craig Cobb

**Seconded:** Jim Petras

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

**No:** None

**MOTION PASSED**

**5) New Business**

**Motion to appoint Zenobia Sheets as Councilmember to fill a vacancy:** Jim Posch

**Seconded:** Anthony Mattox Jr.

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

**MOTION PASSED**

5 **6) Council Member Comments**

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

- 11
- 12 • Councilmembers thanked all of the great applicants they received for the
- 13 vacant council position; every candidate brought their own skill set.

14

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

- 16
- 17 • Echoed her fellow councilmembers and said what a wonderful group of
- 18 candidates they received and reviewed.

19

20 **8) Adjournment**

21 End: 8:47 PM

22

23 **NEXT MEETING OF COUNCIL: OCTOBER 20, 2025**

Proposed: 12/01/2025

RESOLUTION NO. 232-2025(MSES), *First Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to enter into an agreement with Energility, LLC to provide energy management services for the City of Cleveland Heights, Ohio; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on September 3, 2024, the City adopted Ordinance No. 152-2024 authorizing the Mayor to execute a guaranteed energy savings contract with Leopardo Energy ("Contract") pursuant to Section 717.02 under the Ohio Revised Code.

WHEREAS, in accordance with R.C. § 717.02, this Council found that the amount of money spent on the Energy Conservation Measures ("ECM") comprising the Contract was not likely to exceed the amount of money the City would save in energy, operating, maintenance, and avoided capital costs over the average system life of the ECM;

WHEREAS, Leopardo's performance and the City's savings under the Contract are evaluated in part through measurement and verification analysis governed by the International Performance Measurement and Verification Protocol ("M&V");

WHEREAS, proposed changes to the ECM approved by Council will require amendments to the Contract's Scope of Work and Performance Guarantee, and an energy management consultant with M&V expertise is necessary to ensure the revised ECM under the amended Contract will not negatively impact the projected savings and that the Performance Guarantee is adjusted appropriately;

WHEREAS, the City received proposals from two energy management service providers offering to provide the M&V, compliance, and other services necessary to maximize the Contract's value to the City; and

WHEREAS, Energility, LLC is an Ohio-based Energy Audit Contractor, approved by the Ohio Department of Development, and employing the Certified Energy Managers, Professional Engineers, and analysts best suited to the City's needs.

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 with Energility, LLC to provide energy management services for the City, as described more fully in the proposal attached hereto as Exhibit "A", and for an amount not to exceed One Hundred Thousand and 00/100 Dollars (\$100,000.00). The contract shall contain such other terms

RESOLUTION NO. 232-2025(MSES)

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 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 resolve all issues pertaining to the Contract prior to the anticipated substantial completion date. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

Energility, LLC proposes to deliver energy management services (“Services”) to **City of Cleveland Heights (“Client”)** to act as a technical adviser to manage Energy Service Company (“ESCO”) compliance with the contract awarded by Client and perform as your energy manager. The Services are commonly referred to as Owners Technical Representation. Location where Services are performed is across multiple Cleveland Heights owned and operated properties within the municipality (“Site”). Client confirms that they have control of Site(s) to conduct Services. During such time, no selections, choices, or encumbrances of cost shall be made without explicit consent of the Client.

Energility, LLC Services deliverables will include:

1. ESCO oversight and stakeholder coordination, defined as the following key activities.
  - a. Review documents provided to Client to-date.
  - b. Document for the benefit of the Client, project progress meetings including follow up communication with the project stakeholders.
  - c. Work with the ESCO to build transparent document action items, and ensure follow-up on deliverables.
  - d. Resolve conflicts between Client and ESCO while keeping alignment with project goals.
2. Change order management, defined as the following key activities.
  - a. Change request evaluation to assess proposed changes to scope, schedule, or budget for impacts on project outcomes.
  - b. Collaborate with Client to approve, modify, or reject changes and negotiate cost adjustments.
  - c. Document approved changes and update project baselines accordingly.
  - d. Mediate disagreements between the ESCO and Client regarding scope interpretations.
  - e. Confirm change orders align with original contract terms, energy and cost savings guarantees.
3. Project technical support, defined as the following key activities.
  - a. Work with ESCO to ensure Client has training programs for personnel on new systems and operational procedures.
  - b. Provide ongoing technical guidance during the warranty period.
  - c. Document adjustments expected for savings outcomes.
  - d. Conduct final walkthroughs to verify all ESCO work meets specifications.
  - e. Manage punch list creation and prompt resolution of outstanding items.
  - f. Validate submission of warranties, as-built drawings, and compliance requirements.
  - g. Advise Client on outcomes from commissioning activities. Acting as the Client Commissioning Agent would be a separate responsibility and scope of work.
  - h. Assist with evaluation of the project close out package for completeness.

4. Measurement and verification (M&V) analysis, defined as the following key activities.
  - a. Review ESCO defined baseline energy consumption metrics and measurement protocols per International Performance Measurement and Verification Protocol (IPMVP) guidelines.
  - b. Compare actual energy savings to guaranteed performance using ESCO collected data.
  - c. Verify accuracy and compliance of ESCO contract during first year of performance period. Year 2 and future is Additional Services.
  - d. Identify discrepancies and recommend corrective actions to Client.
  - e. Collect data, assemble analysis, and conduct a separate M&V to verify accuracy and compliance of ESCO contract during first year of performance requirement, if necessary results cannot be verified.

Additional Services available for continuation of EMS agreement:

1. Technical advisory hours shall be billed at current hourly rate as defined in the Terms and Conditions.
2. Year 2 and beyond: Collect data, assemble analysis, and conduct a separate M&V following first year of performance requirement.

Contracted Costs for Payments ("Fee Schedule") shall be billed in progress increments for Lump Sum of \$42,180 for not to exceed 300 hours and 2,400 miles of travel. Travel shall be billed at IRS mileage allowance at time of travel.

1. 300 hours at Rate (\$40,500)
2. 2,400 miles at current IRS allowance (\$0.70 per mile, \$1,680)

The Services are provided as stated and there is permission to amend original scope of work, define additional scope of work, or conduct subsequent M&V reporting bywritten consent of both parties.

This proposed Services may be attached to Client's Professional Services Agreement for acceptance and commencement.

## Your Energy Management Team

Energility believes every business deserves access to an energy manager. Nonprofit organizations, small businesses, and commercial enterprises benefit from our proven energy intelligence. The cornerstones of our mission are to:

- create action plans to improve equipment and operations
- establish results which lower environmental disruption
- transfer our operations knowledge to owners of buildings
- support local economies by collaborating with resources in the community

Our team of experts has over 100 years of experience working in building operations, engineering facilities, and analyzing energy use. Our Certified Energy Managers (CEMs), Professional Engineers (PEs), Project Managers, and Analysts have built 250+ detailed Energy Plans (ASHRAE Level II energy audits) in 13.9M square feet of commercial and industrial buildings and analyzed over \$15.5M in energy costs. Our clients have acted on the strategies in these Energy Plans, investing over \$35M+ in 196 projects resulting in annual savings of \$5M+ and reducing carbon emissions by over 33,000 metric tons.

- ❖ **Our Focus** includes buildings used for non-profit organizations, offices, education, houses of worship, government, industrial, and multi-family housing.
- ❖ **Client Actions** have resulted in 156 complete projects including 23 comprehensive projects financed using Ohio Energy Loan Fund or PACE.
- ❖ **Energy Services** are portfolio or building benchmarking, energy auditing, design performance specifications, project management, measurement and verification, and procurement.

## Your Account Manager

Justin Kale, Director of Opportunity Development  
justin@energility.com or 614-746-9276

## Terms and Conditions

1. Term: The term from date of commencement is for completion of the scope of work.
2. Payment schedule:
  - a. \$10,800 of the Contracted Costs will be billed after signed agreement as a good faith deposit.
  - b. First invoice following deposit will credit for hours used at Rate.
  - c. The remainder of Contracted Costs will be billed monthly on or about 5<sup>th</sup> of the month for hours used at the Rate towards completion of deliverable.
  - d. A final invoice shall be approved for payment and upon payment will accept the Services as acceptance of deliverable.
3. Billing: Invoices shall be upon completion of work with net 15 day payment terms.
4. Late payments: Unpaid balances shall be subject to additional fee, up to the maximum allowable by law.
5. Scope of work: This agreement is set for a defined Services which are defined within the Deliverable. Any work outside of the Deliverable shall be billed for **"Additional Services"**. Additional Services shall be billed within 30 days of completion or at minimum of accumulating 10-hours, which ever is soonest.
6. Rate: Consulting fees on hourly Additional Services shall be billed at \$135 per hour (**"Rate"**) and any increase or change shall be communicated in writing at time of Additional Services.
7. Evergreen: Not applicable beyond those terms stated within the agreement. Renewal date shall be the date of delivery of first year measurement and verification report.
8. Confidentiality: Data shared with or access provided to Energility will be considered confidential and shared only with prior consent by authorized representative(s) of the Client unless the information is reasonably available to the general public by federal, state, or local laws or statutes.
9. Insurance Requirements: Energility shall carry reasonable and necessary insurance for its Services including but limited to worker's compensation, general liability, and errors and omissions. Certificate of insurance as evidence of such may be provided upon request by the Client.
10. Governing Law Jurisdiction: This Agreement shall be treated as though it were executed and performed in the State of Ohio and shall be governed by and construed in accordance with the laws of the State of Ohio (without regard to conflict of law principles). This Agreement may be executed and delivered in original, via facsimile or email with PDF attachment, in any number of counterparts, each of which shall be deemed an original, and all of which shall together constitute but one and the same instrument.
11. Indemnification: Client shall indemnify, defend and hold harmless Energility, its officers, directors, partners and agents from and against any and all demands, claims, damages to persons or property, losses and liabilities, including reasonable attorney's fees (collectively **"Claims"**) arising out of or caused by its own negligence or that of its employees or agents.
12. Warranty: No Services implied or indirectly replace contractor(s) or manufacture(s) obligations, commitments, or warranties.
13. Cancellation: In the event that Client must cancel the agreement after signature below, Client shall forfeit the deposit amount. Termination of the Agreement by Client of any reason other than negligence shall result in billing of up to 25% of Contracted Costs paid upon receipt of invoice.

***--end Terms and Conditions, Signature Page to follow***

**Signature Page**

Accepted By:

\_\_\_\_\_  
Justin Kale, Managing Member  
Energility, LLC

\_\_\_\_\_  
Date

\_\_\_\_\_  
**Signatory, Title**  
**City of Cleveland Heights**

\_\_\_\_\_  
Date

- ☐ I am enclosing a copy of my company's W-9 with this proposal
- ☐ A copy of my company's W-9 will follow this proposal

I am authorized to accept this proposal on behalf of the company. The Client is the property owner unless otherwise stated. The above prices, specifications, and conditions are satisfactory and are hereby accepted.

***--end Signature Page***

Proposed: 12/01/2025

ORDINANCE NO. 242-2025(F), *First Reading*

By Mayor Cuda

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, 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 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, is hereby repealed in its entirety.

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

ORDINANCE NO. 242-2025(F)

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.

\_\_\_\_\_  
GAIL L. LARSON  
President of Council

\_\_\_\_\_  
ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

\_\_\_\_\_  
TONY CUDA  
Mayor

|     | A                                                | B                                                                           | C               | D    | E             | F                      | G       | H                              | I                             | J               | K                                                                                | L                                            | M          |
|-----|--------------------------------------------------|-----------------------------------------------------------------------------|-----------------|------|---------------|------------------------|---------|--------------------------------|-------------------------------|-----------------|----------------------------------------------------------------------------------|----------------------------------------------|------------|
| 1   | 2025 Budget Adjustments                          |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 2   | Ordinance 242-2025                               |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 3   | Cash Supplement and Inter-Departmental Transfers |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 4   |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 5   |                                                  |                                                                             | 2025 Budget     |      |               |                        |         |                                |                               | 2025 Budget     |                                                                                  |                                              | Requesting |
| 6   | Fund #                                           | Fund Description                                                            | Adjustment      | Fund | Department No | Department Description | Account | Description                    | Ordinance Description         | Adjustment      | Budget Adjustment Notes                                                          | Funding Source                               | Department |
| 67  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 79  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 80  | 101                                              | General Fund                                                                | 40,000.00       | 101  | 5104          |                        | 2747.0  | Coventry SID                   | O.T.P.S                       | 40,000.00       | To advance SID Funds to Coventry SID                                             | Budget Increase-From F101<br>UE Cash Balance | Council    |
| 81  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 82  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 83  |                                                  | Budget Adjustment Total                                                     |                 |      |               |                        |         |                                | Budget Adjustment Total       | \$ 40,000.00    |                                                                                  |                                              |            |
| 84  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 85  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 86  | 101                                              | General Fund                                                                | \$ 15,000.00    | 101  | 3101          | Finance                | 2042.0  | Mgmt Consultatant-<br>Contract | O.T.P.S                       | 15,000.00       | Budget amendment/Contract Modification for<br>Aislinn Financial Consulting       | Budget Increase-From F101<br>UE Cash Balance | Finance    |
| 87  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 88  | 101                                              | General Fund                                                                | \$ 900,000.00   | 101  | 5303          | Planning               |         |                                | O.T.P.S                       | 900,000.00      | ARPA Revenue Replacement-Community<br>Investment Fund Assistance (Includes NABA) | Budget Increase-From F101<br>UE Cash Balance | Planning   |
| 89  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 90  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 91  |                                                  | Budget Adjustment Total                                                     | \$ 915,000.00   |      |               |                        |         |                                | Budget Adjustment Total       | \$ 915,000.00   |                                                                                  |                                              |            |
| 92  |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 114 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 115 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 116 | 101                                              | General Fund                                                                | \$ 475,839.28   | 241  | 2108          | Planning               | 3003.0  |                                | O.T.P.S                       | 475,839.28      | Cain Park ADA Bathroom project                                                   | Budget Increase-From F101<br>UE Cash Balance | Planning   |
| 117 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 118 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 119 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 120 |                                                  | Budget Adjustment Total                                                     | \$ 475,839.28   |      |               |                        |         |                                | Budget Adjustment Total       | \$ 475,839.28   |                                                                                  |                                              |            |
| 121 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 122 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 123 |                                                  | Grand Total Budget Adjustment                                               | \$ 1,557,388.18 |      |               |                        |         |                                | Grand Total Budget Adjustment | \$ 1,430,839.28 |                                                                                  |                                              |            |
| 124 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 125 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 126 |                                                  | Budget Increase Funding Source                                              | Budget Impact   |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 127 |                                                  | Budget Increase-From Fund 101 UE Cash                                       | \$ 1,430,839.28 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 128 |                                                  | Budget Increase-From Fund 213 UE Cash                                       | \$ -            |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 129 |                                                  | Budget Increase-From Fund 402 UE Cash                                       | \$ -            |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 130 |                                                  | Intradepartment Transfer                                                    | \$ -            |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 131 |                                                  | Interdepartment Transfer                                                    | \$ -            |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 132 |                                                  | Offset by Revenue Increase Received**                                       | \$ -            |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 133 |                                                  | Offset by Reimbursable Grant**                                              | \$ -            |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 134 |                                                  |                                                                             | \$ 1,430,839.28 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 135 |                                                  |                                                                             |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |
| 136 |                                                  | **Grant Receipts to offset expenses, for a net \$0 impact for this request. |                 |      |               |                        |         |                                |                               |                 |                                                                                  |                                              |            |



Date: December 1, 2025

To: City Council

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

Subject: **CHCIC Agency Agreement**

---

**Purpose Statement:** To approve the CHCIC Agency Agreement.

Communities throughout the State of Ohio have created Community Improvement Corporations ("CICs"), under Chapter 1724 of the Ohio Revised Code, for the purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development.

In 2019, City Council authorized creation of the Cleveland Heights Community Improvement Corporation ("CHCIC") for City of Cleveland Heights. In 2025, CHCIC meetings have been occurring and the entity has been re-constituted. Included in this activity has been the adoption of a Code of Regulations and Articles of Incorporation.

The next step to standing up the CHCIC is to formally designate the CHCIC as the agent of the City for industrial, commercial, distribution and research development within the City of Cleveland Heights. Pursuant to Section 1724.10 of the Ohio Revised Code, this is done via an Agency Agreement. The Agency Agreement sets for the roles of the City and CHCIC with regards to real estate, and also includes specific requirements to report to City Council. Note that the Agency Agreement still would require City Council approval for any transfer of City-owned property to the CHCIC prior to its disposition for development.

The CHCIC approved the Agency Agreement at its November 13, 2025 meeting.

**Is this legislation recurring:** Yes: \_\_\_\_\_ No:   X  

**Is emergency language necessary:** Yes:   X   No: \_\_\_\_\_

**If yes, why?** To enable the CHCIC to serve as the City's agent as soon as practicable.

**Is passage on first reading necessary:** Yes: \_\_\_\_\_   X   No: \_\_\_\_\_

**If yes, why?** To enable the CHCIC to serve as the City's agent as soon as practicable.

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

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

Proposed: 12/01/2025

ORDINANCE NO. 243-2025(PD), *First Reading*

By Mayor Cuda

An Ordinance designating the Cleveland Heights Community Improvement Corporation ("CHCIC") as the agent of the City for industrial, commercial, distribution and research development in the City, approving a related Agency Agreement with the CHCIC, and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by Ordinance No. 13-2019, authorized the creation, under Chapter 1724 of the Ohio Revised Code ("Act"), of the Cleveland Heights Community Improvement Corporation ("CHCIC") as an economic development corporation and community improvement corporation organized for the purpose of advancing, encouraging and promoting the industrial, economic, commercial and civic development of the City of Cleveland Heights; and

WHEREAS, pursuant to Ordinances 11-2022 and 195-2023, the City amended certain matters concerning the CHCIC's board composition, duties and powers; and

WHEREAS, the CHCIC has been created and organized in accordance with Ordinances No. 13-2019, 11-2022, and 195-2023 and this Council now wishes to designate the CHCIC as the agent of the City for industrial, commercial, distribution and research development within the City of Cleveland Heights and further desires to into an Agency Agreement with the CHCIC pursuant to Section 1724.10 of the Ohio Revised Code.

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

SECTION 1. The CHCIC is hereby designated as the agent of the City for industrial, commercial, distribution and research development pursuant to the Act.

SECTION 2. This Council hereby authorizes the Mayor to enter into an Agency Agreement with the CHCIC, a copy of which is attached hereto and incorporated herein as **Exhibit A**, regarding its actions as agent of the City for industrial, commercial, distribution and research development within the City of Cleveland Heights. Such Agency Agreement shall be substantively similar to the proposal on file with the Clerk of Council and shall be approved as to form by the Director of Law.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such

ORDINANCE NO. 243-2025(PD)

formal action, were taken in meetings open to the public, in compliance with all legal requirements.

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

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

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

## AGENCY AGREEMENT

This Agency Agreement (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2025, by and between the City of Cleveland Heights, Ohio, an Ohio municipal corporation organized and existing under the laws of the State of Ohio and its Charter (the “City”), and the Cleveland Heights Community Improvement Corporation, a non-profit community improvement corporation organized and existing under the laws of the State of Ohio (the “CIC” and, together with the City, the “Parties”).

WHEREAS, the City authorized the creation of the CIC on March 4, 2019 pursuant to Ordinance No. 13-2019; and

WHEREAS, pursuant to Ordinances 11-2022 and 195-2023, the City amended certain matters concerning the CIC’s board composition, duties and powers; and

WHEREAS, pursuant to Ordinance No. \_\_\_\_-2025 and Section 1724.10 of the Ohio Revised Code, the Council of the City has designated the CIC as an agent of the City for the undertaking of industrial, commercial, distribution, and research development in the City; and

WHEREAS, pursuant to Ordinance No. \_\_\_\_-2025 and Section 1724.10 of the Ohio Revised Code, the Council of the City has authorized the City to enter into this Agreement, whereby the CIC shall serve as an agent of the City to promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City; and

WHEREAS, pursuant to Resolution No. \_\_\_\_-2025, the Board of the CIC has accepted the City’s appointed as the agent of the City for the aforementioned purposes, and has further authorized the President of the CIC to execute this Agreement; and

WHEREAS, it is the intention of the City and CIC that the CIC shall be authorized pursuant to this Agreement to undertake the following activities to promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City:

- (a) sell or lease any real property, or interests therein, owned by the City determined from time to time by City Council not to be required by the City for its purposes;
- (b) receive from the City real property, or interests therein, owned by the City and determined by City Council not to be required by the City for its purposes, and to subsequently sell or lease the same;

- (c) acquire from others additional real property, or interests therein, and to subsequently sell or lease the same; and

WHEREAS, in undertaking the authority set forth in the preceding Recital, the City and CIC agree that the CIC shall do so generally consistent with the City's Master Plan, as has been previously adopted by the City and may be amended, supplemented or replaced from time to time, and otherwise to promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City; and

NOW THEREFORE, the parties hereto, for good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties hereto, now agree as follows.

1. Appointment as Agent of the City. The CIC shall serve as an agent for the City pursuant to Section 1724.10 of the Ohio Revised Code to promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City. In undertaking its role as the agent of the City, and in exercising such other authority conveyed pursuant to this Agreement or Chapter 1724 of the Ohio Revised Code, the CIC shall do so generally consistent with the City's Master Plan, as has been previously adopted by the City and may be amended, supplemented or replaced from time to time, and otherwise for the purposes set forth in this paragraph.
2. Sale and Lease of City-Owned Real Property.
  - (a) Pursuant to Section 1724.10(B)(2) of the Ohio Revised Code, the CIC may sell or lease any real property or interests in real property, or any interest therein, owned by the City determined from time to time by the City's Council not to be required by the City for its purposes, for uses determined by the City's Council as those that will promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City. The City's Council shall specify the consideration for such sale or lease and any other terms thereof, which shall be conclusive. The CIC, acting through its officers and on behalf and as agent of the City shall execute the necessary instruments, including deeds conveying the title of the City or leases, to accomplish such sale or lease. Such conveyance or lease shall be made without advertising and receipt of bids.

- (b) The City's Council shall determine, by the adoption of appropriate legislation, any specific real property, or interest therein, for which it shall utilize the CIC as its agent for the sale or lease of the same. The CIC shall have no authority to sell or lease any specific real property of the City, or any interest therein, as the City's agent, unless and until the adoption of appropriate legislation by the City's Council setting forth the terms and conditions of the same. Furthermore, the Board of the CIC shall adopt a Resolution providing for its acceptance or its role as agent of the City pursuant to this Section 2 prior to the sale or lease of any specific City-owned real property, or any interest therein.
- (c) The legislation provided for in Section 2(b), above, shall further set forth the compensation that the CIC shall receive from the City to serve as its agent pursuant to this Section 2. Said compensation shall also be agreed to by the CIC pursuant to resolution of the CIC's Board prior to undertaking the sale or lease of any such City-owned real property.

### 3. Acquisition and Disposition of City-Owned Real Property.

- a. Pursuant to Section 1724.10(B)(3) of the Ohio Revised Code, the City may convey to the CIC real property, or interest therein, owned by the City and determined by the City's Council not to be required by the City for its purposes and that such conveyance of such real property, or interests therein will promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City. Any conveyance or lease by the City to the community improvement corporation shall be made without advertising and receipt of bids.
- b. Any agreement for the sale of any specific real property, or any interest therein, between the City and the CIC shall specify the consideration for such sale or lease and any other terms thereof. The City's Council shall determine, by the adoption of appropriate legislation, any specific real property, or interest therein, which it shall sell or lease to the CIC. Such legislation shall authorize the Mayor of the City to execute a sales agreement or lease with the CIC, upon the terms and conditions set forth in said agreement. Furthermore, the Board of the CIC, if in agreement, shall adopt a Resolution authorizing the President of the CIC to execute any such sales agreement or lease upon the terms and conditions provided therein.
- c. Unless otherwise agreed to between the City and CIC for a specific real property, or interest therein, the agreement provided for in Subsection 3(b), above, shall provide that the CIC may retain, as a service fee, the amount of the consideration received by the CIC from the person or entity to which the property is sold or leased in excess of the consideration paid for by the CIC to the CIC after deducting, to the extent and in the manner provided in the agreement, the costs of such acquisition and sale, taxes, assessments, costs of maintenance, costs of improvements to the real property by the CIC, other service fees, and any debt service charges of the CIC attributable to such real property or interests.

### 4. Acquisition of Third-Party Real Property.

- a. The CIC may acquire from other persons or entities additional real property, or interests therein, and any real property, or interests therein, so conveyed, will be used by the CIC for uses that will

promote the welfare of the people of the City; assist with stabilizing the economy of the City; provide opportunities for gainful employment for the people of the City; promote and undertake the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; assist in the economic development of the City, including industrial, commercial, distribution, and research development activities for the benefit of the people of the City; and to promote and undertake housing development activities to improve the number of quality housing units available in the City for the people of the City.

- b. No further legislative action is necessary for the CIC to exercise its authority under this Section 4, and the CIC shall owe no compensation or other sum of money to the City for the exercise of its authority under this Section 4.
5. Use of City Hall Facilities; Staff. The CIC may utilize certain office space within the City Hall of the City upon further mutual agreement of the City and CIC. Furthermore, the City and CIC understand and agree that, from time to time, the staff of the City may assist the CIC in undertaking its obligations and powers under this Agreement and otherwise under Chapter 1724 of the Ohio Revised Code, and that such staff members may do so without any additional consideration from the CIC to the City. In undertaking such assistance, the City and CIC agree that such staff may use other resources of the City, including but not limited to, such as IT equipment and office supplies, that are ancillary to providing such assistance. No City staff shall provide any assistance to the CIC, and no other City resources may be used, for any purpose outside the scope of Chapter 1724 of the Ohio Revised Code.
6. Reporting to City Council. No less than once each calendar quarter, a representative of the CIC shall appear before the Council of the City at a regular meeting, or at such other meeting as mutually determined between leadership of the CIC and the Council of the City, and provide a comprehensive update on the business and activities of the CIC, generally, and any real property for which the CIC shall serve as an agent of the City, or to which the City has transferred to the CIC, as provided for in this Agreement.
7. Recording of Agreement. A copy of this Agreement shall be recorded in the office of the Cuyahoga County Fiscal Officer prior to the recording of a deed or lease executed pursuant to this Agreement.
8. Miscellaneous.
  - a. Breach and Remedy. Except as otherwise provided in this Agreement, in the event of any default in or breach of this Agreement by either party to this Agreement, or any successor to such party, such party (or successor) shall, within thirty (30) days of receipt of written notice from the other, proceed to cure or remedy such default or breach. In case such action is not taken within such thirty (30) day period, or if such cure or remedy cannot be reasonably completed within such thirty (30) day period but is not begun during such period and cured or remedied within a reasonable time, the non-defaulting party may institute such proceedings as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, proceedings to compel specific performance by the party in default or breach of its obligations. All rights and remedies shall be cumulative and shall not be construed to exclude any other remedies allowed at law or in equity.
  - b. Entire Agreement. This Agreement represents the entire and integrated agreement between the Parties for the subject matter hereof and supersedes all prior negotiations, representations, or agreements in such regard, either written or oral.

- c. Amendments and Modification. This Agreement may be amended only by a written document signed by both Parties.
- d. No Personal Liability. Nothing herein shall be construed as creating any personal liability on the part of any member, officer or agent of either of the Parties.
- e. Successor and Assigns. This Agreement shall be binding upon, and inure to the benefit of, all successors and assigns; provided, however, that neither party may assign its interest in this Agreement without the written consent of the other party.
- f. Choice of Law and Forum Selection. This Agreement shall be construed and interpreted in accordance with the laws of the State of Ohio. Any civil action relating to or arising from this Agreement shall be filed in the Cuyahoga County Court of Common Pleas.
- g. Severability. If any provisions, covenants, agreement or portion of this Agreement, or its application to any person, entity or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of this Agreement and, to that end, all provisions, covenants, agreements or portions of this Agreement are declared to be severable.
- h. Execution. This Agreement may be executed by the parties hereto in one or more counterparts or duplicate signature pages, each of which when so executed and delivered will be an original, with the same force and effect as if all required signatures were contained in a single original instrument. Any one or more of such counterparts or duplicate signature pages may be removed from any one or more original copies of this Agreement and annexed to other counterparts or duplicate signature pages to form a completely executed original instrument. Electronic or facsimile signatures shall be treated as original signatures to this Agreement.

[Signature Page to Follow. Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the Parties hereto have set their hands this \_\_\_\_ day of \_\_\_\_\_ 2025.

**CITY OF CLEVELAND HEIGHTS, OHIO**

\_\_\_\_\_  
Mayor Tony Cuda

Approved as to form and correctness:

\_\_\_\_\_  
William Hanna, Law Director

**CLEVELAND HEIGHTS COMMUNITY  
IMPROVEMENT CORPORATION**

\_\_\_\_\_  
President



Date: November 26, 2025

To: City Council

From: Allan Butler, Assistant Housing Director  
Brian Iorio, Assistant Director of Community Development

Subject: American Builders and Applicators LLC contract

---

**Purpose Statement:** To authorize a contract for a Lead Safe Ohio abatement project that includes asbestos abatement on for a Day Care facility that brings the project over the \$50,000 threshold for the contract authority. The project located at Permanent Parcel Number 687-21-028 contains lead-based paint hazards and asbestos hazards and is eligible for assistance through our Lead Safe Ohio program. The removal of both hazards has increased the cost of removal over the \$50,000 threshold.

**Is this legislation recurring:** Yes: \_\_\_\_\_ No:   x  

**Is emergency language necessary:** Yes:   X   No: \_\_\_\_\_

**If yes, why?** To ensure that the contractor can begin work quickly, eliminate the hazard and so that funds are expended before grant deadlines.

**Is passage on first reading necessary:** Yes:       X       No: \_\_\_\_\_

**If yes, why?** To ensure that the contractor can begin work quickly, eliminate the hazard and so that funds are expended before grant deadlines.

**If funding is required, is it already budgeted for?** Yes:   X   No: \_\_\_\_\_

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

Proposed: 12/01/2025

RESOLUTION NO. 244-2025(PSH), *First Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to enter into an agreement with American Builders and Applicators LLC, a certified lead abatement contractor, for the use of Lead Safe Ohio (LSO) Grant funds in connection with the abatement of lead-based paint hazards at Permanent Parcel Number (PPN) 687-21-028; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Lead Safe Ohio Program is a program administered by the Cuyahoga County Board of Health (CCBH) through American Rescue Plan Act (ARPA) State-allocated funds; and

WHEREAS, the home located on PPN 687-21-028 contains lead-based paint hazards and asbestos hazards and is eligible for assistance through the LSO Program; and

WHEREAS, the abatement of lead-based paint hazards in residential structures is vital for the health and well-being of all people, particularly for children under the age of 5; and

WHEREAS, the lowest bidder, American Builders and Applicators LLC, is a certified lead abatement contractor and is in good standing with the City of Cleveland Heights' Housing Preservation Office; and

WHEREAS, it would be in the best interest of the City and its residents to provide partial funding to assist such a project; and

WHEREAS, there are monies available for such purpose from the Lead Safe Ohio Grant Program.

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

SECTION 1. The Mayor be, and he is hereby, authorized to enter into agreements with American Builders and Applicators LLC and the owner of the benefited property to provide for the abatement of asbestos and lead-based paint hazards at PPN 687-21-028. The agreement shall provide for funding in an amount not to exceed Seventy-Five Thousand and Twenty-Five Dollars (\$75,025.00) Lead Safe Ohio Grant funds. The project to be completed by American Builders and Applicators LLC is set forth in the Bid Request Form on file with the Clerk of

RESOLUTION NO. 244-2025(PSH)

Council. The agreement shall be subject to the approval 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 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 Ordinance 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 expend grant funds for the abatement of asbestos and lead-based paint hazards prior to the deadline imposed by the County. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor



Date: November 19, 2025

To: Addie Balester, Clerk of Council

Cc: Tony Cuda, Mayor; Sharon Dumas, CAO  
Christopher Heitzel, Assistant Law Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for a 3<sup>rd</sup> Change Order to the CH-9, CH-32, CH-57 and CH-58  
SSO Control (Lee Monmouth) Project agreement with Fabrizi Trucking & Paving, Inc.

---

**Purpose Statement:** To authorize the Mayor to execute a 3<sup>rd</sup> and final change order in the amount of \$77,560.00 to the agreement with Fabrizi Trucking and Paving, Inc. for the CH-9, CH-32, CH-57 AND CH-58 SSO Control Project also known as Project No. Lee Monmouth.

**Is this legislation recurring:** Yes: \_\_\_\_\_ No:  X

**Is emergency language necessary:** Yes:  X  No: \_\_\_\_\_

**If yes, why?** To address the additional emergency related construction items necessary on this project

**Is passage on first reading necessary:** Yes:  X  No: \_\_\_\_\_

**If yes, why?** To complete and close out the project.

**If funding is required, is it already budgeted for?** Yes: \_\_\_\_\_ No:  X

**If not already budgeted for, where will funding come from?** Sewer Fund 602-6205-3003

Proposed: 12/01/2025

RESOLUTION NO. 245-2025(MSES), *First Reading*

By Mayor Cuda

A resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the CH-9, CH-32, CH-57, and CH-58 SSO Control Projects; 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 City's Integrated Overflow Control Master Plan ("IOCMP"); and

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 CH-9, CH-32, CH-57, and CH-58 SSO Control Projects (#24-01) to one general contractor, which this Council approved by motion on March 4, 2024; and

WHEREAS, the bids received in response to the invitation were opened on February 23, 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"); and

WHEREAS, the discovery of existing utility lines and related complications during Contractor's performance necessitate a change order to that Agreement to provide for additional expenses associated with securing an easement adjacent to the existing right-of-way, replacement of storm sewer laterals, additional restoration, and other related work.

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 of Seventy- Seven Thousand Five Hundred Sixty Thousand Dollars and 00/100 (\$77,560) to provide for the labor, materials, and other services associated with the easement, storm sewer laterals, additional restoration, and other 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.

RESOLUTION NO. 245-2025(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. 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 immediate effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor



DO NOT PAY FROM THIS DOCUMENT

Contract Change Order 1

Date: Feb. 5, 2025

**Extention of Time**

Substantial Completion Date: Dec. 17, 2024

Number of Days Added: 166

Extended To: Jun. 1, 2025

Final Completion Date: Dec. 17, 2024

Number of Days Added: 166

Extended To: Jun. 1, 2025

**Owner:** City of Cleveland Heights

40 Severance Circle

Cleveland Heights, Ohio 44118

**Contractor:** Fabrizi Trucking and Paving Co., Inc.

20389 First Avenue

Middleburg Heights, OH 44130

**Job No.** CLH501202

**Project:** Lee Rd., Monmouth Rd., & Fairmount SSO Contrc

THIS CHANGE ORDER CONSTITUTES FULL MUTUAL ACCORD AND SATISFACTION FOR ALL TIME AND COSTS RELATED TO THIS CHANGE. BY ACCEPTANCE OF THIS CHANGE ORDER, THE CONTRACTOR HEREBY AGREES THAT THIS CHANGE REPRESENTS AN EQUITABLE ADJUSTMENT TO THE CONTRACT AND FURTHER AGREES TO WAIVE ANY FURTHER CLAIMS OR CHANGES ARISING OUT OF, OR AS A RESULT OF, THIS CHANGE, OR THE ACCUMULATION OF CHANGES AS RELATED TO THIS SUBJECT.

**"APPROVALS REQUIRED"**

THIS CONTRACT CHANGE ORDER, WHEN APPROVED, WILL CONSTITUTE AUTHORIZATION FOR THE FOLLOWING CHANGE IN PLAN TO BE CONSTRUCTED IN ACCORDANCE WITH ALL PROVISIONS OF THIS CONTRACT, INCLUDING THE FURNISHING OF THE NECESSARY BONDS AND INSURANCE.

**Prepared By:** Bryan Celik  
Construction Department: Wade Trim Associates

**Recommended By:** Bryan Celik  
Engineer: Wade Trim Associates

**Accepted By:** Maria Fearer, VP  
Contractor: Fabrizi Trucking and Paving Co., Inc.

**Approved By:** \_\_\_\_\_  
Owner: City of Cleveland Heights

2/5/2025

Date

2/5/2025

Date

2/13/2025

Date

Date

| Change Order Overview                       |              |
|---------------------------------------------|--------------|
| Contract Amount: \$                         | 2,246,989.95 |
| Total Change Order Amount( _1_ to _1_ ): \$ | 477,559.38   |
| Current Contract Price: \$                  | 2,724,549.33 |
| Total Amount Previous Change Orders: \$     | -            |
| Total Amount This Change Order: \$          | 477,559.38   |
| Net Change to Contract:                     | 21.25%       |

**Contract Change Order** 1

**PROJECT NAME:** Lee Rd., Monmouth Rd., & Fairmount SSO Control

**JOB NO. CLH501202**

**CLIENT:** City of Cleveland Heights

DATE: February 5, 2025

**Contract Date: February 23, 2024**

**Construction Start Date:** May 10, 2024

Substantial Completion Date: Dec 17, 2024

Extended To: Jun 1, 2025

**Final Completion Date:** Dec. 17, 2024

Extended To: Jun. 1, 2025

[illegible]

### Explanation of Change in Quantities, Extra Items and Additional Notes

**Change Order No. 1**



Date: November 19, 2025

To: Addie Balester, Clerk of Council

Cc: Tony Cuda, Mayor; Sharon Dumas, CAO  
Christopher Heitzel, Assistant Law Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for a Change Order to the Yellowstone Sewer Separation and Water Main Replacement Project agreement with Fabrizi Trucking & Paving, Inc.

---

**Purpose Statement:** To authorize the Mayor to execute a change order in the amount of \$36,504.75 to the agreement with Fabrizi Trucking and Paving, Inc. for the Yellowstone Sewer Separation and Water Main Replacement Project

**Is this legislation recurring:** Yes: \_\_\_\_\_ No:  X

**Is emergency language necessary:** Yes:  X  No: \_\_\_\_\_

**If yes, why?** To address the emergency related construction items and additional sidewalk and signage necessary on this project.

**Is passage on first reading necessary:** Yes: \_\_\_\_\_  X  No: \_\_\_\_\_

**If yes, why?** To complete and close out the project.

**If funding is required, is it already budgeted for?** Yes :\_\_\_ No:  X

**If not already budgeted for, where will funding come from?** Sewer Fund  
602.6205.3003

Proposed: 12/01/2025

RESOLUTION NO. 246-2025(MSES), *First Reading*

By Mayor Cuda

A resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the Yellowstone Sewer Separation and Water Main Water Replacement 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 City's Integrated Overflow Control Master Plan ("IOCMP"); and

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 Yellowstone Sewer Separation and Water Main Replacement; (#24-05) to one general contractor, which this Council approved by motion on November 4, 2024; and

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"); and

WHEREAS, the discovery of existing utility lines and related complications during Contractor's performance necessitate a change order to that Agreement to provide for additional expenses associated with connecting additional storm and sanitary connections at various locations, installing a new sidewalk and signage, additional restoration, and other related work.

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 of Thirty-Six Thousand Five Hundred Four Dollars and 75/100 (\$36,504.75) to provide for the labor, materials, and other services associated with the sanitary and storm connections, new sidewalk and signage, additional restoration, and other 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.

RESOLUTION NO. 246-2025(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. 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 immediate effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor



DO NOT PAY FROM THIS DOCUMENT

Contract Change Order 1

Date: Oct. 18, 2025

**Extention of Time**

Substantial Completion Date: Oct. 1, 2025

Number of Days Added: 0

Extended To: N/A

Final Completion Date: Oct. 1, 2025

Number of Days Added: 0

Extended To: N/A

**Owner:** City of Cleveland Heights  
40 Severance Circle  
Cleveland Heights, OH 44118

**Contractor:** Fabrizi Trucking and Paving Company  
20389 First Avenue  
Middleburg Heights, OH 44130

**Job No.** 24-12

**Project:** Yellowstone Road  
Storm Sewer, Sanitary Sewer, and Water Main Replacement

THIS CHANGE ORDER CONSTITUTES FULL MUTUAL ACCORD AND SATISFACTION FOR ALL TIME AND COSTS RELATED TO THIS CHANGE. BY ACCEPTANCE OF THIS CHANGE ORDER, THE CONTRACTOR HEREBY AGREES THAT THIS CHANGE REPRESENTS AN EQUITABLE ADJUSTMENT TO THE CONTRACT AND FURTHER AGREES TO WAIVE ANY FURTHER CLAIMS OR CHANGES ARISING OUT OF, OR AS A RESULT OF, THIS CHANGE, OR THE ACCUMULATION OF CHANGES AS RELATED TO THIS SUBJECT.

**"APPROVALS REQUIRED"**

THIS CONTRACT CHANGE ORDER, WHEN APPROVED, WILL CONSTITUTE AUTHORIZATION FOR THE FOLLOWING CHANGE IN PLAN TO BE CONSTRUCTED IN ACCORDANCE WITH ALL PROVISIONS OF THIS CONTRACT, INCLUDING THE FURNISHING OF THE NECESSARY BONDS AND INSURANCE.

**Change Order Overview**

Contract Amount: \$ 2,132,227.50

Total Change Order Amount: \$ 36,504.75

Current Contract Price: \$ 2,168,732.25

Total Amount Previous Change Orders: \$ -

**Total Amount This Change Order: \$ 36,504.75**

Net Change to Contract: 1.71%

**Prepared By:** Bryan D. Celik  
Construction Department: Wade Trim Inc.

Oct. 18, 2025  
Date

**Recommended By:** Bryan D. Celik  
Engineer: Wade Trim Inc.

10/18/2025  
Date

**Accepted By:** Maria Yeager, VP  
Contractor: Fabrizi Trucking and Paving Company

10/20/25  
Date

**Approved By:** \_\_\_\_\_  
Owner: City of Cleveland Heights

\_\_\_\_\_  
Date



## Contract Change Order 1

PROJECT NAME: Yellowstone Road - Storm Sewer, Sanitary Sewer, and Water Main Replacement

JOB NO. CLH5016

CLIENT: City of Cleveland Heights

DATE: October 18, 2025

Contract Date:

Construction Start Date:

Substantial Completion Date: Oct 1, 2025

Extended To: N/A

Final Completion Date: Oct 1, 2025

Extended To: N/A

| Item # | DESCRIPTION                                                                                                                               | Plan<br>(+/-) Qty | Unit | Unit Price  | CO No. 1<br>(+/-) Orig<br>Qty | CO No. 2<br>(+/-) Orig<br>Qty | CO No. 3<br>(+/-) Orig<br>Qty | Revised Qty. | Contract Amount | Current Contract<br>Price | Total of Previous<br>Change Orders | Total Amount This Change<br>Order |
|--------|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------|-------------|-------------------------------|-------------------------------|-------------------------------|--------------|-----------------|---------------------------|------------------------------------|-----------------------------------|
| FA-005 | FA-005 - Additional Storm and Sanitary Connections to the School at Sta. 14+98 (Balance of Force Account Work - not applied to Allowance) | 0.00              | LS   | \$ 1,274.91 | 1                             |                               |                               | 1.00         | \$ -            | \$ 1,274.91               | \$ -                               | \$ 1,274.91                       |
| FA-006 | Connect existing 8" Sanitary Sewer Line to Sanitary MH5                                                                                   | 0.00              | LS   | \$ 5,131.54 | 1                             |                               |                               | 1.00         | \$ -            | \$ 5,131.54               | \$ -                               | \$ 5,131.54                       |
| FA-007 | FA-007 - Connect existing 18" Storm Sewer Line to Storm MH9                                                                               | 0.00              | LS   | \$2,192.81  | 1                             |                               |                               | 1.00         | \$ -            | \$ 2,192.81               | \$ -                               | \$ 2,192.81                       |
| FA-008 | FA-008 - Connect 10" Line to CB7 plans called for 8" line                                                                                 | 0.00              | LS   | \$987.31    | 1                             |                               |                               | 1.00         | \$ -            | \$ 987.31                 | \$ -                               | \$ 987.31                         |
| FA-009 | FA-009 - 8" Concrete Aprons                                                                                                               | 0.00              | LS   | \$19,484.00 | 1                             |                               |                               | 1.00         | \$ -            | \$ 19,484.00              | \$ -                               | \$ 19,484.00                      |
| FA-010 | FA-010 - New Crosswalk                                                                                                                    | 0.00              | LS   | \$11,960.00 | 1                             |                               |                               | 1.00         | \$ -            | \$ 11,960.00              | \$ -                               | \$ 11,960.00                      |
| FA-011 | FA-011 - Additional Center Line at Noble                                                                                                  | 0.00              | LS   | \$400.00    | 1                             |                               |                               | 1.00         | \$ -            | \$ 400.00                 | \$ -                               | \$ 400.00                         |
| FA-012 | FA-012 - Install additional signage                                                                                                       | 0.00              | LS   | \$587.25    | 1                             |                               |                               | 1.00         | \$ -            | \$ 587.25                 | \$ -                               | \$ 587.25                         |
|        | Quantity Reconciliations                                                                                                                  | 0.00              | LS   | \$ 5,513.07 | 1                             |                               |                               | 1.00         | \$ 5,513.07     | \$ -                      | \$ -                               | \$ (5,513.07)                     |
|        |                                                                                                                                           |                   |      |             |                               |                               |                               |              |                 |                           |                                    |                                   |
|        |                                                                                                                                           |                   |      |             |                               |                               |                               |              |                 |                           |                                    |                                   |
|        |                                                                                                                                           |                   |      |             |                               |                               |                               |              |                 |                           |                                    |                                   |
|        |                                                                                                                                           |                   |      |             |                               |                               |                               |              |                 |                           |                                    | \$ -                              |
|        |                                                                                                                                           |                   |      |             |                               |                               |                               |              |                 |                           |                                    | \$ -                              |
| Totals |                                                                                                                                           |                   |      |             |                               |                               |                               |              | \$ 5,513.07     | \$ 42,017.82              | \$ -                               | \$ 36,504.75                      |



Date: November 18, 2025

To: Addie Balester, Clerk of Council

Cc: Tony Cuda, Mayor; Sharon Dumas, CAO  
Christopher Heitzel, Assistant Law Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation to enter into an Agreement with the Cuyahoga County Public Works Department for storm and sanitary sewer services in a amount not to exceed \$600,000.

---

**Purpose Statement:** This legislation is for the Mayor to execute this annual agreement with the Cuyahoga County Public Works Department for storm and sanitary sewer services that may be needed in 2026 for an amount not to exceed \$600,000.

**Is this legislation recurring:** Yes: X No: \_\_\_\_\_

**Is emergency language necessary:** Yes: X No: \_\_\_\_\_

**If yes, why?** To address the additional storm and sanitary sewer services that may be need at the beginning of the year.

**Is passage on first reading necessary:** Yes: X No: \_\_\_\_\_

**If yes, why?** To address the additional storm and sanitary sewer services that may be need at the beginning of the year.

**If funding is required, is it already budgeted for?** Yes : X No: \_\_\_\_\_

**If not already budgeted for, where will funding come from?** Sewer Fund 602.6205.3072

Proposed: 12/01/2025

RESOLUTION NO. 247-2025(MSES), *First Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to execute and amendment to the 2025 Direct Bill Contract for Sanitary and Storm Sewer Maintenance Services ("Agreement") extending the term and not-to-exceed amounts of the agreement to include FY 2026 and ensuring continuity of services that help to maintain the City's sanitary and storm sewers; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City owns and operates sanitary and storm sewers and catch basins, which require regular maintenance;

WHEREAS, through Resolution No. 001-2025, passed January 6, 2025, Council authorized the execution of the Agreement for a term of one year and an amount not to exceed Six Hundred Thousand and 00/100 Dollars (\$600,000);

WHEREAS, the City has expended less than the not-to-exceed amount under the Agreement and the County has proposed an amendment to the Agreement extending the term of the Agreement through December 31, 2026 and increasing the not-to-exceed amount by an additional Six Hundred Thousand and 00/100 Dollars (\$600,000.00) ("Amendment");

WHEREAS, Section 171.02(b) of the Cleveland Heights Codified Ordinances authorizes the purchase of services without obtaining competitive bids where the price for services offered by a political subdivision is less than the price that would be obtained by taking bids from private persons; and

WHEREAS, the Mayor has determined that Cuyahoga County offers certain maintenance services for sanitary and storm sewers and catch basins at a price less than would be obtained by taking bids from private persons and that it would be in the City's best interests to retain the County for such services.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute an Amendment to the Agreement with County of Cuyahoga to provide certain services to maintain the City's sanitary and storm sewers and catch basins, in accordance with the requirements set forth in Section 171.02(b) of the Cleveland Heights Codified Ordinances. The Amendment shall be substantially in accordance with the one on file with the Clerk of Council. The term of the agreement shall expire on December 31, 2026, and the total amount to be paid by the City for the two-year term shall not exceed the sum of One

RESOLUTION NO. 247-2025(MSES)

Million, Two Hundred Thousand and 00/100 Dollars (\$1,200,000.00). The agreement and any related documents shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this 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 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 proceed with the maintenance of the City's sewer and storm systems as soon as possible. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor





November 12, 2025

Mayor Tony Cuda  
City of Cleveland Heights  
40 Severance Circle  
Cleveland Heights, Ohio 44120

Dear Mayor Cuda,

As part of our ongoing efforts to enhance the services we provide and maintain the high standards you've come to expect, we are updating our direct bill agreements for 2026.

**Effective January 1, 2026, all core services performed by parties other than employees of the County will incur a 5% administrative fee (not to exceed \$5,000.00 per invoice).** This fee applies **only** to third-party services/invoices and **does not** affect services billed under the rate schedule incorporated into your contract.

This change will help offset the administrative and procurement costs associated with managing third-party vendor relationships. It ensures we can continue delivering consistent, high-quality support while streamlining operations for the communities we serve.

We appreciate your understanding and continued partnership. If you have any questions or would like to discuss this update in more detail, please don't hesitate to reach out to me at [mseay@cuyahogacounty.gov](mailto:mseay@cuyahogacounty.gov)

Thank you for your attention to this matter.

Sincerely,

*Mellany Seay* A.S.

Mellany Seay  
Administrator Operations and Finance

## 2026 DIRECT BILL CONTRACT

for

### SANITARY & STORM SEWER MAINTENANCE

by and between

CUYAHOGA COUNTY, OHIO

and the

CITY OF CLEVELAND HEIGHTS

THIS CONTRACT (the “Contract”), effective as of **January 1, 2026** (the “Effective Date”), is made and entered into by and between Cuyahoga County, Ohio a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof (the “County”) and **City of Cleveland Heights** (“City”), a municipal organization, having a principal place of business at 40 Severance Circle; Cleveland Heights, OH 44118 pursuant to the authority of Resolution No. \_\_\_\_\_ passed by City Council on \_\_\_\_\_, 2026.

WHEREAS, the entire territory within the limits of the City is designated as County Sewer district 17; and

WHEREAS, City is serviced by sanitary and storm sewers; and

WHEREAS, City owns and operates certain sanitary and storm sewers, catch basins, manholes, culverts, and storm water detention and retention basins located in the public right of way and in or along easements (hereafter referred to as the “City Sewers”) and any future improvements to the City Sewers or newly constructed City Sewers may similarly be owned by the City; and

WHEREAS, the City desires to retain the County to perform certain services relative to the City Sewers, as determined from time-to-time, to further advance the City’s sanitary and storm sewer maintenance program as part of County Sewer District 17; and

WHEREAS, the City desires the County to direct bill the City for performing said services as indicated in the ***Hourly Rate Sheet***, attached hereto as **Exhibit A**; and

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, City and the County agree as follows:

#### SECTION I. AGREEMENT AND TERM

- A. Scope of Agreement. During the Term of this Contract, ***County shall provide storm and sanitary sewer system services (“Services”) to the City pursuant to the tasks and associated hourly rates*** as listed in Exhibit A, which is fully incorporated into this

Contract. If a discrepancy exists between the terms of the Exhibit and this Contract, the terms of this Contract will be controlling and binding. Any discrepancy that exists between the terms of the Exhibit and the Contract will be interpreted in favor of the County.

- (1) Upon written request from the City, the County agrees to provide the following storm and sanitary sewer system services (“Core Services”) to the City:
  - a. Mainline storm and sanitary sewer cleaning and televising; and
  - b. Maintenance and repair of mainline storm and sanitary sewers in the public right-of-way of public easements; and
  - c. Maintenance and repair of storm and sanitary sewer lateral services lines in the public right-of-way and public easements. County shall not be responsible for cleaning storm and sanitary sewer lateral service lines and lateral connections located on private property; and
  - d. Engineering services; and
  - e. Pump station maintenance; and
  - f. Cleaning, maintenance, and repair of catch basins and manholes; and
  - g. Construction inspection; and
  - h. Emergency services such as sewer backups, breaks and other malfunctions of the City Sewers as described herein (“Emergency Services”); and
  - i. Inflow and infiltration inspection.

The Parties agree that the City may, by written submission, request additional services from the County in addition to Core Services. The City agrees to pay the actual cost incurred by the County in providing such additional services, including an appropriate amount of overhead attributable to the performance of these services.

- (2) Each request for Core Services from the City shall include all existing record plans, a map describing the area where the work is to be performed and a detailed scope of services.
- (3) In response to the City’s request, the County will perform a field investigation and prepare a cost estimate for the Core Services described in the detailed scope of services submitted by the City. The County will bill the City for the actual number of hours expended for performing a cost estimate for each request. If the County determines that the request for Core Services necessitates additional work than originally estimated, the County will contact the City for further instruction on how to proceed. The County shall start performing the Core Services requested by the City upon receiving written approval from the City.
- (4) In addition to Core Services, the City may request Emergency Services from the County, including, but not limited to, response to sewer backups, sewer breaks, and other malfunctions of the City Sewers. In the event the City requires the County to perform Emergency Services, the City shall submit to the County a description of the scope of services for a specific location. The County will make its best efforts to respond within two (2) hours of receipt of a written or verbal request for

Emergency Service, except in circumstances of extreme weather or other circumstances beyond its control. In any such circumstances that prevent the response by the County in this time period, the County shall advise the City verbally or in writing immediately and provide an alternative time for response.

- (5) The City shall be responsible for acquiring and paying for any and all permits, easements, and rights of entry necessary for the construction, operation, maintenance, and repair of City Sewers requested by the City to be performed by the County.
- (6) If the City determines that there is any imminent risk to public safety or property, the City may suspend the work of the County immediately upon verbal or written notice and shall provide a written explanation of the suspension and steps needed to resume work.

B. Term.

- (1) The initial term of this Contract shall commence on the Effective Date and, unless earlier terminated in accordance with the provisions of this Contract, shall continue in effect for a period of **one (1) year from the Effective Date, from January 1, 2026, through December 31, 2026.**
- (2) The Parties may exercise the option to renew this Contract for an additional term of twelve (12) calendar months thereafter if both Parties agree in writing.

C. Cost. The total cost of this Contract **shall not exceed Six Hundred Thousand dollars (\$600,000.00).**

- (1) In consideration for providing the Core Services, including performing preliminary field investigations and cost estimates, the City shall pay the County according to the rate structure set forth in the Hourly Rate Schedule, attached hereto and incorporated in this Contract as Exhibit A. The City agrees that the Hourly Rate Schedule applies only to Core Services performed by employees of the County. All other Core Services performed by parties other than employees of the County will be billed for actual documented costs incurred plus a 5% administrative/overhead fee (not to exceed \$5,000.00 per invoice), attributable to the performance of these services. The County agrees to provide the City with six (6) months' advance notice of any sanitary rate increase.
- (2) In consideration for performing Emergency Services, the City shall pay the County on a time and materials/force account basis. In the event the Emergency Services are performed by parties other than employees of the Sewer Division, the City shall pay for actual costs incurred by the County.
- (3) The County shall provide detailed invoices to the City after completion of Core Services and Emergency Services, but no more frequently than monthly. The invoices shall provide a detailed explanation of the work completed, the time for completion, the hourly rate, or if a lump sum is agreed to, the agreed price.

- (4) The total amount to be paid by the City to the County for work performed under this Contract shall not exceed \$600,000, as stated above, unless the City agrees in writing to additional compensation. The County shall not provide any services under this Contract that would cause the contract amount for the year 2026 to exceed the maximum amount stated in this paragraph unless the City has agreed in writing to pay the additional compensation.

## **SECTION II. PAYMENT AND INVOICING**

- A. Invoicing. The County shall invoice the City quarterly for the Services outlined in the Exhibits upon execution of this Contract. The County shall submit original invoice(s) to the following address:
- B. Payment. During the Term of this Contract, the City shall pay the County quarterly for the Services outlined in the Exhibits upon receipt and approval of said invoice by the City. The City shall pay any invoice within thirty (30) days after receipt unless the City advises the County of any discrepancy in the invoice. Once any claimed discrepancy is resolved, the City shall pay within thirty (30) days thereafter. No interest, fees, or charges shall be added to any invoice.

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

The terms set forth herein shall supersede any and all terms and conditions set forth on an invoice or purchase order, and any and all such terms and conditions shall be null and void.

- C. Unauthorized Services. In order to protect the interest of Cuyahoga County this Contract must be executed by the County before any services can be rendered.

## **SECTION III. INDEMNITY AND LIABILITY**

- A. Indemnification. Both Parties acknowledge that, as political subdivisions of the State of Ohio, neither Party can indemnify any person or entity. Both Parties agree that no provision of this Contract or any other contract or agreement between City and the County may be interpreted to obligate either Party to indemnify or defend the other Party or any other party thereto.
- B. Each Party assumes responsibility for its own acts, omissions, negligence, and intentional acts that may cause damage or injury.

## **SECTION IV. TERMINATION**

- A. Termination for Default. Either party may terminate this Contract, in whole or in part, whenever such party determines that the other has failed satisfactorily to fulfill its material obligations and responsibilities hereunder and is unable to cure such failure within a reasonable period of time, not to exceed thirty (30) calendar days. Such termination shall be referred to as "Termination for Default." If the defaulting party is unable to cure the

failure within the specified time period, the party seeking to terminate may, by giving written notice thereof to the defaulting party, terminate this Contract, in full or in part, as of the date specified in the notice of termination. The County, however, shall be paid for all services and/or materials provided on or prior to the date of termination.

- B. Termination for Financial Instability. In the event that City becomes financially unstable to the point of ceasing to conduct business in the normal course, making a general assignment for the benefit of creditors, or suffering or permitting the appointment of a receiver for its business or its assets, or there is a filing by or against City of a meritorious petition in bankruptcy under any bankruptcy or debtor's law, the County may, at its option, immediately terminate this Contract under Section 4.1, the "Termination for Default" clause, by giving written notice thereof.
- C. Termination for Convenience. The County may terminate this Contract or any order under this Contract for its convenience and without cause. Any notice of termination will be effective thirty (30) days after the party receives it. If the termination is for the convenience of the County, City will be entitled to compensation for any Services that City has delivered before termination. Any fees paid in advance shall be returned to the County at a prorated amount. No early termination fees shall apply to the County. If the City determines that there is any imminent risk to public safety or property, the City may suspend the work of the County immediately upon verbal or written notice and shall provide a written explanation of the suspension and steps needed to resume work.

## **SECTION V. CONFIDENTIALITY**

- A. Information. During the Term of this Contract, each party hereto may disclose information ("Information") to the other party by a variety of means, including oral presentations, provision of documents or portions thereof, samples or other physical materials, visual inspection or otherwise. For purposes of this Contract, the term "Disclosing Party" shall refer to either Party hereto and any of its parents, subsidiaries, affiliates, partners, members, and employees (collectively "Representatives") in connection with such party's disclosure of Information to the other party and the term "Recipient" shall refer to either party hereto and any of its Representatives hereto in connection with such party's receipt of Information from the other party. Either party hereto shall cause any of its Representatives that receives Information to be bound by all terms of this Contract. Information may or may not be expressly identified as "confidential" at the time of its disclosure to the Recipient. Such identification shall not be a condition to the protection of Information hereunder.

B. Disclosure. The Recipient shall

- (1) Maintain the confidentiality of any Information disclosed;
- (2) Not disclose or permit the disclosure of any Information to any person other than those expressly described in this Contract;
- (3) Not use Information except for the limited purpose of the commercial relationship between the parties; and
- (4) Protect Information from disclosure or other misuse with the same degree of care as the Recipient uses to protect the Recipient's own most valuable confidential information (but in no case with any less than reasonable care).

The Recipient shall immediately notify the Disclosing Party of any disclosure of any Information which is not permitted by this Contract or other misuse of any Information or breach of this Contract. Unless otherwise expressly authorized in writing by the Disclosing Party, the Recipient shall, to the extent reasonably possible, but without limiting the Recipient in its use of Information as permitted herein, limit disclosure of Information to those employees and/or agents of Recipient for whom such knowledge is essential for the purposes set forth in this Contract ("Other Persons"), and limit the number of any copies made of physical materials containing any Information. The Recipient shall cause any Other Persons who receive Information from the Recipient to be bound by all terms of this Contract. Without limiting the direct liability of any Other Persons that may have received Information directly or indirectly from the Recipient, the Recipient shall be responsible for the disclosure or other misuse of Information by any Other Persons, and the Recipient shall immediately take such steps as may be necessary to terminate any continuing disclosure or misuse by any Other Persons of which Recipient becomes aware.

C. Exclusions. The obligations of this Contract shall not apply to, and "Information" shall not include, any information which the Recipient can prove:

- (1) Is in the public domain in a collected form on the date of disclosure by the Disclosing Party to the Recipient;
- (2) Comes into the public domain other than by direct or indirect disclosure by the Recipient or a party receiving the information from the Recipient;
- (3) Is lawfully obtained from the County under circumstances which allow the Recipient to freely disclose the information to any other party without confidentiality restrictions;
- (4) Is already known to the Recipient on the date of disclosure by the Disclosing Party to the Recipient other than as a result of disclosure from the County; or
- (5) Is developed independently by the Recipient without making use of any information received from the Disclosing Party.

- D. Release. In the event that the Recipient or any of its Representatives becomes legally compelled (or requested by an applicable regulatory body) to disclose any of the Information, the Recipient will provide the Disclosing Party with prompt written notice, unless providing such notice would violate applicable law or regulation, so that the Disclosing Party may seek, at its sole cost, a protective order or other appropriate remedy (and if the Disclosing Party seeks such an order, the Recipient will provide such cooperation as the Disclosing Party reasonably requests) and/or waive compliance with the provisions of this Contract. In the event that such a protective order or other remedy is not obtained, or if the Disclosing Party waives compliance with the provisions of this Contract, the Recipient will furnish only that portion of the Information which is legally required.

## **SECTION VI. OWNERSHIP**

- A. Documents. All documents created pursuant to this agreement shall be the property of the County upon approval and acceptance of such documents.
- B. Data. All data, documents and information provided to City by the County shall remain County property and shall be kept confidential in accordance with this Agreement. Upon termination of this Contract, unless expressly agreed to otherwise in writing, City shall return all County owned data, documents, and information.
- C. Ownership and Construction of Sewers.
- (1) The City owns and operates all City Sewers, as defined herein, within its municipal limits.
  - (2) The City shall be responsible for the construction, extension, or expansion of the City Sewers.
  - (3) Before the City constructs, extends, or expands any City Sewers, the plans shall be reviewed and approved by the City's Engineer. The County shall review the plans, if requested by the City, per the established rate structure. The parties agree that the design for such work will be in accordance with the Uniform Standards for Sewage Improvements dated December 2019 and the County Rules and Regulations dated December 2019, and as such standards, rules, and regulation may be hereafter amended.
  - (4) Except as otherwise provided herein, any construction, extension, or expansion of any sanitary and/or storm sewer main lines, catch basins, catch basin laterals, manholes, culverts, and storm water detention and retention basins shall be paid for, permitted, performed, and inspected by the City. The County shall inspect new work or construction, if requested by the City. The County shall invoice the City for the costs of such inspection in accordance with the established rate structure.

## **SECTION VII. MISCELLANEOUS**

- A. Notices. Wherever one party is required or permitted to give notice to the other pursuant to this Contract, such notice shall be deemed given when delivered by hand, via certified

mail with return receipt requested, via overnight courier with signature required, and addressed as follows:

In the case of the County:

Cuyahoga County Department of Public Works  
2079 East 9<sup>th</sup> Street  
Cleveland, Ohio 44115

With an electronic copy sent to:

[Law-ContractingProcurementRealEstate@cuyahogacounty.us](mailto:Law-ContractingProcurementRealEstate@cuyahogacounty.us)

In the case of City:

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

Either party may from time to time change its designated recipient or address for notification purposes by giving the other party written notice of the new designated recipient or address and the date upon which it will become effective.

- B. Waiver. No delay or omission by either party in the exercise of any right or power shall impair any such right or power or be construed to be a waiver thereof. A waiver by either of the parties of any of the covenants, conditions, or agreements to be performed by the other or any breach thereof shall not be construed to be a waiver of any succeeding breach thereof or of any other covenant, condition or agreement herein contained. No change, waiver or discharge hereof shall be valid unless in writing and signed by an authorized representative of the party against which such change, waiver, or discharge is sought to be enforced.
- C. Survival of Terms. Termination or expiration of this Contract for any reason shall not release either party from any liabilities or obligations set forth in this Contract which the parties have expressly agreed shall survive any such termination or expiration or remain to be performed or by their nature would be intended to be applicable following any such termination or expiration.
- D. Record Audit Retention. City agrees to make all pertinent contractual books and records and other documents pertaining to this Contract available to the County and its designated agents for purpose of audit and examination upon reasonable request during the Term of this Contract and for a period of two (2) years from the expiration date or final payment under this Contract, whichever is later; provided however, that should City be notified that an audit has been commenced pursuant to Ohio Revised Code Sec. 117.11 during said period, for which the aforesaid books and records are material, the aforesaid records shall be retained pending the completion of said audit.
- E. Governing Law and Jurisdiction. This Contract shall be governed by, and shall be construed and enforced in accordance with, the laws of the State of Ohio. The parties agree that the state and federal courts sitting in Ohio will have exclusive jurisdiction over any

claim arising out of this Contract, and each party consents to the exclusive jurisdiction of such courts. City hereby agrees not to challenge this Governing Law and Jurisdiction provision, and further agrees not to attempt to remove any legal action outside of Cuyahoga County for any reason. All contracts in which the County is a party, including this Contract, are subject to the Cuyahoga County Code including, but not limited to, chapters pertaining to the Cuyahoga County Ethics, Cuyahoga County Inspector General and Cuyahoga County Board of Control, Contracting and Purchasing, and the parties agree to comply with the County Code as an integral part of this Contract. The County Code is available on the County Council's web site at <http://council.cuyahogacounty.us/>.

- F. Assignment. City shall not assign, transfer, convey or otherwise dispose of this Contract, or its right to execute it, or its right, title or interest in or to it or any part thereof, or assign, by power of attorney or otherwise, any of the monies due or to become due under this Contract without approval of the County.
- G. Ethics Requirements. City agrees to remain in compliance with all County Ethics requirements including, as applicable, Vendor Ethics Registration, Vendor Ethics Training, and Registration of all Lobbyists retained by City shall consult the Cuyahoga County Office of Inspector General to ensure it is in full compliance with all County Ethics requirements. The Inspector General's website may be found at: <http://inspectorgeneral.cuyahogacounty.us/>
- H. Entire Agreement and Modification. This Contract, including any Exhibits and documents referred to in this Contract or attached hereto, each of which is incorporated herein, constitutes the entire and exclusive statement of the agreement between the parties with respect to its subject matter and there are no oral or written representations, understandings or agreements relating to this Contract which are not fully expressed herein. The parties agree that any other terms or conditions included in any quotes, acknowledgments, bills of lading or other forms utilized or exchanged by the parties shall not be incorporated herein or be binding unless expressly agreed upon in writing by authorized representatives of the parties. No modification, change or amendment hereof shall be valid unless such is in writing and signed by the authorized representative of the party against which such modification, change or amendment is sought to be enforced.
- I. Findings and Recovery. City represents and warrants that it is not subject to an "unresolved" finding for recovery under Ohio Revised Code Section 9.24. If this representation and warranty is deemed to be false, this Contract is void ab initio, and City must immediately repay to County any funds paid under this Contract and must make the County whole for any damages sustained by the County.
- J. Good Standing. City is in good standings and has the full legal authority to enter into this Contract and perform its obligations hereunder, and has all requisite power, corporate or otherwise, to conduct its business as presently conducted and will remain so qualified and in good standing during the Term of this Contract. Pursuant to 2 C.F.R. 200.213 and 2 C.F.R. Part 180, City certifies by signing this Agreement that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or

voluntarily excluded from participation in this transaction by any federal department or agency.

- K. Conflicts of Interest. City personnel may not acquire any personal interest that conflicts with City's responsibilities under this Contract. Additionally, City will not knowingly permit any public official or public employee who has any responsibilities related to this Contract to acquire an interest in anything or any entity under City's control, if such an interest would conflict with that official's or employee's duties. City will disclose to County knowledge of any such person who acquires an incompatible or conflicting personal interest related to this Contract. City will take all legal steps to ensure that such a person does not participate in any action affecting the work under this Contract, unless County has determined that, in the light of the personal interest disclosed, that person's participation in any such action would not be contrary to the public interest.
- L. Force Majeure. Neither Party shall be in default if its failure to perform any obligation hereunder is caused solely by a force majeure event, which is defined as a supervening condition beyond that Party's reasonable control, including, without limitation, an act of God, civil commotion, strike, labor dispute, or governmental demand or requirement. Any Party unable to perform due to force majeure shall notify the other Party as soon as practicable and shall take all actions necessary to void or otherwise mitigate the effects of the force majeure event. Any suspension of Services due to force majeure shall be of no greater scope or duration than is necessary. The County is relieved from any obligation to pay for any Services that are suspended as a result of the force majeure event.
- M. Severability. If any provision of this Contract is invalid or unenforceable, that provision will be changed and interpreted to accomplish the parties' objectives to the greatest extent possible under applicable law and the remaining provisions of this Contract will continue in full force and effect.
- N. Independent Contractor. It is fully understood and agreed that County an independent contractor and is not an agent, servant, or employee of the City with respect to all Services performed hereunder and agrees to and does hereby accept full and exclusive liability for payment of any and all contributions or taxes for social security, unemployment insurance, or old age retirement benefits, pensions, or annuities now or hereafter imposed under any local, state or federal law which are measured by the wages, salaries, or other remuneration paid to persons employed by City for work performed under the terms of this contract. The County declares that it is engaged as an independent business and has complied with all applicable federal, state, and local laws regarding business permits and licenses of any kind, including but not limited to any insurance coverage, workers' compensation, or unemployment compensation that is required in the normal course of business and will indemnify and save harmless Cuyahoga County from such contributions or taxes or liabilities.
- O. Headings. The section headings appearing in this Contract are inserted only as a matter of convenience and in no way define, limit, or describe the scope or extent of such section.

- P. Equal Employment Opportunity. City will comply with all state and federal laws regarding equal employment opportunity and fair labor and employment practices, including ORC Section 125.111 and all related Executive Orders.
- Q. Drug-Free Workplace. City must comply with all applicable state and federal laws regarding keeping a drug-free workplace. City must make a good faith effort to ensure that all its employees, while working on County property, will not have or be under the influence of illegal drugs or alcohol or abuse prescription drugs in any way.
- R. Counterparts. This Contract may be executed in separate original or facsimile counterparts, each of which shall be deemed an original, and all of which shall be deemed one and the same instrument.
- S. Anti-Discrimination. City agrees that in its employment of labor, skilled or unskilled, there shall be no discrimination exercised against any person because of race, color, religion, national origin, sex, gender, ancestry, age, disability, sexual orientation, sexual identity, genetic information, military status, or veteran status, and a violation of this term shall be deemed a material breach of this Contract. It shall be the policy of City to provide equal opportunity to all businesspersons seeking to contact, or otherwise interested in contracting with City, including various eligible Small Business Enterprises, but that such a policy does not create an obligation on the part of City to enter into any particular agreements.
- T. Public Records Law. Notwithstanding any provision of this Contract to the contrary, City acknowledges that the County is subject to the Ohio Public Records Act (O.R.C. 149.43). If the County receives a request to disclose any information defined as “Confidential Information” or labeled as such by City, the County will promptly provide notice of the request for information so that City may avail itself of any opportunities to establish reasons why the information should be withheld prior to disclosing such Confidential Information. The burden of establishing the applicability of exceptions to disclosure of information under the Ohio Public Records Act law resides with City.
- U. No Apparent Authority/Proper Approvals. City recognizes and agrees that no public official or employee of the County may be deemed to have apparent authority to bind the County to any contractual obligations not properly authorized pursuant to the County Code.
- V. Execution by Other Entities. The County of Cuyahoga, Ohio and any agency, board, department, municipality, public or private educational system and any other public entity or organization affiliated with Cuyahoga County including, without limitation, law enforcement and first responders may enter into a contract with City for the services set forth in this Contract upon the same terms and conditions as are set forth herein including, without limitation, price. Any such arrangement shall be documented in a separate agreement to be executed by City and such entity.
- W. Annual Appropriations. All of the County’s obligations under the Contract are contingent upon the County Council’s appropriating the funds on an annual basis necessary for the continuation of this Contract in any contract year. In the event the funds necessary for the continuation of this Contract are not appropriated or approved, the County will notify City

of such occurrence in writing. This Contract shall thereafter terminate and be rendered null and void on the last day of the last fiscal period for which appropriations were made. Such termination is made pursuant to and in accordance with the terms of this Contract and shall not be considered to be a breach or default on the part of the County.

#### **SECTION VIII. ELECTRONIC SIGNATURE**

**CITY AGREES ON BEHALF OF THE SUBMITTING BUSINESS ENTITY, ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, SUBGRANTEES, AGENTS OR ASSIGNS, THAT ALL CONTRACT DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. CITY ALSO AGREES ON BEHALF OF THE AFOREMENTIONED ENTITY AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.**

(Signature Page to Follow)

IN WITNESS WHEREOF, the County and City have executed this Contract effective as of the Effective Date.

**CUYAHOGA COUNTY, OHIO**

**BY:** \_\_\_\_\_  
**Chris Ronayne, County Executive**  
**or designee pursuant to Executive Orders**  
**No. EO2023-0003, dated July 6, 2023**

And

**CITY OF CLEVELAND HEIGHTS**

**BY:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

The legal form and correctness  
of this Contract is hereby approved:  
Law Department, County of Cuyahoga, Ohio  
Heather Holt, Assistant Law Director  
Richard D. Manoloff, Director of Law



## Exhibit A

### ----- 2026 HOURLY RATES

|                                                             | <b>2026<br/>RATE</b> |
|-------------------------------------------------------------|----------------------|
| 100 ADMINISTRATIVE                                          | <b>70.00</b>         |
| 120 ENGINEERING - GENERAL SANITARY                          | <b>130.00</b>        |
| 124 ENGINEERING - GENERAL STORM                             | <b>130.00</b>        |
| 200 TV INSPECTION - SANITARY SEWERS                         | <b>330.00</b>        |
| 201 TV INSPECTION - STORM SEWERS                            | <b>330.00</b>        |
| 222 JETTING -HOUSE LATERALS                                 | <b>330.00</b>        |
| 223 JETTING CATCH BASINS                                    | <b>290.00</b>        |
| 225 JETTING - PS/WWTP: TANKS/WELLS                          | <b>330.00</b>        |
| 226 JETTING & VAC SAN                                       | <b>330.00</b>        |
| 227 JETTING & VAC STORM                                     | <b>330.00</b>        |
| 228 JETTING - OTHER                                         | <b>330.00</b>        |
| 300 HOUSE LATERAL MAINTENANCE/LATERAL T.V.                  | <b>300.00</b>        |
| 400 I/I - METERING, SMOKE, DYE, MANHOLE                     | <b>280.00</b>        |
| 404 I/I - OTHER/ OUPS                                       | <b>170.00</b>        |
| 406 I/I - METERING MONTHLY RATE - EQUIPMENT                 | <b>170.00</b>        |
| 500 CONSTRUCTION/REPAIR - SANITARY MAIN                     | <b>430.00</b>        |
| 501 CONSTRUCTION/REPAIR - STORM MAIN                        | <b>430.00</b>        |
| 502 CONSTRUCTION/REPAIR/LOCATE - SANITARY LATERAL, M.H, C.B | <b>430.00</b>        |
| 503 CONSTRUCTION/REPAIR/LOCATE - STORM LATERAL, M.H., C.B.  | <b>430.00</b>        |
| 511 CONSTRUCTION/REPAIR - LANDSCAPING                       | <b>430.00</b>        |
| 512 CONSTRUCTION REPAIR - OTHER                             | <b>430.00</b>        |
| 513 CONSTRUCTION REPAIR - PUMPING ACTIVITIES                | <b>430.00</b>        |
| 514 CONSTRUCTION REPAIR - FORCE MAIN                        | <b>430.00</b>        |
| 700 PS - O&M (1-MAN CREW)                                   | <b>170.00</b>        |
| 702 PS - O&M (2-MAN CREW)                                   | <b>240.00</b>        |
| 800 WWTP - O&M (1 MAN CREW)                                 | <b>170.00</b>        |
| 802 WWTP - O&M (2 MAN CREW)                                 | <b>240.00</b>        |
| 900 PERMITS/RECORDS                                         | <b>80.00</b>         |
| 901 INSPECTION - GENERAL                                    | <b>80.00</b>         |
| 902 INSPECTION - PRIVATE/COMMERCIAL                         | <b>80.00</b>         |
| 903 INSPECTION - HOUSE/V-MEASUREMENTS                       | <b>80.00</b>         |
| 906 INSPECTION - MAIN LINE CONSTRUCTION                     | <b>80.00</b>         |
| STREET SWEEPING - CITY DISPOSAL                             | <b>220.00</b>        |
| STREET SWEEPING - COUNTY DISPOSAL                           | <b>330.00</b>        |
| MATERIAL LUMP SUM - CONSTRUCTION EXTRA ITEMS                | <b>COST</b>          |

**FIRST AMENDMENT**  
**to**  
**2025 DIRECT BILL CONTRACT**  
**by and between**  
**COUNTY OF CUYAHOGA, OHIO**  
**and**  
**CITY OF CLEVELAND HEIGHTS, OHIO**

This **FIRST AMENDMENT** (“Amendment”) made this date upon which this Amendment is fully executed by both Parties (“Effective Date”) by and between the County of Cuyahoga, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the Effective Date hereof, (the “County”) and the City of Cleveland Heights (the “City”), a municipal organization, having a principal place of business at 40 Severance Circle, Cleveland Heights, Ohio 44118 pursuant to the authority of Resolution No. \_\_\_\_\_ passed by City Council on \_\_\_\_\_.

**WHEREAS**, the County and the City entered into a ***Direct Bill Contract for sanitary and storm sewer maintenance services*** on January 1, 2025 (hereinafter referred to as the “Contract”) for a one (1) year term, through December 31, 2025, and for an amount not-to-exceed \$600,000.00; and

**WHEREAS**, the Parties now desire to amend the Original Contract by entering into this First Amendment the Original Contract.

**NOW, THEREFORE**, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Original Contract is amended as follows:

1. This Amendment amends the Original Contract and, except as specifically amended hereby, the Original Contract shall remain in full force and effect. The Original Contract, together with this Amendment are herein collectively referred to as the “Contract.” In the event of a conflict between this Amendment and the Original Contract, as amended, the terms of this Amendment will prevail.
2. Exhibit A of the Original Contract is removed in its entirety and replaced with the updated ***2026 Hourly Sanitary Rates***, as outlined in **Exhibit A (2025)**, attached hereto and incorporated herein.
3. Section 1(B) of the Original Contract is amended ***to extend the Term through December 31, 2026.***
4. Section 1(C) of the Original Contract is amended to ***increase the total not-to-exceed amount by \$600,000.00 for a new total not-to-exceed amount of \$1,200,000.00.***

5. Section 1(C)(1) is removed in its entirety and replaced with the following:

“In consideration for providing the Core Services, including performing preliminary field investigations and cost estimates, the City shall pay the County according to the rate structure set forth in the Hourly Rate Schedule, attached hereto and incorporated in this Amendment as Exhibit A. The City agrees that the Hourly Rate Schedule applies only to Core Services performed by employees of the County. All other Core Services performed by parties other than employees of the County will be billed for actual documented costs incurred plus a 5% administrative/overhead fee (not-to-exceed \$5,000.00 per invoice), attributable to the performance of these services.”

ELECTRONIC SIGNATURE

**CITY AGREES ON BEHALF OF THE SUBMITTING BUSINESS ENTITY, ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, SUBGRANTEES, AGENTS OR ASSIGNS, THAT ALL AMENDMENT DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. CITY ALSO AGREES ON BEHALF OF THE AFOREMENTIONED ENTITY AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.**

(Signature Page to Follow)

**IN WITNESS WHEREOF**, the County and City have executed this Amendment effective as of the Effective Date.

**CUYAHOGA COUNTY, OHIO**

**BY:** \_\_\_\_\_  
**Chris Ronayne, County Executive**  
**or designee pursuant to Executive Orders**  
**No. EO2023-0003, dated July 6, 2023**

And

**CITY OF CLEVELAND HEIGHTS**

**BY:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

The legal form and correctness  
of this Contract is hereby approved:  
Law Department, County of Cuyahoga, Ohio  
Heather Holt, Assistant Law Director  
Richard D. Manoloff, Director of Law



## Exhibit A (2025)

### ----- 2026 HOURLY RATES

|                                                             | <b>2026<br/>RATE</b> |
|-------------------------------------------------------------|----------------------|
| 100 ADMINISTRATIVE                                          | <b>70.00</b>         |
| 120 ENGINEERING - GENERAL SANITARY                          | <b>130.00</b>        |
| 124 ENGINEERING - GENERAL STORM                             | <b>130.00</b>        |
| 200 TV INSPECTION - SANITARY SEWERS                         | <b>330.00</b>        |
| 201 TV INSPECTION - STORM SEWERS                            | <b>330.00</b>        |
| 222 JETTING -HOUSE LATERALS                                 | <b>330.00</b>        |
| 223 JETTING CATCH BASINS                                    | <b>290.00</b>        |
| 225 JETTING - PS/WWTP: TANKS/WELLS                          | <b>330.00</b>        |
| 226 JETTING & VAC SAN                                       | <b>330.00</b>        |
| 227 JETTING & VAC STORM                                     | <b>330.00</b>        |
| 228 JETTING - OTHER                                         | <b>330.00</b>        |
| 300 HOUSE LATERAL MAINTENANCE/LATERAL T.V.                  | <b>300.00</b>        |
| 400 I/I - METERING, SMOKE, DYE, MANHOLE                     | <b>280.00</b>        |
| 404 I/I - OTHER/ OUPS                                       | <b>170.00</b>        |
| 406 I/I - METERING MONTHLY RATE - EQUIPMENT                 | <b>170.00</b>        |
| 500 CONSTRUCTION/REPAIR - SANITARY MAIN                     | <b>430.00</b>        |
| 501 CONSTRUCTION/REPAIR - STORM MAIN                        | <b>430.00</b>        |
| 502 CONSTRUCTION/REPAIR/LOCATE - SANITARY LATERAL, M.H, C.B | <b>430.00</b>        |
| 503 CONSTRUCTION/REPAIR/LOCATE - STORM LATERAL, M.H., C.B.  | <b>430.00</b>        |
| 511 CONSTRUCTION/REPAIR - LANDSCAPING                       | <b>430.00</b>        |
| 512 CONSTRUCTION REPAIR - OTHER                             | <b>430.00</b>        |
| 513 CONSTRUCTION REPAIR - PUMPING ACTIVITIES                | <b>430.00</b>        |
| 514 CONSTRUCTION REPAIR - FORCE MAIN                        | <b>430.00</b>        |
| 700 PS - O&M (1-MAN CREW)                                   | <b>170.00</b>        |
| 702 PS - O&M (2-MAN CREW)                                   | <b>240.00</b>        |
| 800 WWTP - O&M (1 MAN CREW)                                 | <b>170.00</b>        |
| 802 WWTP - O&M (2 MAN CREW)                                 | <b>240.00</b>        |
| 900 PERMITS/RECORDS                                         | <b>80.00</b>         |
| 901 INSPECTION - GENERAL                                    | <b>80.00</b>         |
| 902 INSPECTION - PRIVATE/COMMERCIAL                         | <b>80.00</b>         |
| 903 INSPECTION - HOUSE/V-MEASUREMENTS                       | <b>80.00</b>         |
| 906 INSPECTION - MAIN LINE CONSTRUCTION                     | <b>80.00</b>         |
| STREET SWEEPING - CITY DISPOSAL                             | <b>220.00</b>        |
| STREET SWEEPING - COUNTY DISPOSAL                           | <b>330.00</b>        |
| MATERIAL LUMP SUM - CONSTRUCTION EXTRA ITEMS                | <b>COST</b>          |

Proposed: 12/01/2025

RESOLUTION NO. 248-2025(F), *First Reading*

By Mayor Cuda

A Resolution authorizing and ratifying an amendment to the consulting contract between the City of Cleveland Heights and AISLINN Consulting, LLC for municipal financial services; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, on or about October 8, 2025, the City of Cleveland Heights and AISLINN Consulting, LLC entered into a Consulting Agreement (the "Agreement") for the provision of certain municipal financial services for an amount not to exceed Forty-Five Thousand Dollars (\$45,000.00) ("NTE Amount"), to consist of up to 25 hours per week in consulting assistance to the City and the Finance Department, with an end date of December 31, 2025; and

WHEREAS, the City has recognized a need for more municipal financial consulting services than are currently provided for under the Agreement; and

WHEREAS, the City and AISLINN Consulting, LLC on or about November 21, 2025 executed an amendment the Agreement to provide for up to 40 hours per week of services and to modify the NTE amount to Sixty Thousand Dollars (\$60,000.00), necessitating Council approval.

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

SECTION 1. The execution by the Mayor of the amendment to the Agreement to provide for the provision of services up to 40 hours per week and a not-to-exceed amount of Sixty Thousand Dollars (\$60,000.00), inclusive of the amounts provided for under the original Agreement, with all other terms and conditions of the Agreement unchanged, is hereby approved and ratified.

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. 248-2025(F)

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 ensure the availability of sufficient professional municipal financial services to close out the financial activities of 2025 and prepare for 2026 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 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

**AMENDMENT  
TO THE  
CONTRACTURAL AGREEMENT  
FOR  
PROFESSIONAL FINANCIAL SERVICES**

This document amends Article 4 of the current Contractual Agreement (the "Agreement") entered into by and between the City of Cleveland Heights, Ohio ("City") an Ohio municipal corporation and AISLINN CONSULTING, LLC, (the "Consultant"), an Ohio limited liability company.

Article 4 **Compensation** is hereby amended by the mutual agreement of both parties to read as follows:

**Article 4. Compensation**

Payments for Services as authorized in Article 1 Scope\_of Services shall be provided on an hourly rate basis at the rate of One Hundred and Sixty dollars (\$160.00) per hour not to exceed a total of Sixty Thousand Dollars (\$60,000). The hours worked each week are anticipated to be no more than 40 hours.

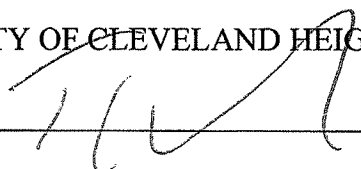
Consultant shall submit a monthly request for payment in writing to the City for approval. Any request for payment shall include a description of the Work completed. Invoices shall provide the date(s) Services were rendered; a description of the particular Services provided; and the time expended in providing that Service. Payment of such invoice shall be due within 30 days of receipt.

Consultant agrees that it is solely responsible for all income and/or other tax obligations, if any, including but not limited to all reporting and payment obligations, which may arise as a consequence of any payment by the City to the Consultant pursuant to this Agreement. Approval by the City of Services rendered under this Agreement shall constitute acknowledgement of performance only, and shall not relieve or excuse Consultant from responsibility for any errors or omissions, and no fee or compensation will be paid to Consultant for its cost of correcting or reperforming any Services required on account of its own errors or omissions.

All other terms and conditions of the Agreement to remain unchanged.

IN WITNESS WHEREOF, the City and Consultant on this have signed this Agreement in two (2) original counterparts.

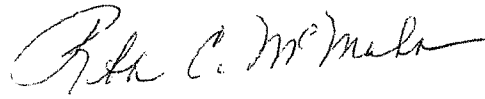
CITY OF CLEVELAND HEIGHTS

  
\_\_\_\_\_  
TONY CUDÁ

its: Mayor

Date: 11/21/25

AISLINN CONSULTING LLC



by: RITA C. MCMAHON

its: Managing Member

Date: 11/19/25

## **CONSULTANT AGREEMENT**

This Consultant Agreement (the "Agreement") is made and entered into by and between the City of Cleveland Heights, Ohio ("City") an Ohio municipal corporation and AISLINN Consulting, LLC, (the "Consultant"), an Ohio limited liability company having a business address for purposes hereof at 3339 Buckhaven Drive, Richfield, Ohio 44286.

**WHEREAS**, the City desires to engage the services of the consultant to provide certain financial assistance and services to the City in accordance with the terms and conditions set forth herein;

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants and promises herein contained, the sufficiency of which are acknowledged by the parties hereto, the City and Consultant hereby agree as follows:

### **Article 1.     Scope of Services.**

Consultant shall provide the following professional financial services ("Services") to the City Services shall include:

1. Provide guidance and assistance in the resolutions of financial issues, interpret and resolve problems identified by the City Administrator.
2. Assist with the design, development, and preparation of financial statements.
3. Assist with maintaining and preparing annual budget, including assisting preparing budgetary documents so the City is in compliance with the Ohio Revised Code and City Ordinances.
4. Assist with the City's Capital Improvement Plan and verifying the City's procedures are followed.
5. Assist with audits of the City's departments, functions, programs, or activities.
6. Assist with the local, state and federal audits that the City is required to undergo.
7. Assist with reports requested by City Council as directed by the City Administrator.
8. Consultant shall provide all work product, status reports, and updates to, and in the manner requested by, the City upon request, provided that the means and methods of doing so shall be determined by Consultant.
9. All records, documents, papers, and other materials prepared by Consultant in performance of the Services shall become and remain the property of the City.

Services shall NOT include:

1. Having access to any of the City's bank accounts or investments.
2. Performing any transactions at any of the City's banks.
3. Giving final approval on cutting checks, purchase orders, contracts, raises, or investments.
4. Preparing, processing payroll or filing any payroll reports with federal, state, or local agencies.
5. Receiving any cash or making deposits in the City bank accounts.

6. Paying invoices or cutting checks.
7. The holding of any supervisory position.

## **Article 2. Independent Contractor Relationship.**

The relationship created by this Agreement is that of a consultant working as an Independent Contractor. All services shall be performed only by the Consultant. Under no circumstances shall Consultant look to the City as its employer, or as a partner, agent or principal. Nothing contained herein or any document executed by the parties shall be deemed or construed by the parties or by any third party as creating the relationship of principal and agent, employer, employee, joint enterprise or undertaking, partnership, fiduciary relationship, confidential relationship or special relationship. Consultant shall only represent itself to be and shall only be considered to be by the parties or any third party, an independent contractor of the City. Consultant shall render all Services in accordance with all applicable laws and professional standards and that duty of care customary for the field generally associated with each Service.

The manner and means of conducting the work are under the sole control and discretion of the Consultant. Consultant shall act under the direction of the City Administrator.

## **Article 3 Term.**

The work for which the services under this Agreement shall be performed commencing October 8, 2025 through December 31, 2025. This Agreement may be cancelled by the City at any time upon written notice of its intent to cancel, and by Consultant upon 14 days' written notice; provided, however, that in any event of cancellation Consultant shall be paid for work performed prior to the date of cancellation, subject to the provisions of Article 4.

## **Article 4. Compensation**

Payments for Services as authorized in Article 1. Scope of Services shall be provided on an hourly rate basis at the rate of One Hundred and Sixty Dollars (\$160.00) per hour, not to exceed a total of \$45,000. The hours worked each week are anticipated to be no more than a total of 25 hours.

Consultant shall submit a monthly request for payment in writing to the City for approval. Any request for payment shall include a description of the Work completed. Invoices shall provide the date(s) Services were rendered; a description of the particular Services provided; and the time expended in providing that Service. Payment of such invoice shall be due within 30 days of receipt.

Consultant agrees that it is solely responsible for all income and/or other tax obligations, if any, including but not limited to all reporting and payment obligations, which may arise as a consequence of any payment by the City to the Consultant pursuant to this Agreement. Approval by the City of Services rendered under this Agreement shall constitute acknowledgement of performance only, and shall not relieve or excuse Consultant from responsibility for any errors or omissions, and no fee or compensation will be paid to Consultant for its cost of correcting or reperforming any Services required on account of its own errors or omissions.

## **Article 5. Subcontracting**

Consultant may not assign, transfer, convey, sell or pledge its rights or interest in this Agreement or any part of this Agreement, or any right or privilege created under this Agreement, nor shall any subconsultant commence performance of any part of the services included in this Agreement, without the prior written consent of the City. No such assignment or subcontract shall relieve Consultant of any of its obligations under this Agreement.

## **Article 6. Parties Bound**

The City and Consultant each bind themselves and their respective successors, assigns, and legal representatives, in respect to all covenants, agreements, and obligations contained in this Agreement.

## **Article 7. Notices**

All notices or communications concerning this Agreement shall be in writing and delivered to the following;

### **To the City:**

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

### **To the Consultant:**

AISLINN Consulting, LLC  
3339 Buckhaven Drive  
Richfield, Ohio 44286

Unless otherwise specified herein, any notice required or permitted by this Agreement, shall be in writing and shall be deemed sufficient upon receipt, when delivered personally or by courier, or overnight delivery service, or confirmed facsimile, or seventy-two (72) hours after being deposited in the regular mail or certified or registered mail (air mail if sent internationally) with postage prepaid, if such notice is addressed to the party to be notified at such party's address or facsimile number as set forth below, or as subsequently modified by written notice.

## **Article 8. Legal Construction**

In the event that one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof, and this Agreement shall be construed as is the invalid, illegal, or unenforceable provision had never been contained herein.

**Article 9. Entire Agreement; Amendments**

This Agreement constitutes the entire Agreement between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous understanding, negotiations, discussions, communications and agreements (whether written or oral) between the parties. This Agreement may not be amended, supplemented, or modified unless such amendment, supplement, or modification is in writing and signed by all parties.

**Article 10. Governing Law; Venue**

This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio and the Ordinances of the City of Cleveland Heights without reference to any conflict of laws principles that would require the application of the laws of any other jurisdiction. The City and Consultant irrevocably consent to personal jurisdiction of the Cuyahoga County Common Pleas Court, Cleveland, Ohio, for any suit or action arising from or related to this Agreement, and hereby waive any right the City and Consultant may have to object to venue in such Courts.

**Article 11. Headings.**

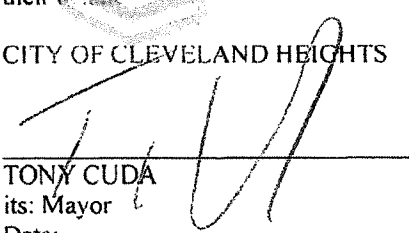
The headings used in this Agreement are for convenience of reference only and are not intended to be part of or to affect the meaning or interpretation of this Agreement.

**Article 12. Counterparts**

This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed to be a part of the Agreement and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the City and Consultant have signed this Agreement in two (2) original counterparts. All portions of the Agreement and documents associated with it have been signed by the City and Consultant or by its, his or her duly authorized agent or representative on their behalf.

CITY OF CLEVELAND HEIGHTS

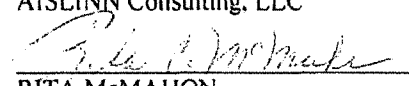
  
\_\_\_\_\_  
TONY CUDAS

its: Mayor

Date: \_\_\_\_\_

CONSULTANT:

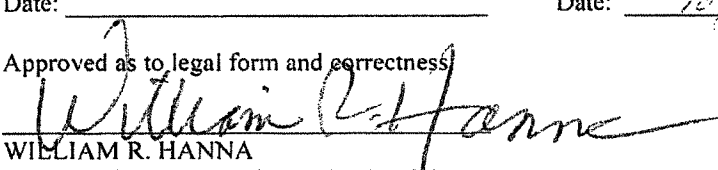
AISSLIN Consulting, LLC

  
\_\_\_\_\_  
RITA McMAHON

its: Managing Member

Date: 10/10/25

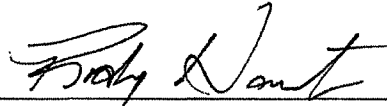
Approved as to legal form and correctness:

  
\_\_\_\_\_  
WILLIAM R. HANNA

Director of Law, City of Cleveland Heights

**CERTIFICATION REGARDING THE AVAILABILITY OF FUNDS**

I, Rodney G. Hairston, Director of Finance and Auditor of the City of Cleveland Heights, Ohio hereby certify that the ~~Fifty~~ <sup>Fifty Five</sup> Thousand and 00/100 Dollars (~~\$50,000.00~~ <sup>\$45,000</sup>) authorized for expenditure under this Agreement with AISLINN Consulting, LLC, has been lawfully appropriated for the purpose of this Agreement and is in the treasury of the City of Cleveland Heights, Ohio or is in the process of collection to the credit of the appropriate fund, free from prior encumbrance. This certification is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44. WGH  
10/8/25



Rodney G. Hairston  
Director of Finance/Auditor

Date

10/8/25

# AISLINN CONSULTING, LLC

October 7, 2025

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

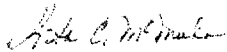
RE: Subcontracting of Aislinn Consulting LLC Agreement

Dear Sir:

Aislinn Consulting intends to enter into a consulting agreement with the City of Cleveland Heights to provide professional financial services. Under the proposed terms of the contract Aislinn Consulting will subcontract said consulting agreement to Mr. Andy Unetic. Mr. Unetic will perform all services identified by the contract and will be the primary contact for its implementation.

Please acknowledge your acceptance of this subcontractor per Article 5 of the proposed Consulting Agreement by signing below and returning a copy of this letter to Aislinn Consulting LLC.

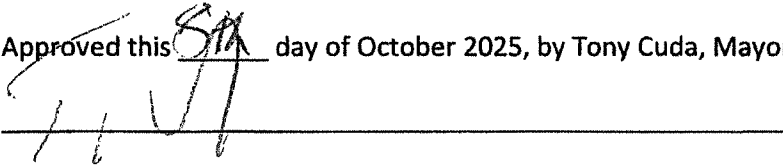
Sincerely,



Rita C. McMahon  
Managing Member

Approval of Subconsultant by City of Cleveland Heights.

Approved this 5th day of October 2025, by Tony Cuda, Mayor



Proposed: 12/01/2025

RESOLUTION NO. 249-2025(MSES), *First Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Northeast Ohio Regional Sewer District (“NEORSD”) has been established as a regional governmental entity mandated to operate and maintain a regional stormwater system, which includes the area encompassing Cleveland Heights; and

WHEREAS, NEORSD manages a financial account known as the Community Cost-Share Account for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee to assist cities with District-approved projects through the Community Cost-Share Program; and

WHEREAS, Community Cost-Share Program funds are used for construction, operation, and maintenance of the Local and Regional Stormwater Systems, including administrative costs directly associated with such projects as well as costs related to repairs or upgrades; and

WHEREAS, NEORSD has approved the City’s application for \$569,446.11 in Community Cost-Share Funds for the purchase of a Super Products Camel Max Series sewer cleaning combo truck; and

WHEREAS, this Council has determined that participation in the NEORSD Community Cost Share Program is in the best interests of the City and its residents.

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

SECTION 1. The Mayor be, and she is hereby, authorized to enter into a Community Cost-Share Agreement with NEORSD to accept the funds necessary for the purchase of the sewer cleaning combo truck described herein. The Mayor additionally is authorized to enter into any and all related agreements necessary to complete the purchase of the same.

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

RESOLUTION NO. 249-2025(MSES)

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 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 to the need to participate in the Community Share Program as soon as possible. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

Proposed: 12/01/2025

RESOLUTION NO. 250-2025(COTW), *First Reading*

By President Larson

A Resolution expressing appreciation to Len Horowitz for his many years of outstanding service to the City and its residents; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Len Horowitz has been a devoted and active member of the Cleveland Heights community for more than fifty years, demonstrating extraordinary dedication and commitment to the values and vitality of this city; and

WHEREAS, throughout his decades of public service, Len has contributed immeasurably to the betterment of Cleveland Heights in a wide variety of roles, including as a small business owner, community advocate, City Councilmember, committee chair, and Planning Commissioner; and

WHEREAS, Len helped shape Cleveland Heights through his leadership and engagement, from founding two local businesses, to serving on the Community Improvement Awards Committee, chairing the Local Development Corporation, co-chairing the Recreation Bond Levy Campaign, serving as a member of City Council, and most recently, as a valued member of the Planning Commission; and

WHEREAS, for the past twenty-six years, Len has been a steady and trusted presence on the Planning Commission, offering not only his extensive knowledge of planning and development matters but also the historical context and practical wisdom that come only from decades of civic experience; and

WHEREAS, his colleagues on the Planning Commission have benefitted greatly from his quiet confidence, thoughtful analysis, and deep institutional memory—attributes that have ensured the Commission’s deliberations were thoughtful, balanced, and well-informed; and

WHEREAS, Len has served as both mentor and partner to his fellow Commissioners, always taking time to share insights, explain complex zoning details, and ensure that all voices were heard; and

WHEREAS, Len’s volunteerism with local organizations, including literacy and education initiatives, demonstrates his enduring desire to help others learn, grow, and thrive—quietly observing, assisting, and improving the world around him; and

WHEREAS, his tireless efforts and steadfast belief in this community have made him a Cleveland Heights treasure, an example of selfless public service, and a role model for future generations of civic leaders.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that this Council hereby expresses its deepest gratitude and sincere appreciation to Len Horowitz for his more than fifty years of exemplary service, dedication, and love for the City of Cleveland Heights.

SECTION 1. The Council extends its best wishes to Len for happiness, health, and fulfillment in this next chapter of life, knowing that his legacy of thoughtful leadership and community spirit will continue to guide this city for years to come; and

SECTION 2. A copy of this Resolution shall be presented to Len Horowitz as a token of the City's appreciation and admiration for his remarkable contributions to Cleveland Heights.

SECTION 3. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

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

SECTION 5. 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 recognize Len Horowitz prior to him stepping down from his position on the Planning Commission. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

RESOLUTION NO. 250-2025(COTW)

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

\_\_\_\_\_  
TONY CUDA  
Mayor



Date: 11/26/2025

To: City Council

From: City Administrator, Sharon Dumas

CC: Mayor Cuda, Interim Finance Director Rachun Caldwell

Subject: Resolution Requesting the County to Advance 2025 Property Tax Funds Collected by the County in 2026

---

**Introduction:** Pursuant to ORC 321.34, Council each year adopts a resolution to request the County Fiscal Office to make periodic advance payments to the City of property taxes, as the taxes are collected by the County. Without this request, the County would remit the tax revenue only twice a year. Requesting the advances provides the City with multiple payments spread throughout the year and improves the City's cash flow by providing quicker access to property tax revenue.

**Discussion:** Each year, the ORC and County Fiscal Office require the City to adopt a resolution to request to participate in the County Fiscal Office tax advance program for the following year. Under this program, the County Fiscal Officer will make periodic advances of the property taxes collected on the City's behalf. Usually, the City would receive five periodic distributions under this program; absent the request, the County holds all of the City's funds until final settlement, so the City receives only two lump-sum distributions a year. This resolution is presented to Council annually for approval.

**Timing of Advances:** The Tax Advance Schedule from the Budget Commission typically occurs as indicated below:

- First Half Advance #1 Deposit Date: January
- First Half Advance #2 Deposit Date: February
- First Half Settlement Deposit Date: March
- Second Half Advance #1 Deposit Date: July
- Second Half Settlement Deposit Date: August

**Summary:** The Administration requests that Council adopt the proposed resolution on first reading as an emergency so the resolution and request can be sent to the County Fiscal Office at the earliest possible time.

**Is this legislation recurring:** Yes:   X   No:           

**Is emergency language necessary:** Yes:   X   No:           

**If yes, why?** So the request can be sent to the County Fiscal Office at the earliest possible time.

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

**If yes, why?** So the request can be sent to the County Fiscal Office at the earliest possible time.

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

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

Proposed: 12/01/2025

RESOLUTION NO. 251-2025(F), *First Reading*

By Mayor Cuda

A Resolution requesting the County Fiscal Officer to advance taxes from the proceeds of the 2025 tax year collection pursuant to Section 321.34 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

SECTION 1. The County Fiscal Officer be, and is hereby, authorized and directed to pay to the Director of Finance of the City of Cleveland Heights, Ohio, all monies now in the hands, and that may hereafter come into the hands, of the County Fiscal Officer which are payable to the City of Cleveland Heights from the proceeds of the 2025 tax year collection including, without limitation, revenues from personal property taxes, real property taxes, and special assessments.

SECTION 2. The Director of Finance is hereby authorized and directed to furnish a copy of this Resolution to the County Fiscal Officer.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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

SECTION 5. 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 to enable the City to meet its fiscal obligations and to preserve the 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 Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 251-2025(F)

---

GAIL L. LARSON  
President of the Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved by Mayor: \_\_\_\_\_

---

TONY CUDA  
Mayor



## **Memorandum**

Date: 11/20/25

To: Legislative Review Team

From: Justin Hines

Subject: County BoH Agreement

---

### **Purpose Statement:**

To authorize the renewal of the agreement with the Cuyahoga County Board of Health-General Health District for the provision of public health services to the City.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☒ No: ☐

If yes, why?

Legislation needs to be approved by County deadline of 12/31/2025.

Is passage on first reading necessary: Yes: ☐ No: ☒

If yes, why?

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

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

Proposed: 12/01/25

ORDINANCE NO. 252-2025(PSH), *First Reading*

By Mayor Cuda

An Ordinance authorizing the renewal of an agreement with the Cuyahoga County General Health District for the provision of public health services to the City and its residents; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ohio Revised Code Section 3709.08 authorizes cities to enter into contracts with general health districts for public health services; and

WHEREAS, this Council has authorized such agreements with the Cuyahoga County General Health District for such health services in previous years; and

WHEREAS, it is in the best interest of the City and its residents to renew this agreement for the calendar years 2026 and 2027.

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

SECTION 1. The Mayor be, and he is hereby, authorized to enter into any and all agreements, and to execute any related documents, with the Cuyahoga County General Health District (hereafter the "District") for the provision of certain public health services to the City and its residents which are required to be provided under State law including, without limitation, school health services, community health services, family health services, and environmental health and sanitation services. The agreement shall be for a period of two years, commencing January 1, 2026. The fee for the mandated services shall not exceed the sum of Four Hundred Five Thousand Nine Hundred Ninety Dollars (\$405,996.00) for calendar year 2026 and Three Hundred Sixty-two Thousand Four Hundred Ninety-six Dollars (\$454,932.00) for calendar year 2027. The agreement and any related documents shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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

ORDINANCE NO. 252-2025(PSH)

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 to meet County deadlines and continue providing residents essential health services without interruption. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

## **PUBLIC HEALTH SERVICES AGREEMENT**

(City with a General Health District - Authority--Sec. 3709.08 O.R.C.)

This Agreement is entered into on the **1<sup>st</sup> day of January, 2026** ("Effective Date") by and between the **Cuyahoga County Board of Health** (the "Board"), a separate political subdivision of the State of Ohio organized under the Constitution and Laws of the State of Ohio, and the **City of Cleveland Heights**, a political subdivision, with its principal office located at 40 Severance Circle Cleveland Heights, Ohio 44118 (the "City"), for and in consideration of the promises, covenants, and conditions hereinafter set forth.

WHEREAS, Cuyahoga County Board of Health is a general health district as defined under Ohio Revised Code (ORC) Section 3709.01 and is endowed with all of the statutory and other authority granted to it by reason of the Ohio Statutes as amended from time to time by the State Legislature; and

WHEREAS, the City has continued to have a city public health district as required by Ohio law; and

WHEREAS, pursuant to ORC Section 3709.01, each city in the State constitutes a health district and each county is a "general health district," and as provided for in ORC Sections 3709.051, 3709.07, and 3709.10, there may be a union of a general health district and a city health district; and

WHEREAS, ORC Section 3709.08 authorizes cities and villages in Cuyahoga County to enter into an Agreement with the Cuyahoga County General Health District on certain terms and conditions; and

WHEREAS, the District Advisory Council of the Cuyahoga County General Health District, created by ORC 3709.03, after giving due notice by publication as required by law, held a public meeting on March 30, 2023 at which by a majority vote of members representing the townships and villages of said county, did vote affirmatively on the question of providing public health services to the cities in Cuyahoga County, and did authorize the Chairman of the District Advisory Council to enter into an Agreement with the Mayor of the City for providing public health services therein; and

WHEREAS, the Board is engaged in the governance of providing public health services as described in this Agreement, has the knowledge, skill, and resources to provide such services, and desires to perform such services for or on behalf of the Board for the City; and

WHEREAS, the City is willing to enter into an Agreement with the Board to provide such services in accordance with the terms and conditions of Ohio law and this Agreement.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

**1. EFFECTIVE DATE, TERM AND TERMINATION.**

- (a) **Effective Date, Term.** This Agreement shall commence on the Effective Date first stated above and shall continue through **December 31, 2027**, unless earlier terminated pursuant to Section 1(b).
- (b) **Termination.** This Agreement may be terminated upon the occurrence of one of the following events:
  - (i) Failure for any reason of the either party to fulfill its obligations under this Agreement, after written notice is provided by the non-breaching party of such failure providing at least ninety (90) days for the breaching party to correct any such failure, and if such failure is not corrected within said period, the non-breaching party may give written notice of immediate termination;

(ii) Upon nine (9) months written notice, or on or before April 1 of the year prior to termination by either party for any reason.

## **1. THE SERVICES.**

- (a) **Scope of Services.** Subject to the terms and conditions contained in this Agreement and its exhibits, the Board will provide to the City and, as applicable, to all persons receiving the direct services provided for herein, the Services that are set forth and described in the Scope of Work (SOW) attached as **Exhibit A**, which Exhibit is incorporated herein.
- (b) Unless otherwise agreed by the Parties in writing, all transactions for Services through Board will be provided in accordance with the provisions of Ohio law and/or this Agreement, including any revisions of the same, as both Parties may from time to time execute to document the addition, revision, or enhancement of Services.
- (c) **Standard of Performance of Services.** The Board will devote such time and will use its best efforts as necessary to perform the Services in a professional manner that: (i) is consistent with the standards of its industry and in a good and workmanlike manner, and (ii) utilizes the care, skill, and diligence normally applied by other similar boards of health in the performance of services similar to the Services.
- (d) The City shall provide suitable space for the Board employees who make regular visits to the City on a daily or weekly basis.

## **2. PAYMENT.**

- (a) **Compensation.** Compensation is based on the ten (10) year census population estimate for the City and a per capita rate established by the Board. The per capita rate is the same rate applied to all Villages, Townships in the general health district as well as for all cities that enter into a Public Health Services Agreement with the Board. The most recent ten (10) year census for population in the City dated September 2021, is 45,312 residents. The current per capita rate established by the Board is \$8.96 per capita for calendar year 2026 and \$10.04 per capita for calendar year 2027. The total amount due based on the per capita rate will be Four hundred and five thousand nine hundred and ninety-six dollars (\$405,996.00) for calendar year 2026 and be Four hundred and fifty-four thousand, nine hundred and thirty-two dollars (\$454,932.00) for calendar year 2027. The Board reserves the right to change its per capita rate, as considered on an annual basis, based on current economic conditions and public health needs. In the event that the Board votes to make a change in the per capita rate, said change shall be limited to annual rates effective on January 1 for the following calendar year. The Board shall provide notice of the change in the per capita rate for the coming calendar year on or before October 31st of the current calendar year.
- (b) In consideration for the health services described in Exhibit A, which will be provided by the Board to and within the City, the City shall pay to the Board the total annual sum Four hundred and five thousand nine hundred and ninety-six dollars (\$405,996.00) for calendar year 2026 and the total annual sum of Four hundred and fifty-four thousand, nine hundred and thirty-two dollars (\$454,932.00) for calendar year 2027. The City hereby directs the Fiscal Officer of Cuyahoga County to place to the credit of the Board and the Fiscal Office of Cuyahoga County is hereby authorized and directed to deduct the sum stated above in equal, semi-annual installments of Two hundred and two thousand, nine hundred and ninety-eight dollars (\$202,998.00) from the regular property tax settlement to be made for said City for calendar year 2026 and Two hundred and twenty-seven thousand, four hundred and sixty-six dollars (\$227,466.00) from the regular property tax settlement to be made for said City for calendar year 2027.

#### **4. RECORDS.**

- (a) The Board shall maintain copies of all records created or received by the Board in the performance of the work under this Agreement as required by Ohio's public records law. Any records created or received as a part of this Agreement shall be made available to the City upon request subject to exceptions listed below.
- (b) Any non-private health information in confidential records or information in the records created by the Board or that come into the possession of the Board under this Agreement shall, if provided to the City, be kept confidential by the City.
- (c) The Board is prohibited by State and Federal law from sharing protected health information and said records will not be shared with the City unless there is compliance with the proper method for release of said information.

#### **5. NO ASSIGNMENT, TRANSFER, OR SUBAGREEMENT.**

In performing the services specified under the terms of this Agreement, the Board shall not assign, transfer, or delegate any of the work or services, nor subcontract the work out to any other entity, nor shall any subcontractor commence performance of any part of the work or services included in this Agreement, unless such subcontracting is specified in this Agreement or its Exhibits, or unless prior written consent is provided by the City.

#### **6. INDEPENDENT AGREEMENT.**

- (a) The Board hereby acknowledges that it is an independent contractor and neither it nor its employees or agents are employees of the City. The Board shall be responsible for the payment or withholding of any federal, state or local taxes, including, but not limited to, income, unemployment, and workers' compensation for its employees, and the City will not provide, or contribute to any plan which provides for benefits, including but not limited to unemployment insurance, workers' compensation, retirement benefits, liability insurance or health insurance. All individuals employed by the Board provide personal services to the City are not public employees of the City under Ohio state law.
- (b) No agency, employment, joint venture or partnership has been or will be created between the parties pursuant to the terms and conditions of this Agreement. Inasmuch as the City is interested in the Board's end product, the City does not control the manner in which the Board performs this Agreement.

#### **7. NOTICES.**

All notices, invoices and correspondence which may be necessary or proper for either party shall be addressed as follows:

##### **TO THE BOARD:**

Cuyahoga County Board of Health  
Attention: Roderick Harris, Health Commissioner  
5550 Venture Drive  
Parma, Ohio 44130

##### **TO THE CITY:**

City of Cleveland Heights  
Attention: Mayor Tony Cuda  
40 Severance Circle Cleveland  
Heights, Ohio 44118

And

City of Cleveland Heights  
Attention: Director of Law  
40 Severance Circle  
Cleveland Heights, Ohio 44118

## **5. EFFECT OF ELECTRONIC SIGNATURE**

By entering into this Agreement, the parties agree that this transaction may be conducted by electronic means, including, without limitation, that all documents requiring signatures by the parties may be executed by electronic means, and that the electronic signatures affixed by the authorized representatives of the parties shall have the same legal effect as if the signatures were manually affixed to a paper version of the documents. The parties also agree to be bound by the provisions of Chapter 1306 of the Ohio Revised Code as it pertains to electronic transactions.

## **6. APPLICABLE LAW AND VENUE**

Any and all matters of dispute between the Parties to this Agreement whether arising from the Agreement itself or arising from alleged extra contractual facts prior to, during, or subsequent to the Agreement, including without limitation, fraud, misrepresentation, negligence, or any other alleged tort or violation of the Agreement, will be governed by, construed, and enforced in accordance with the Laws of the State of Ohio, without regard to the conflict of laws or the legal theory upon which such matter is asserted.

## **7. SEVERABILITY.**

If any provision hereof shall be determined to be invalid or unenforceable, such determination shall not affect the validity of the other provisions of this Agreement. Moreover, any provisions that should survive the expiration or termination will survive the expiration or termination of this Agreement.

## **8. AMENDMENT**

This Agreement shall not be modified except by the express written consent by both parties hereto.

## **9. WAIVER.**

Waiver by either party or the failure by either party to claim a breach of any provision of this Agreement shall not be deemed to constitute a waiver or estoppel with respect to any subsequent breach of any provision hereof.

## **10. FORCE MAJEURE.**

Neither party shall be liable for any delay or failure to perform any duty or obligation it may have pursuant to this Agreement where such delay or failure has been occasioned by any act of God, fire, strike, inevitable accident, war or any cause outside the party's reasonable control.

## **11. COUNTERPARTS**

This Agreement may be executed in several counterparts, each of which shall be deemed to be an original copy, and all of which together shall constitute one Agreement binding on all parties hereto, notwithstanding that all the parties shall not have signed the same counterpart.

**5. ENTIRE AGREEMENT.**

This Agreement constitutes the entire agreement of the parties with respect to its subject matter, and supersedes all prior and contemporaneous agreements, representations or understandings, whether written or oral, as to the same.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representative to be effective as of the Effective Date as specified in Section 1 of this Agreement.

**FOR THE BOARD:**

\_\_\_\_\_  
Mayor David Smith  
President District Advisory Council

Date: \_\_\_\_\_

Approved as to form.  
Cuyahoga County Board of Health  
Office of General Counsel

By: \_\_\_\_\_

Date: \_\_\_\_\_

**FOR THE CITY:**

\_\_\_\_\_  
Mayor Tony Cuda

Date: \_\_\_\_\_

Approved as to form.

By: \_\_\_\_\_  
Director of Law

Date: \_\_\_\_\_

## EXHIBIT A

### SCOPE OF WORK

The General Health District of Cuyahoga County, Ohio, hereby agrees to provide health services for the **City of Cleveland Heights** for the calendar years 2026 and 2027 as set forth below (“Services”).

- The Board shall have full authority to be and act as the public health authority for the City.
- The Services described in the schedule listed below in this Exhibit will be provided by the District Board of Health of Cuyahoga County (“Board”) to the City.
- The Services will include all necessary medical, nursing, sanitary, laboratory and such other health services as are required by the Statutes of the State of Ohio.
- Air pollution enforcement services, as described in Chapter 3704 of the Ohio Revised Code (“ORC”), will be conducted through the designated agent, the Cleveland Division of Air Pollution Control, not by the Board. This authorization is contingent upon renewal of the Agreement between the Ohio EPA and the City of Cleveland and satisfactory performance of the Agreement terms and conditions regarding air pollution control in Cuyahoga County. The Board of Health reserves the right to alter, modify or amend this Agreement provision with notice to the City.
- The following specific services shall be a part of the Services provided under this Agreement:

#### List of Functions, Programs and Services

|                                                                               |
|-------------------------------------------------------------------------------|
| <b>Animal Control and Shelter:</b>                                            |
| Rabies Surveillance – Animal bite follow up                                   |
| <b>Environmental Health - State Programs:</b>                                 |
| Food Service Operation Licensing/ Inspection/Education                        |
| Retail Food Establishment Licensing & Inspection.                             |
| School Facilities Inspection                                                  |
| Smoke Free Workplace Enforcement                                              |
| Public Swimming Pool & Spa Licensing & Inspection                             |
| Tattoo & Body Piercing Enforcement                                            |
| Temporary Park Camp Licensing/Inspection/Enforcement                          |
| Clean Indoor Air Regulation - complaint based response                        |
| Home Day Care Inspections - USDA Inspections Only/Fee for Service             |
| Nuisance & Vector Control                                                     |
| Residential Housing/Commercial Building Inspection - complaint based response |
| Solid Waste Enforcement                                                       |
| West Nile Virus Prevention/Mosquito Control                                   |
| Animal Venue Licensing/Inspection/Enforcement                                 |
| <b>Emergency Preparedness:</b>                                                |
| Public Health Emergency Preparedness (PHEP)                                   |
| Planning and Cities' Readiness Initiative activities                          |
| Emergency Management Committee - participation                                |

|                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Development of Local Emergency Response Plan - participation                                                                                                |
| Community Outreach and Education                                                                                                                            |
| Northeast Ohio Regional Public Health Partnership - participation                                                                                           |
| <b>Epidemiology, Surveillance, Investigation Services:</b>                                                                                                  |
| Reportable Infectious Disease investigation and follow-up (excluding HIV/AIDS; STD; TB)                                                                     |
| Disease Outbreak Management                                                                                                                                 |
| Regional Infection Control Committee – participation                                                                                                        |
| NEO Regional. Epidemiology Response Team – participation                                                                                                    |
| <b>Health Promotion: (As Appropriate)</b>                                                                                                                   |
| <b>Immunization Program:</b>                                                                                                                                |
| Childhood and Adult Vaccine Administration Services - Fee for Service. Most insurance accepted, by appointment. Charges may be waived for inability to pay. |
| Seasonal Influenza vaccine clinics - Fee for Service, most insurance accepted.                                                                              |
| Immunize Ohio- participation                                                                                                                                |
| <b>Jail Inmate Health Services:</b>                                                                                                                         |
| Jail Inspection - provided once annually                                                                                                                    |
| <b>Lead Poisoning Prevention:</b>                                                                                                                           |
| Pediatric blood lead testing - Fee for Service. Charges may be waived for inability to pay                                                                  |
| Case management                                                                                                                                             |
| Environmental Assessment - Limited fee for service                                                                                                          |
| Community Education and Outreach                                                                                                                            |
| Greater Cleveland Healthy Homes Advisory Council                                                                                                            |
| <b>Occupational Health:</b>                                                                                                                                 |
| Immunizations and Tuberculosis screenings - Fee for Service                                                                                                 |
| Bureau for Children with Medical Handicaps (BCMh) Public Health Nursing Services                                                                            |
| <b>Administrative Services:</b>                                                                                                                             |
| Administration                                                                                                                                              |
| Grant Writing & Management                                                                                                                                  |
| Budget                                                                                                                                                      |
| Records Management                                                                                                                                          |
| Accounts Payable, Accounts Receivable                                                                                                                       |
| Data Entry & Program Management                                                                                                                             |
| Reports - Financial & Statistical                                                                                                                           |
| Payroll                                                                                                                                                     |

The Board maintains a range of grant funded programs for citizens throughout the County who are income qualified.

**THE BOARD RESERVES THE RIGHT TO AMEND THIS EXHIBIT AT ANYTIME.**



## **Memorandum**

Date: 11/20/25

To: City Council

From: Ryan Prosser

Subject: Cybersecurity Program

---

### **Purpose Statement:**

The State of Ohio requires local government legislators adopt a cybersecurity program pursuant to RC 9.64C. The City of Cleveland Heights Administration and IT Department has approved and implemented a Cybersecurity protocol in compliance with the State Law.

**Is this legislation recurring:** Yes: ☐ No: ☒

**Is emergency language necessary:** Yes: ☒ No: ☐

**If yes, why?**

The deadline to adopt a cybersecurity program is December 31, 2025

**Is passage on first reading necessary:** Yes: ☐ No: ☒

**If yes, why?**

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

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

# OHIO AUDITOR OF STATE KEITH FABER



---

## Auditor of State Bulletin 2025-007

---

**DATE ISSUED:** August 27, 2025

**TO:** All Public Offices  
Independent Public Accountants

**FROM:** Keith Faber  
Ohio Auditor of State

**SUBJECT:** Adoption of Cybersecurity Program

### Background

Ohio Rev. Code § 9.64, enacted through House Bill 96, requires political subdivisions to set and adopt standards safeguarding against cybersecurity threats and ransomware attacks. This bulletin details the requirements of Ohio Rev. Code § 9.64, which are effective September 30, 2025.

Local governments, typically defined as “political subdivisions”<sup>1</sup>, have increasingly become targets for cybercriminals. They are vulnerable to cyber-attack schemes because of limited cybersecurity budgets, outdated systems and a range of accessible electronic and digital services. Cyber-attacks—such as ransomware, phishing, social engineering, and data breaches—disrupt government services, expose personal and financial information, incur significant costs, and reduce public trust.

### Cybersecurity Program Compliance Requirements

Under this new law, each political subdivision’s legislative authority **shall** adopt a “cybersecurity program” that safeguards the entity’s data, information technology, and information technology resources to ensure availability, confidentiality, and integrity. *See* Ohio Rev. Code § 9.64 (C).

---

<sup>1</sup> Political subdivision is defined as a county, township, municipal corporation, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.

The program shall be consistent with generally accepted best practices for cybersecurity<sup>2</sup> and may include, but are not limited to the following:

- Identify and address the critical functions and cybersecurity risks of the political subdivision.
- Identify the potential impacts of a cybersecurity breach.
- Specify mechanisms to detect potential threats and cybersecurity events.
- Specify procedures for the political subdivision to establish communication channels, analyze incidents, and take actions to contain cybersecurity incidents.
- Establish procedures for the repair of infrastructure impacted by a cybersecurity incident, and the maintenance of security after the incident.
- Establish cybersecurity training requirements for all employees. The frequency, duration, and detail of which shall correspond to the duties of each employee. Annual training provided by the state and the Ohio Persistent Cyber Initiative (O-PCI) program of the Ohio Cyber Range Institute, satisfies the training requirements. The O-PCI program delivered by the Ohio Cyber Range Institute (<https://www.ohiocyberrangeinstitute.org/opci>) and the Ohio Cyber Reserve (<https://homelandsecurity.ohio.gov/ohio-cyber-integration-center/overview>) includes online, hybrid and in person modules tailored to various types of organizations, from small to large, rural to urban and is funded by the State and Local Cybersecurity Grant Program.

Political subdivisions should adopt a cybersecurity program/policy that is tailored to the unique environment/needs of their entity.

### **Cyber Security Program Implementation Due Dates**

| <b><u>Entity Type</u></b> | <b><u>Due Date</u></b> |
|---------------------------|------------------------|
| County                    | January 1, 2026        |
| City                      | January 1, 2026        |
| All Other Entity Types    | July 1, 2026           |

### **Reporting Requirements after Discovery of Cybersecurity or Ransomware Incident**

Upon discovering a cybersecurity incident or ransomware incident, the legislative authority of a political subdivision shall notify both:

- The Executive Director of Ohio Homeland Security within the Ohio Department of Public Safety as soon as possible but not later than 7 days after discovering the incident. Incidents can be reported to Homeland Security's Ohio Cyber Integration Center (OCIC)

---

<sup>2</sup> Examples of generally accepted cybersecurity standards that entities use to build best practices for cybersecurity include, but are not limited to, the National Institute of Standards and Technology (NIST) cybersecurity framework and the Center for Internet Security (CIS) cybersecurity best practices.

at: <https://homelandsecurity.ohio.gov/ohio-cyber-integration-center>, [OCIC@dps.ohio.gov](mailto:OCIC@dps.ohio.gov) or 614-387-1089.

- The Ohio Auditor of State as soon as possible but not later than thirty (30) days after discovering the incident. Incidents can be reported to the Ohio Auditor of State via email to [Cyber@ohioauditor.gov](mailto:Cyber@ohioauditor.gov) using the form located at: <https://ohioauditor.gov/fraud/cybersecurity.html>

### **Cybersecurity Incident Defined**

A cybersecurity incident includes *any* of the following:

- A substantial loss of confidentiality, integrity, or availability of a covered entity's information system or network.
- A serious impact on the safety and resiliency of a covered entity's operation systems and processes.
- A disruption of a covered entity's ability to engage in business or industrial operations or deliver goods or services.
  - A disruption could include payment re-direct, payroll re-direct, spear phishing. Refer to AOS Audit Bulletin [2024-003](#) for additional examples.
- Unauthorized access to an entity's information system or network, or nonpublic information contained therein, that is facilitated or is caused by:
  - A compromise of a cloud service provider, managed service provider, or other third-party data hosting provider; or
  - A supply chain compromise.

A cybersecurity incident does not include mere threats of disruption as extortion; events perpetrated in good faith in response to a request by the system owner or operator; or lawfully authorized activity of a United States, state, local, tribal, or territorial government entity.

### **Ransomware Incident Defined**

Ransomware incident is defined as a malicious cybersecurity incident in which a person or entity introduces software that gains unauthorized access to or encrypts, modifies, or otherwise renders unavailable a political subdivision's information technology systems or data and thereafter the person or entity demands a ransom to prevent the publication of the data, restore access to the data, or otherwise remediate the impact of the software.

### **Ransomware Payment Only Permitted after Public Vote by Legislative Authority**

A political subdivision experiencing a ransomware incident shall not pay or otherwise comply with a ransom demand unless the political subdivision's legislative authority formally approves the payment or compliance with the ransom demand in a resolution or ordinance that specifically states why the payment or compliance with the ransom demand is in the best interest of the political subdivision.

### **Public Records Exemption**

Records, documents, or reports related to the cybersecurity program and framework, and reports of a cybersecurity incident or ransomware incident are not public records under Ohio Rev. Code § 9.64. Records identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by a political subdivision, including vendor name, product name, project name, or project description constitute “security records” and are exempt from the requirements to produce those records in response to a public records request.

### **Testing Compliance Requirements**

Compliance procedures will be developed and incorporated into the Ohio Compliance Supplement.

### **Guidance**

Additional cybersecurity resources, including incident response tips and free training are available on the Auditor of State’s website at <https://ohioauditor.gov/fraud/cybersecurity.html>.

### **Questions**

If you have any questions regarding the information presented in the Bulletin, please contact the Special Investigations Unit at the Auditor of State’s Office at 800-282-0370.

A handwritten signature in black ink that reads "Keith Faber". The signature is written in a cursive, flowing style.

Keith Faber  
Ohio Auditor of State

Proposed: 12/01/2025

RESOLUTION NO. 253-2025(PSH), *First Reading*

By Mayor Cuda

A Resolution adopting the City of Cleveland Heights Cybersecurity Program in accordance with Ohio Revised Code Section 9.64(C); and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ohio House Bill 96, which took effect on September 30, 2025, enacted Section 9.64(C) of the Ohio Revised Code, establishing compliance requirements for political subdivisions cybersecurity programs, including safeguarding data, information technology, and information technology resources, consistent with generally accepted best practices and requires that political subdivision legislative authorize a cybersecurity program for their purposes; and

WHEREAS, the Auditor of State (AOS) issued Bulletin 2025-007, which requires the legislative authority of a city to adopt a formal cybersecurity program by January 1, 2026; and

WHEREAS, the City of Cleveland Heights has developed a cybersecurity program in accordance with ORC 9.64(C); and

WHEREAS, records and documents related to the cybersecurity program are not subject to public records disclosure under current law; and

WHEREAS, Council wishes to adopt the City of Cleveland Heights Cybersecurity Program.

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

SECTION 1. Council hereby adopts the City of Cleveland Heights Cybersecurity Program, consistent with the requirements of ORC 9.64(C) and Auditor of State Bulletin 2025-007, copy attached.

SECTION 2. The Mayor be, and is hereby authorized to implement, maintain, and update the cybersecurity program to ensure continued compliance with state law and generally accepted cybersecurity best practices.

SECTION 3. All records and documents related to the cybersecurity program are exempt from public records disclosure, consistent with ORC 9.64(E).

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such

RESOLUTION NO. 253-2025(PSH)

formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of 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 Resolution on the City of Cleveland Heights website.

SECTION 6. It is necessary that this Resolution 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 need to comply with State Law. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor



## Ohio Revised Code

### Section 9.64 Political subdivision cybersecurity.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

---

(A) As used in this section:

(1) "Cybersecurity incident" means any of the following:

- (a) A substantial loss of confidentiality, integrity, or availability of a covered entity's information system or network;
- (b) A serious impact on the safety and resiliency of a covered entity's operational systems and processes;
- (c) A disruption of a covered entity's ability to engage in business or industrial operations, or deliver goods or services;
- (d) Unauthorized access to an entity's information system or network, or nonpublic information contained therein, that is facilitated through or is caused by:
  - (i) A compromise of a cloud service provider, managed service provider, or other third-party data hosting provider; or
  - (ii) A supply chain compromise.

"Cybersecurity incident" does not include mere threats of disruption as extortion; events perpetrated in good faith in response to a request by the system owner or operator; or lawfully authorized activity of a United States, state, local, tribal, or territorial government entity.

(2) "Political subdivision" means a county, township, municipal corporation, or other body corporate and politic responsible for governmental activities in a geographic area smaller than that of the state.



(3) "Ransomware incident" means a malicious cybersecurity incident in which a person or entity introduces software that gains unauthorized access to or encrypts, modifies, or otherwise renders unavailable a political subdivision's information technology systems or data and thereafter the person or entity demands a ransom to prevent the publication of the data, restore access to the data, or otherwise remediate the impact of the software.

(B) A political subdivision experiencing a ransomware incident shall not pay or otherwise comply with a ransom demand unless the political subdivision's legislative authority formally approves the payment or compliance with the ransom demand in a resolution or ordinance that specifically states why the payment or compliance with the ransom demand is in the best interest of the political subdivision.

(C) The legislative authority of a political subdivision shall adopt a cybersecurity program that safeguards the political subdivision's data, information technology, and information technology resources to ensure availability, confidentiality, and integrity. The program shall be consistent with generally accepted best practices for cybersecurity, such as the national institute of standards and technology cybersecurity framework, and the center for internet security cybersecurity best practices, and may include, but are not limited to, the following:

(1) Identify and address the critical functions and cybersecurity risks of the political subdivision.

(2) Identify the potential impacts of a cybersecurity breach.

(3) Specify mechanisms to detect potential threats and cybersecurity events.

(4) Specify procedures for the political subdivision to establish communication channels, analyze incidents, and take actions to contain cybersecurity incidents.

(5) Establish procedures for the repair of infrastructure impacted by a cybersecurity incident, and the maintenance of security after the incident.

(6) Establish cybersecurity training requirements for all employees of the political subdivision; the frequency, duration, and detail of which shall correspond to the duties of each employee. Annual



cybersecurity training provided by the state, and training provided for local governments by the Ohio persistent cyber initiative program of the Ohio cyber range institute, satisfy the requirements of this division.

(D) The legislative authority of a political subdivision, following each cybersecurity incident or ransomware incident, shall notify both of the following:

(1) The executive director of the division of homeland security within the department of public safety, in a manner prescribed by the executive director, as soon as possible but not later than seven days after the political subdivision discovers the incident;

(2) The auditor of state, in a manner prescribed by the auditor of state, as soon as possible but not later than thirty days after the political subdivision discovers the incident.

(E) Any records, documents, or reports related to the cybersecurity program and framework in division (C) of this section, and the reports of a cybersecurity incident or ransomware incident under division (D) of this section, are not public records under section 149.43 of the Revised Code.

(F) A record identifying cybersecurity-related software, hardware, goods, and services, that are being considered for procurement, have been procured, or are being used by a political subdivision, including the vendor name, product name, project name, or project description, is a security record under section 149.433 of the Revised Code.



**Date:** 11.19.25

**To:** CITY COUNCIL, LAW

**From:** CRAIG COBB

**Subject:** AMENDING ORDINANCE CHAPTER 142 ARTS COMMISSION

---

**Purpose Statement:** To amend Chapter 142 to assign some appointment powers to City Council.

**Is this legislation recurring:** Yes: \_\_\_\_\_ No:   X  

**Is emergency language necessary:** Yes: \_\_\_\_\_ No:   X  

**If yes, why?**

**Is passage on first reading necessary:** Yes: \_\_\_\_\_ No:   X  

**If yes, why?**

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

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

PROPOSED: 12/01/2025

ORDINANCE NO. 254-2025(COTW), *First Reading*

By All City Councilmembers and Mayor Cuda

An Ordinance amending Chapter 142 of the Codified Ordinances of Cleveland Heights, Ohio, "Arts Commission" and repealing its prior inconsistent provisions.

WHEREAS, City Council has authority under the Charter and Codified Ordinances to appoint members to many boards, commissions and committees; and

WHEREAS, the current Chapter 142 vests appointment power for the members of the Arts Commission solely with the Mayor which is inconsistent with most other boards, commissions and committees existing under the Codified Ordinances in Cleveland Heights; and

WHEREAS, assigning some appointment powers to City Council would improve consistency, accountability, and transparency in appointments to boards, commissions, and committees.

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

SECTION 1. Chapter 142 of the Codified Ordinances is hereby amended as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 2. Current Chapter 142 of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance shall be, and is hereby, repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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

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

---

GAIL L. LARSON  
President of Council

ORDINANCE NO. 254-2025(COTW)

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

EXHIBIT A

**142.01 ESTABLISHMENT, COMPOSITION, TERM, REMOVAL, AND VACANCY.**

—  
(a) There is hereby established in the City an Arts Commission.

—  
(b) The Commission shall consist of not less than seven (7) nor more than eleven (11) members, three (3) of whom shall be appointed by the Mayor, and the remainder by Council, all subject to confirmation by a majority of Council, none of whom shall hold other municipal office or employment with the City.

—  
(c) Members of the Commission shall be residents of the City of Cleveland Heights, appointed on the basis of training and experience in the arts, including but not limited to presenting, producing, funding, managing, advocating, and promoting arts creation. As much as is practicable, members should represent the diversity of arts disciplines as they exist in the community.

—  
(d) The Mayor and Council shall seek to appoint to the Arts Commission members whose education, training, work or profession, or other volunteer or life experiences will enable them to make meaningful contributions to the work of the Commission. Further, in making appointments to the Commission, the Mayor and Council shall make a good faith effort to ensure that the Commission is broadly reflective of the diversity of the City, taking into account considerations including but not limited to diversity of race, ethnicity, age, sex, gender identify and expression, sexual orientation, economic status, and geography of residence.

—  
(e) The initially appointed Mmembers of the Commission may be removed byshall serve for a term expiring on the Mayor, subject to Council confirmationlast day of December 2027, and subsequent appointments shall be for three (3) year terms.

—  
(f) Vacancies on the Arts Commission shall be filled for the remainder of unexpired terms in the same manner as the original appointments are made (i.e., by Mayor or Council).

## ORDINANCE NO. 254-2025(COTW)

### 142.02 PURPOSE, DUTIES.

—  
(a) The purpose of the Cleveland Heights Arts Commission is to act in an advisory capacity to the Council and the Mayor related to arts policies, programs, and projects in order to help facilitate improved funding, creation, and enjoyment of the arts in the City.

—  
(b) To fulfill the above purpose, the Commission shall provide recommendations to the Mayor and Council for public art projects, and arts programming; and shall provide legislative and budgetary recommendations to the Mayor and the Council in support of the arts in the City.

### 142.03 COMPENSATION.

(a) No compensation shall be paid to any member of the Arts Commission for services performed on this Commission.

### 142.04 ORGANIZATION, MEETINGS, OFFICERS.

—  
(a) The Commission shall hold an organizational meeting annually in January ~~October~~ to determine a schedule of regular meetings and to select officers.

—  
(b) The members of the Commission shall choose one member to serve as Chairperson for a period of one (1) year or until a successor has been chosen. The Chairperson shall preside over meetings of the Commission. In the absence of the Chairperson, a temporary Chairperson shall be elected by those present to preside over the specific meeting during which the temporary Chairperson was elected.

—  
(c) The members of the Commission shall choose one member to serve as Secretary for a period of one (1) year or until a successor has been chosen. The Secretary shall keep or cause to be kept a record of the meetings and actions of the Commission. The Secretary shall also provide notice or cause notice to be provided for public meetings of the Commission.





Date: 11/19/2025

To: CITY COUNCIL, LAW

From: CRAIG COBB

Subject: Expanding Climate and Environmental Sustainability Committee (CESC)  
Appointments from 7 to 9 by amending 140.02

---

**Purpose Statement:** To add 2 additional resident members to the Committee because of the interest in this Committee and better utilize the wealth of talent in the City with expertise in the Committee's mission and work.

**Is this legislation recurring:** Yes: \_\_\_\_\_ No:   X  

**Is emergency language necessary:** Yes:   X   No: \_\_\_\_\_

**If yes, why?** There is an immediate need to have a member to fill 1 of 2 current vacancies.

**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?**

Proposed: 12/01/2025

ORDINANCE NO. 255-2025(COTW), *First Reading*

By All City Councilmembers

An Ordinance amending Section 140.02, “Members,” of Chapter 140, “Cleveland Heights Climate and Environmental Sustainability Committee,” of the Codified Ordinances of Cleveland Heights to expand the resident membership of the Committee from seven (7) to nine (9) members to allow for greater resident participation.

WHEREAS, the City of Cleveland Heights established a Climate and Environmental Sustainability Committee (“the Committee”) under Chapter 140 to advise Council and the Administration on policies and initiatives promoting environmental sustainability and climate resilience; and

WHEREAS, since its formation, the Committee has served as a vital forum for residents and stakeholders to contribute to the City’s environmental and sustainability goals; and

WHEREAS, the City Council recognizes the strong community interest in environmental policy and the need to provide additional opportunities for resident engagement and representation in the City’s sustainability efforts; and

WHEREAS, the Council finds that expanding the membership of the Committee from seven (7) to nine (9) members will enhance the Committee’s capacity, diversity of expertise, and community participation, thereby strengthening its advisory role.

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

SECTION 1. Section 140.02, “Members” of Chapter 140, “Cleveland Heights Climate and Environmental Sustainability Committee” of the Codified Ordinances of the City of Cleveland Heights shall be and is hereby amended to read as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. Current Section 140.02 of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance shall be, and is hereby, repealed in its entirety.

SECTION 3. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

ORDINANCE NO. 255-2025(COTW)

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

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

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

EXHIBIT A

140.02 MEMBERS.

(a) The Committee shall consist of ~~eight (8)~~ten (10) members. ~~Seven (7)~~Nine (9) shall be appointed by City Council. The ~~eighth~~tenth member shall be the City's Climate Resiliency and Sustainability Coordinator or Mayor's designee who shall be a non-voting member and shall serve as the Committee's Co-Chair. Voting members shall be residents of Cleveland Heights with a demonstrated interest in and/or knowledge of environmental sustainability. A good faith effort shall be made to have the appointments reflect the City's goal of racial, social and geographic diversity. Each person appointed shall first have submitted an application to serve on the Committee. Any such applicant may be asked to participate in an interview with the Council prior to appointment.

(b) Members shall serve for a two (2)-year term. Terms shall expire on the last day of December 2025 and each two (2) years thereafter.

(c) City Council, by majority vote, may remove an appointed member who misses a majority of the Committee's meetings in a calendar year and declare that member's position vacant.

(d) Vacancies shall be filled by appointment for the remainder of the unexpired term.

(e) No compensation shall be paid to any appointed member of the Committee for services performed.

(f) Subject to approval by the President of City Council, the Chair of the Municipal Services Committee shall serve as a non-voting liaison between Council and the Committee.

Proposed: 12/01/2025

ORDINANCE NO. 256-2025(F), *First Reading*

By Council President Larson

An Ordinance authorizing the Mayor to enter into an agreement with the Coventry Village Special Improvement District, Inc. ("Coventry SID") for an advance of Forty Thousand Dollars (\$40,000) at zero percent (0%) interest; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Coventry Village SID is a duly established special improvement district under Ohio Revised Code Chapter 1710; and.

WHEREAS, the SID plans for public services within the district have been approved by City Council under the authority of Ohio Revised Code § 1710.06; and

WHEREAS, the SID's operating budget and service delivery require collection of the special assessment from property owners in the district; and

WHEREAS, a cash-flow shortfall has arisen because the Cuyahoga County Treasurer's Office has changed its disbursement date for payment of the assessment proceeds to the City, resulting in a timing mismatch between the SID's immediate expenditures and the later assessment receipt; and

WHEREAS, it is in the public interest for the City to assist the SID, because the SID's public services enhance safety, maintenance, vibrancy, and economic vitality within Coventry Village, thereby benefitting not only the SID but the broader community; and

WHEREAS, advancing these funds as a 0% interest loan will minimize the burden on the SID while preserving the City's interests, provided the loan is repaid from the future assessment revenues.

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

SECTION 1. The Mayor is hereby authorized to enter into an agreement with Coventry Village Special Improvement District, Inc., to advance the amount of Forty Thousand Dollars (\$40,000) (the "Loan") to the SID.

SECTION 2. The Loan shall be zero percent (0%) interest, shall be unsecured except for the SID's obligation to repay from its special assessment collections, and shall be repaid in full as soon as feasible after the City receives the special assessment revenues from the County Treasurer anticipated to occur.

SECTION 3. The SID shall use the advanced funds solely for the purposes authorized in its public services plan, including but not limited to the ongoing services for which the SID was formed (e.g., maintenance, security, cleaning, marketing).

ORDINANCE NO. 256-2025(F)

SECTION 4. All assessment proceeds collected from the participating property owners within the Coventry SID shall be applied first to repay this Loan, consistent with the City's obligations and the expectations of the SID and its members.

SECTION 5. The City encourages the SID to align its budget and spending patterns to conform to the previously described County disbursement schedule to avoid future shortfalls.

SECTION 6. The City Finance Director shall establish a separate internal fund or account for the advanced funds, to clearly track the advance and repayment, ensuring transparency.

SECTION 7. The Loan Agreement shall contain such provisions as the Director of Law deems necessary or desirable to protect the best interests of the City

SECTION 8. 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 9. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents once in a 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 10. 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 provide immediate cash flow support to the Coventry SID and avoid disruption of its vital services, and shall take effect immediately upon passage provided it receives the affirmative vote of not less than five (5) members of this Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

ORDINANCE NO. 256-2025(F)

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

\_\_\_\_\_  
TONY CUDA  
Mayor

Dear Mayor and Members of City Council,

I am writing on behalf of Coventry Village and Artful to request some city assistance for the upcoming Winter Wonder Festival and Lantern Parade. Our annual Holiday Fest takes place this year on Saturday, December 13, from 11 a.m. - 6 p.m. In past years, both the CVSID and Artful have self-financed this wonderful community event. Unfortunately, we find ourselves short this year, and believe this would be a great opportunity to partner with the City of Cleveland Heights. In the past, Future Heights has generously provided mini-grants to assist with both events; however, that program has been temporarily put on hold.

### **Event Highlights and History**

The Holiday Festival has been happening on Coventry Road for as long as I can remember, in many shapes and forms. We have featured specials throughout the district at all retail stores and restaurants, photos with Santa, caroling and holiday storytelling, crafts, Coventry cash incentives, hot cocoa and treats, gingerbread house workshops, ice sculpting, and for the past 10 years, the Jingle Bell Shop at Grog Shop and B Side – a makers' market featuring over 40 local artisans. Five years ago, we collaborated with Artful to present the spectacular Lantern Parade curated by Robin VanLear of Parade the Circle and the Cleveland Museum of Art, as the finale to this festive community event. As part of this year's festivities, we will once again offer free lantern-making workshops for all ages in one of our vacant spaces and decorate for Santa's workshop photo opportunities.

### **Community Impact**

This family-friendly day of shopping, music, and fun brings residents and attendees from outside of Cleveland Heights to Coventry Village. By introducing new faces to the district and garnering positive press pieces and promotions, the Winter Wonderland and Lantern Parade highlight our city in a complimentary light. We estimate that between 1500-2000 people have attended in years past, and we hope to push that number even higher with the City's support.

### **Financials**

We humbly request \$3700 payable to Artful to offset the costs of the lantern parade, lantern-making workshops, supplies, Santa's Workshop, marketing, and promotions. Located below is the projected budget, based on the past few years. The CVSID will cover the remainder of the costs. We will need the street do be shut down for 90-120 minutes, similar to past years. We will reach out directly to Chief Britton and compensate the officers for their time if neccesary. Please let us kow what the next steps are for this process.

## Breakdown of Costs

|                  |                                                                        |
|------------------|------------------------------------------------------------------------|
| Performers       | \$1000.00 – 10 people including stilt walkers, artists, and characters |
| Robin VanLear    | \$400 – Lead organizer, artist                                         |
| Jacqui Brown     | \$300 - Lantern workshops leader and giant lantern at Pekar Park       |
| Supplies         | \$200 - Lantern-making raw materials                                   |
| Santa Workshop - | \$750 – Design, set up, props, and photographer                        |
| Marketing -      | \$650 – Banners, lawn signs, cards, posters, social media              |
| Drummers -       | \$400 – 30-minute performance in Pekar Park and following parade       |



Thank you for your consideration,

Kathy Blackman, CVSID Board VP

Matt Moore, CVSID Executive Director

Brady Dindia, Artful Board President

Proposed: 12/01/2025

RESOLUTION NO. 257-2025(COTW), *First Reading*

By Council President Larson

A Resolution providing for a contribution to the 2025 Coventry Winter Festival and Lantern Parade, and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the 2025 Coventry Winter Festival and Lantern Parade will be held on December 13, from 11 am – 6 pm; and

WHEREAS, the Coventry Winter Festival and Lantern Parade has brought many families together to enjoy memorable activities, including a Lantern Parade, for many years, with annual attendance between 1500-2000 people; and

WHEREAS, this Council would like to support the event with a contribution of up to Three Thousand Seven Hundred Dollars (\$3,700.00) to cover various expenses including Performers, Lantern Workshops, a Santa Workshop and Drummers, to be paid to Artful Cleveland Inc., a 501 (c)(3), as a reimbursement.

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 Three-Thousand, Seven Hundred Dollars (\$3,700.00) and authorizes the contribution of such amount from City Council's 2025 budget to the organization Artful Cleveland Inc., a 501 (c)(3), as reimbursement for some costs of the Coventry Winter Festival and Lantern Parade, upon receipt of a written request for same and such reasonable evidence of expenses as the Director of Finance may require.

Section 2: Artful Cleveland Inc. will provide to the City within 30 days following the event, a report of the actual expenses incurred as well as a general summary of the event's successes and any concerns.

Section 3: It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 4: Notice of 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. 257-2025(COTW)

Section 5: It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to 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.

---

GAIL L. Larson  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

Proposed: 12/01/2025

ORDINANCE NO. 258-2025(PD), *First Reading*

By Mayor Cuda

An Ordinance authorizing the Mayor to execute a property transfer and indemnification agreement with RP Derbyshire LLC concerning the real property located at 2450 Derbyshire Road; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, RP Derbyshire LLC (the "Owner"), owner of the real property located at 2450 Derbyshire Road, Cleveland Heights, OH 44106 (the "Property") has requested that the City temporarily take ownership of the Property prior to transferring the same back to the Owner for the purpose of potentially pursuing a real property tax exemption pursuant to Section 5704.41 of the Ohio Revised Code, under which provision City ownership for some period of time is a prerequisite; and

WHEREAS, the City desires to undertake the aforementioned transactions, but only subject to a Transfer and Indemnification Agreement (the "Agreement") whereby the transactions are set forth in detail, all costs of the transactions are mandated to be the responsibility of the Owner, and the Owner shall agree to indemnify the City against any claims brought against the City concerning any environmental conditions of the Property, substantially in accordance with the Agreement attached hereto as Exhibit A; and

WHEREAS, this Council has determined that it is in the best interest of the City and its residents to authorize the Mayor to execute the Agreement to facilitate the aforementioned transactions.

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 Agreement and any and all other related documents, and take any other actions necessary, to facilitate the transfer of the Property from the Owner to the City and the subsequent transfer of the Property from the City back to the Owner. The Agreement shall be substantially in accordance with the form attached hereto as Exhibit A. The Agreement shall contain such further terms as recommended by the Mayor and Director of Law and shall be subject to approval 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.

ORDINANCE NO. 258-2025(PD)

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. This Ordinance 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 for the transactions to occur prior to the end of calendar year 2025. 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.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

Exhibit A

See attached.

Proposed: 12/01/2025

ORDINANCE NO. 259-2025(PD), *First Reading*

By Mayor Cuda

An Ordinance amending Ordinance 12-2020, passed on February 18, 2020, to extend the term of that certain Tax Increment Financing exemption under Ordinance 12-2020 for an additional thirty years, pursuant to Ohio Revised Code Section 5709.51; and authorizing additional instruments, agreements, certificates, and other documents deemed necessary in connection therewith; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance 12-2020, passed by this Council on February 18, 2020, pursuant to Ohio Revised Code ("ORC") Section 5709.41 (the "Top of the Hill TIF Ordinance"), declared Improvements (as defined in the Top of the Hill TIF Ordinance) to certain parcels of real property that are part of the Top of the Hill development, as identified and described in Exhibit A to the Top of the Hill TIF Ordinance and subsequently consolidated into Cuyahoga County Fiscal Office Parcel Number 685-18-042 (as such real property exists from time to time, the "TIF Development Parcels") to be a public purpose, required payment of service payments in lieu of real property taxes (as further described and defined therein, the "Service Payments") and minimum service payment obligations imposed from time to time pursuant to the Top of the Hill TIF Ordinance, the Development Agreement (as defined in the Top of the Hill TIF Ordinance) and agreements pertaining to the payment of costs of constructing and financing the Development (as defined in the Top of the Hill TIF Ordinance), all to be paid by the owners from time to time of the TIF Development Parcels (collectively, exclusive of the City, the "Owners") as a covenant running with and constituting a lien on the land pursuant to ORC Section 5709.91; and

WHEREAS, pursuant to ORC Section 5709.51 this Council may amend the Top of the Hill TIF Ordinance to extend, for up to 30 additional years, the period of exemption from taxation of the Improvements to the TIF Development Parcels granted pursuant to the Top of the Hill TIF Ordinance (the "TIF Exemption") if certain conditions are met; and

WHEREAS, the City desires to extend the period of exemption from taxation of the Improvements to the TIF Development Parcels granted pursuant to the Top of the Hill TIF Ordinance pursuant to ORC Section 5709.51 for the purposes set forth in the Top of the Hill TIF Ordinance and in Section 3, below, for the welfare and benefit of the citizens of the City; and

WHEREAS, notice has been provided to the Board of Education of the Cleveland Heights-University Heights City School District (the "School District") of the City's intent to pass this Ordinance and extend the TIF Exemption for an additional 30 years, provided, however, that ORC Section 5709.51 provides that during such additional 30 years, the City shall pay to the School District, from the Service Payments, an amount equal in value

to the amount of taxes that would be payable to the School District if the Improvements had not been exempted from taxation for the additional 30 years.

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

SECTION 1. As required by ORC Section 5709.51, this Council finds and determines that Service Payments made by Owners of the TIF Development Parcels pursuant to the Top of the Hill TIF Ordinance exceeded one million five hundred thousand dollars (\$1,500,000) in calendar year 2024.

SECTION 2. The Top of the Hill TIF Ordinance is hereby amended to extend the exemption from taxation of Improvements to the TIF Development Parcels for a period of thirty (30) years from the end of the TIF Exemption as determined pursuant to the Top of the Hill TIF Ordinance (the "Extension Period").

SECTION 3. The Top of the Hill TIF Ordinance is hereby further amended to provide that, during the Extension Period, the net Service Payments, after the compensation to the School District provided for in Section 4, below, shall be used exclusively for:

- (i) Payment or reimbursement of all costs associated with the construction of the Development, including costs incurred by the City or other governmental entity, and including debt service and related costs or obligations or loans issued by the City, the State of Ohio or other governmental entity;
- (ii) Construction, operation and maintenance of public improvements and publicly-owned facilities directly benefiting and/or on the Parcels, including, but not limited to, streets, storm and sanitary sewers, water treatment facilities and water transmission lines, sidewalks, curbs, street trees and furniture, transitway improvements, off-street parking facilities, street lighting and signalization, pedestrian walkways, and public parks and plazas, whether owned by the City or other governmental entity by agreement with the City, and associated land acquisition and demolition, planning and engineering costs;
- (iii) Land and building acquisition, demolition, site preparation, and relocation expenses related to the Development;
- (iv) Any other expenditures made with respect to the Parcels in accordance with the Development Agreement or other agreements entered into in connection with development of the Parcels provided such expenditures are otherwise permitted by law; and
- (v) Any other expenditures made for any lawful economic development purpose, including but not limited to, public infrastructure improvements, site preparation, development of economic and development opportunities, and other costs that promote job creation, private investment, and community redevelopment within the City.

ORDINANCE NO. 259-2025(PD)

SECTION 4. Pursuant to ORC 5709.51(A)(3), during the Extension Period, the School District shall receive compensation, but only from Service Payments, if any, received by the City, equal in value to the amount of taxes that would be payable to the School District if the Improvements to the TIF Development Parcels had not been exempted from taxation for the Extension Period.

SECTION 5. This Council hereby authorizes the execution and delivery by the Mayor, on behalf of City, of such agreements and other documents as may be necessary and appropriate to provide for the purposes of this Ordinance. This Council further authorizes the execution and delivery by the Mayor, on behalf of the City, of the necessary DTE24 form to the Cuyahoga County Fiscal Officer.

SECTION 6. Pursuant to ORC Section 5709.51, the Clerk of Council is hereby directed to deliver a copy of this Ordinance to the Director of the Ohio Department of Development within fifteen days after its passage.

SECTION 7. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights or by posting the full text of this Ordinance to the City of Cleveland Heights website.

SECTION 8. 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 9. 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 adoption of this Ordinance within the timeframe established by ORC Section 5709.51. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take immediate effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

---

GAIL L. LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

\_\_\_\_\_  
TONY CUDA  
Mayor



Date: November 3, 2025

To: City Council

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

Subject: Legislation related to rezoning Severance Town Center:

- *Zoning Text Amendments* – An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone (SOZ)
- *Zoning Map Change* – An Ordinance amending the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road

---

## **Purpose Statement:**

### Background

Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City. The current Master Developer of Severance Town Center, MPACT Collective (“MPACT” or the “Applicant”), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement. The vision for Severance Town Center is encapsulated in the Recommended Action Plan (RAP), prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood. The City has created a project webpage as a central repository: <https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>; MPACT has done that as well: <https://www.severanceclevelandheights.com/about>

Local ordinances are “living and breathing” documents that can be amended from time-to-time in order to keep up with changes in the social and economic environments. The City has followed this practice by constantly and consistently reviewing its Codified Ordinances and – when appropriate and necessary – making changes to those Ordinances. This is particularly the case with Part Eleven – Zoning Code. Beyond that internal review, it is important to hear from and receive petitions for zoning changes from the private sector in order to ensure that the City’s Zoning Code can facilitate

development, redevelopment, and investment within the City. To that end, MPACT, working collaboratively with City staff and the community, has identified that in order to effectuate and incentivize the shared vision for Severance Town Center, new zoning is necessary. MPACT has supplied a memorandum on how zoning reform can impact development potential, which is included as part of this agenda item. In addition, a summary of the stakeholder and community engagement is included in this agenda item. This will be updated.

Zoning text amendments and zoning map changes must follow the procedures put forth in Chapter 1119, including, but not limited to Council referral to the Planning Commission, Planning Commission review and recommendation, and Council public hearing. The full process will be discussed below. Pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, zoning text amendments may be introduced by Council upon its own initiative, upon recommendation by the Planning Commission, or by petition. A petition to amend the Zoning Code and the Zoning Map was received by MPACT on October 28, 2025 and is included as part of this agenda item. That new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”. This agenda item starts the formal zoning text amendment/zoning map change process.

#### What is Form-Based Zoning and Why Should the City Consider it?

Form-based zoning represents a change in the way that the built environment is regulated. This shift is necessary because the traditional, “Euclidean” zoning is focused on the use of land. This traditional approach to zoning has been shown to be ineffective for regulating diverse, walkable, mixed-use environments like we have or desire in Cleveland Heights, particularly Severance Town Center.

Form-based zoning fosters predictable built results and a high-quality public realm. Unlike traditional zoning, form-based zoning use the intended form and character of a place as the organizing principle, or framework, of the code, rather than focusing predominantly on use. This is done through the regulation of a series of important form elements to create high-quality spaces, such as: streets and frontages; civic spaces; Build-to-Lines; height, street walls and stepbacks; yards; active edges and edging elements; architectural design standards.

It is also important to note that while form-based zoning emphasizes an intended physical form and character of a place, it also regulates use. Form-based zoning often allows a range of uses that are carefully chosen to maximize compatibility between uses and the intended physical form of the area.

As part of the review and approval process, City staff will provide further education on form-based zoning. The following video does a nice job of providing an introduction to form-based codes: <https://www.youtube.com/watch?v=644gz7maHdM>

#### Description of the Legislation

Two (2) pieces of legislation are necessary:

- 1) An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone (SOZ) (along with the proposed zoning text amendments as Exhibit A)
- 2) An Ordinance amending the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road (along with a) the proposed zoning map changes as Exhibit A and the affected parcels as Exhibit B)

Zoning issues can be complicated (and sometimes contentious). The ordinances are long and technical. In order to assist both Council and the public, a summary of the proposed changes is included in this agenda item.

#### Process for Zoning Text Amendments/Zoning Map Changes

Chapter 1119 of the Zoning Code provides the regulations and process for amending the Zoning Code. What follows is a summary of the process.

1. Introduction of amending ordinance to Council (Section 1119.02) – ***Subject of this agenda item***
2. Referral to Planning Commission for consideration and recommendation. The Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days for its consideration and recommendations (Section 1119.03) – ***Subject of this agenda item***
3. Planning Commission consideration and recommendation at regularly-scheduled meeting or special meeting or workshop – all open to the public to watch (Section 1119.04)
4. [Not required by Code] Joint meeting of the Committee of the Whole/Planning & Development Committee of Council.
5. Public hearing by Council, including appropriate noticing (Section 1119.05).
6. Action by Council. After the public hearing Council shall either adopt or deny the recommendation of the Planning Commission (Section 1119.06).

An anticipated timeline of the review and approval process, including public comment opportunities is included as part of this agenda item.

Where to Find More Information

All of this information has been posted to the project webpage

(<https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>). This webpage will be updated as the legislation proceeds.

Summary of Agenda Item Contents (will be updated as legislation proceeds)

- Agenda Cover Memorandum
- MPACT petition for Zoning Text Amendment and Zoning Map Change
- Zoning Text Amendment Ordinance, including exhibit with detailed proposed changes
- Zoning Map Change Ordinance, including exhibits identifying properties
- Summary of Ordinances
- MPACT Zoning Reform memorandum
- Summary of stakeholder and community engagement
- Zoning Text/Map Change Process and Anticipated Timeline

**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: 11/3/2025

ORDINANCE NO. 226-2025(PD), *Second Reading*

By Mayor Cuda

An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to create a Severance Overlay Zone.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance introduce amendments to the Zoning Code; and

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, such amending Ordinance may be introduced upon petition; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such amendments by Council, they shall be transmitted to the Planning Commission for its consideration and recommendations; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the Planning Commission may recommend to Council that the amendments be approved as submitted to the Planning Commission, or that they be modified, or that they be denied; and

WHEREAS, Council must hold a public hearing on proposed amendments to the Zoning Code; and

WHEREAS, Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City; and

WHEREAS, the current Master Developer of Severance Town Center, MPACT Collective ("MPACT" or the "Applicant"), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement; and

WHEREAS, the vision for Severance Town Center is encapsulated in the Recommended Action Plan, prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood; and

WHEREAS, in order to effectuate and incentivize that vision, new zoning is necessary; and

ORDINANCE NO. 226-2025(PD)

WHEREAS, that new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”; and

WHEREAS, a petition to amend the Zoning Code was received from MPACT on October 28, 2025; and

WHEREAS, on November 3, 2025, Council introduced this Ordinance to amend certain sections of Park Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights, transmitted the same to the Planning Commission for 30 days pursuant to Cleveland Heights Codified Ordinances Chapter 1119.03, and set the date, time, and location for a public hearing to be held December 15, 2025 at 5:00 PM in Council Chambers; and

WHEREAS, Planning Commission held a public hearing and discussed this Ordinance at its November 12, 2025 meeting; and

WHEREAS, at the conclusion of its \_\_\_\_\_, 2025 meeting, the Planning Commission recommended that the proposed zoning amendments be adopted by Council; and

WHEREAS, this Council held a public hearing concerning this Ordinance and the Planning Commission’s recommendation on December 15, 2025; and

WHEREAS, this Council has determined to adopt the Planning Commission’s recommendation as set forth herein.

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

SECTION 1. The amendments to Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights set forth in Exhibits A and B attached hereto and incorporated herein by reference, with the language of the new provisions underlined and the provisions to be deleted struck out or otherwise noted, shall be and are hereby adopted.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights 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 from and after the earliest time permitted by law.

\_\_\_\_\_  
GAIL L. LARSON  
President of Council

\_\_\_\_\_  
ADDIE BALESTER  
Clerk of Council

PASSED:  
Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

\_\_\_\_\_  
TONY CUDA  
Mayor

*In order to keep the Council Packet for December 1, 2025 condensed, please use the following link to find all documentation relating to the ORD 226-2025 – Severance Overlay Zoning Text Amendments and ORD 227-2025 – Severance Overlay Zoning Map Amendments.*

<https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>

Proposed: 11/3/2025

ORDINANCE NO. 227-2025(PD), *Second Reading*

By Mayor Cuda

An Ordinance changing the Zoning Map of the City of Cleveland Heights to map the Severance Overlay Zone (SOZ) on Severance Town Center and adjacent parcels, generally east of South Taylor Road, south of Mayfield Road, west of Crest Road, and north of Severn Road.

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, this Council may by Ordinance introduce changes to the Zoning Map of the City of Cleveland Heights; and

WHEREAS, pursuant to Section 1119.01 of the Codified Ordinances of the City of Cleveland Heights, such amending Ordinance may be introduced upon petition; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, after the introduction of such zoning map changes by Council, they shall be transmitted to the Planning Commission for its consideration and recommendations; and

WHEREAS, pursuant to Section 1119.03 of the Codified Ordinances of the City of Cleveland Heights, the Planning Commission shall be allowed a reasonable time, not less than thirty (30) days, nor more than sixty (60) days, for its consideration and recommendations; and

WHEREAS, the Planning Commission may recommend to Council that the zoning map changes be approved as submitted to the Planning Commission, or that they be modified, or that they be denied; and

WHEREAS, Council must hold a public hearing on proposed zoning map changes; and

WHEREAS, Severance Town Center is located in the heart of Cleveland Heights and its redevelopment and reimagination is central to the future of the City; and

WHEREAS, the current Master Developer of Severance Town Center, MPACT Collective ("MPACT" or the "Applicant"), has been working collaboratively with the City over the past two (2) years on creating a vision for Severance Town Center, with significant stakeholder and community engagement; and

WHEREAS, the vision for Severance Town Center is encapsulated in the Recommended Action Plan, prepared by MPACT, which envisions Severance as a walkable, mixed-use neighborhood; and

ORDINANCE NO. 227-2025(PD)

WHEREAS, in order to effectuate and incentivize that vision, new zoning is necessary; and

WHEREAS, that new zoning is proposed as being a form-based, voluntary, overlay district titled the “Severance Overlay Zone”; and

WHEREAS, on November 3, 2025, Council introduced this Ordinance to change the Zoning Map of the City of Cleveland Heights, transmitted the same to the Planning Commission for 30 days pursuant to Cleveland Heights Codified Ordinance Chapter 1119.03, and set the date, time, and location for a public hearing to be held December 15, 2025 at 5:00 PM in Council Chambers; and

WHEREAS, Planning Commission held a public hearing and discussed this Ordinance at its November 12, 2025 meeting; and

WHEREAS, at the conclusion of its \_\_\_\_\_, 2025 meeting, the Planning Commission recommended that the proposed zoning map changes be adopted by Council; and

WHEREAS, this Council held a public hearing concerning this Ordinance and the Planning Commission’s recommendation on December 15, 2025; and

WHEREAS, this Council has determined to adopt the Planning Commission’s recommendation as set forth herein.

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

SECTION 1. The changes to the Zoning Map of the City of Cleveland Heights set forth in Exhibits A and B attached hereto and incorporated herein by reference, shall be and are hereby adopted.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 3. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights 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 from and after the earliest time permitted by law.

---

GAIL L. LARSON

ORDINANCE NO. 227-2025(PD)

President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor

*In order to keep the Council Packet for December 1, 2025 condensed, please use the following link to find all documentation relating to the ORD 226-2025 – Severance Overlay Zoning Text Amendments and ORD 227-2025 – Severance Overlay Zoning Map Amendments.*

<https://www.clevelandheights.gov/1004/Severance-Town-Center-Redevelopment>

Proposed: 11/03/2025

RESOLUTION NO. 228-2025(MSES), *Second Reading*

By Mayor Cuda

A Resolution authorizing the Mayor to submit an application to the Ohio Department of Development for a grant under the Advanced Energy Fund Grant Program; to accept funding if awarded; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Ohio Department of Development is accepting proposals from local governments for projects related to the installation and implementation of eligible Energy Efficiency Measures (EEMs); and

WHEREAS, in May of 2025, the City passed Resolution 081-2025 adopting a Climate Action and Resilience Plan as a guiding document for future decisions related to energy efficiency, reducing carbon emissions and building resilience to climate change; and

WHEREAS, emissions from Electricity, Transportation and Mobile Combustion, Natural Gas and Stationary Combustion are the major sources of carbon emissions in city operations; and

WHEREAS, to achieve the City's carbon emissions goals of 30% reduction by 2030 and carbon neutrality by 2050 and its co-benefits, it is critical to embark on energy efficiency improvements; and

WHEREAS, the City conducted an American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Level 2 audit of our buildings and facilities to provide a detailed analysis of energy use and to identify and prioritize cost-effective energy-saving measures; and

WHEREAS, it would be in the City's best interest to pursue funding that will support energy efficiency and advanced energy projects; and

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

SECTION 1. The Mayor be, and he is hereby authorized to apply for grants under Advanced Energy Fund Grant Program through the Ohio Department of Development, and enter into an agreement and execute any related documents to accept funding if awarded.

SECTION 2. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were taken in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

RESOLUTION NO. 228-2025(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 the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being meeting the application deadline. 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.

---

GAIL LARSON  
President of Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

---

TONY CUDA  
Mayor



Date: 11/05/2025

To: City Council

From: Rachun Caldwell, Interim Finance Director

Subject: 2026 Budget Appropriation

---

**Purpose Statement:** To make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2026 through December 31, 2026.

This appropriations budget was presented to Council during the Budget Hearings on the following dates:

- November 6, 2025
- November 10, 2025
- November 12, 2025
- November 13, 2025

Details of the 2026 Appropriations can be found in the 2026 Budget Book

**Is this legislation recurring:** Yes: ☒ No: ☐

**Is emergency language necessary:** Yes: ☒ No: ☐

**If yes, why?** In order to pass the 2026 budget prior to December 31, 2025

**Is passage on first reading necessary:** Yes: ☐ No: ☒

**If yes, why?**

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

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

Proposed: 11/17/2025

ORDINANCE NO. 241-2025(F), *Second Reading*

By Mayor Cuda

An Ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, for the period of January 1, 2026 through December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

SECTION 1. To provide for the current expenses and other expenditures of the City of Cleveland Heights, Ohio, during the fiscal year ending December 31, 2026 the following sums in Exhibit 1 be and they are hereby appropriated.

SECTION 2. All expenditures of the City of Cleveland Heights within the fiscal year ending December 31, 2026, shall be made within the 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 City's Chief Executive, 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. 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.

\_\_\_\_\_  
GAIL L. LARSON  
President of Council

\_\_\_\_\_  
ADDIE BALESTER  
Clerk of Council

PASSED:

Presented to Mayor: \_\_\_\_\_ Approved: \_\_\_\_\_

\_\_\_\_\_  
TONY CUDA  
Mayor

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

**Fund**  
101 - General

| <b>Department</b>                             | <b>Object</b>     | <b>Original</b>       |
|-----------------------------------------------|-------------------|-----------------------|
| 1101 - City Council                           | Personal Services | \$229,421.00          |
|                                               | O.T.P.S.          | \$152,300.00          |
| <b>1101 - City Council Total</b>              |                   | <b>\$381,721.00</b>   |
| 2101 - Mayor                                  | Personal Services | \$681,399.00          |
|                                               | O.T.P.S.          | \$204,250.00          |
| <b>2101 - Mayor Total</b>                     |                   | <b>\$885,649.00</b>   |
| 2106 - Civil Service Commission               | Personal Services | \$2,680.00            |
|                                               | O.T.P.S.          | \$37,000.00           |
| <b>2106 - Civil Service Commission Total</b>  |                   | <b>\$39,680.00</b>    |
| 2107 - Landmark Commission                    | O.T.P.S.          | \$34,465.00           |
| <b>2107 - Landmark Commission Total</b>       |                   | <b>\$34,465.00</b>    |
| 2108 - General Operations                     | Personal Services | \$572,940.00          |
|                                               | O.T.P.S.          | \$1,770,700.00        |
| <b>2108 - General Operations Total</b>        |                   | <b>\$2,343,640.00</b> |
| 2201 - Information Technology                 | Personal Services | \$554,888.00          |
|                                               | O.T.P.S.          | \$381,194.00          |
|                                               | Capital           | \$106,433.00          |
| <b>2201 - Information Technology Total</b>    |                   | <b>\$1,042,515.00</b> |
| 2501 - Community Relations                    | Personal Services | \$686,294.00          |
|                                               | O.T.P.S.          | \$172,093.00          |
| <b>2501 - Community Relations Total</b>       |                   | <b>\$858,387.00</b>   |
| 3101 - Finance                                | Personal Services | \$970,843.00          |
|                                               | O.T.P.S.          | \$346,560.00          |
| <b>3101 - Finance Total</b>                   |                   | <b>\$1,317,403.00</b> |
| 3103 - County Auditors Deduction              | O.T.P.S.          | \$250,000.00          |
| <b>3103 - County Auditors Deduction Total</b> |                   | <b>\$250,000.00</b>   |
| 3201 - Income Tax                             | O.T.P.S.          | \$1,176,750.00        |
| <b>3201 - Income Tax Total</b>                |                   | <b>\$1,176,750.00</b> |
| 3301 - Human Resources                        | Personal Services | \$401,055.00          |
|                                               | O.T.P.S.          | \$103,500.00          |
| <b>3301 - Human Resources Total</b>           |                   | <b>\$504,555.00</b>   |
| 4101 - Law                                    | Personal Services | \$1,118,337.00        |
|                                               | O.T.P.S.          | \$566,550.00          |
|                                               | Capital           | \$15,000.00           |
| <b>4101 - Law Total</b>                       |                   | <b>\$1,699,887.00</b> |
| 5101 - Planning                               | Personal Services | \$2,814,116.00        |
|                                               | O.T.P.S.          | \$488,910.00          |
|                                               | Capital           | \$21,000.00           |
| <b>5101 - Planning Total</b>                  |                   | <b>\$3,324,026.00</b> |
| 5102 - Planning Commission                    | Personal Services | \$7,870.00            |
|                                               | O.T.P.S.          | \$200.00              |
|                                               | Capital           | \$5,350.00            |
|                                               | Non-Government    | \$100.00              |
| <b>5102 - Planning Commission Total</b>       |                   | <b>\$13,520.00</b>    |
| 5103 - Board Of Zoning Appeals                | Personal Services | \$5,475.00            |
|                                               | O.T.P.S.          | \$5,600.00            |
|                                               | Non-Government    | \$350.00              |
| <b>5103 - Board Of Zoning Appeals Total</b>   |                   | <b>\$11,425.00</b>    |
| 5104 - SID (Spec Impr District)               | O.T.P.S.          | \$524,262.00          |
| <b>5104 - SID (Spec Impr District) Total</b>  |                   | <b>\$524,262.00</b>   |
| 5106 - Architect Bd of Review                 | Personal Services | \$5,985.00            |
|                                               | O.T.P.S.          | \$5,750.00            |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

**Fund**  
101 - General

| <b>Department</b>                               | <b>Object</b>     | <b>Original</b>        |
|-------------------------------------------------|-------------------|------------------------|
| 5106 - Architect Bd of Review                   | Non-Government    | \$750.00               |
| <b>5106 - Architect Bd of Review Total</b>      |                   | <b>\$12,485.00</b>     |
| 5303 - CDBG Housing Pres Office                 | O.T.P.S.          | \$900,000.00           |
| <b>5303 - CDBG Housing Pres Office Total</b>    |                   | <b>\$900,000.00</b>    |
| 5602 - SBA Performance Grants                   | O.T.P.S.          | \$150,000.00           |
| <b>5602 - SBA Performance Grants Total</b>      |                   | <b>\$150,000.00</b>    |
| 6201 - Service Admin                            | Personal Services | \$546,512.00           |
|                                                 | O.T.P.S.          | \$15,085.00            |
|                                                 | Capital           | \$11,200.00            |
| <b>6201 - Service Admin Total</b>               |                   | <b>\$572,797.00</b>    |
| 6202 - Capital Projects Admin                   | O.T.P.S.          | \$50,000.00            |
| <b>6202 - Capital Projects Admin Total</b>      |                   | <b>\$50,000.00</b>     |
| 6207 - Vehicle Maintenance                      | Personal Services | \$1,426,723.00         |
|                                                 | O.T.P.S.          | \$1,497,690.00         |
|                                                 | Capital           | \$32,000.00            |
| <b>6207 - Vehicle Maintenance Total</b>         |                   | <b>\$2,956,413.00</b>  |
| 6208 - Street Maintenance                       | Personal Services | \$1,933,887.00         |
|                                                 | O.T.P.S.          | \$713,975.00           |
|                                                 | Capital           | \$21,500.00            |
| <b>6208 - Street Maintenance Total</b>          |                   | <b>\$2,669,362.00</b>  |
| 6211 - Traffic Signs & Signals                  | Personal Services | \$77,700.00            |
|                                                 | O.T.P.S.          | \$233,225.00           |
| <b>6211 - Traffic Signs &amp; Signals Total</b> |                   | <b>\$310,925.00</b>    |
| 6225 - DPW Public Property                      | Personal Services | \$852,500.00           |
|                                                 | O.T.P.S.          | \$1,296,000.00         |
| <b>6225 - DPW Public Property Total</b>         |                   | <b>\$2,148,500.00</b>  |
| 7201 - Police Admin                             | Personal Services | \$14,388,162.00        |
|                                                 | O.T.P.S.          | \$733,441.00           |
| <b>7201 - Police Admin Total</b>                |                   | <b>\$15,121,603.00</b> |
| 7202 - Police Academy                           | Personal Services | \$221,500.00           |
|                                                 | O.T.P.S.          | \$84,000.00            |
| <b>7202 - Police Academy Total</b>              |                   | <b>\$305,500.00</b>    |
| 7301 - Fire Admin                               | Personal Services | \$12,668,564.00        |
|                                                 | O.T.P.S.          | \$507,995.00           |
| <b>7301 - Fire Admin Total</b>                  |                   | <b>\$13,176,559.00</b> |
| 7302 - Joint Dispatch Office                    | O.T.P.S.          | \$1,194,309.00         |
| <b>7302 - Joint Dispatch Office Total</b>       |                   | <b>\$1,194,309.00</b>  |
| 7303 - Fire Prevention                          | Personal Services | \$262,269.00           |
|                                                 | O.T.P.S.          | \$26,451.00            |
|                                                 | Capital           | \$3,000.00             |
| <b>7303 - Fire Prevention Total</b>             |                   | <b>\$291,720.00</b>    |
| 7401 - Building Services                        | O.T.P.S.          | \$154,300.00           |
|                                                 | Non-Government    | \$5,000.00             |
| <b>7401 - Building Services Total</b>           |                   | <b>\$159,300.00</b>    |
| 7402 - Housing Inspections                      | Personal Services | \$3,215.00             |
|                                                 | O.T.P.S.          | \$160,900.00           |
|                                                 | Non-Government    | \$4,000.00             |
| <b>7402 - Housing Inspections Total</b>         |                   | <b>\$168,115.00</b>    |
| 8101 - Community Services Admin                 | O.T.P.S.          | \$7,480.00             |
| <b>8101 - Community Services Admin Total</b>    |                   | <b>\$7,480.00</b>      |
| 8201 - Public Prop/Park Maint                   | Personal Services | \$1,053,810.00         |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

| <b>Fund</b>                | <b>Department</b>                                     | <b>Object</b>     | <b>Original</b>        |
|----------------------------|-------------------------------------------------------|-------------------|------------------------|
| 101 - General              | 8201 - Public Prop/Park Maint                         | O.T.P.S.          | \$226,000.00           |
|                            | <b>8201 - Public Prop/Park Maint Total</b>            |                   | <b>\$1,279,810.00</b>  |
|                            | 8401 - Parks & Recreation Admin                       | Personal Services | \$1,180,627.00         |
|                            |                                                       | O.T.P.S.          | \$51,500.00            |
|                            | <b>8401 - Parks &amp; Recreation Admin Total</b>      |                   | <b>\$1,232,127.00</b>  |
|                            | 8402 - Playgrounds                                    | O.T.P.S.          | \$76,200.00            |
|                            | <b>8402 - Playgrounds Total</b>                       |                   | <b>\$76,200.00</b>     |
|                            | 8403 - Swimming Pools                                 | Personal Services | \$407,200.00           |
|                            |                                                       | O.T.P.S.          | \$230,300.00           |
|                            | <b>8403 - Swimming Pools Total</b>                    |                   | <b>\$637,500.00</b>    |
|                            | 8405 - Ice Programs                                   | Personal Services | \$311,000.00           |
|                            |                                                       | O.T.P.S.          | \$40,250.00            |
|                            | <b>8405 - Ice Programs Total</b>                      |                   | <b>\$351,250.00</b>    |
|                            | 8406 - General Recreation Prog                        | Personal Services | \$156,152.00           |
|                            |                                                       | O.T.P.S.          | \$243,400.00           |
|                            | <b>8406 - General Recreation Prog Total</b>           |                   | <b>\$399,552.00</b>    |
|                            | 8409 - Sports Programs                                | Personal Services | \$145,600.00           |
|                            |                                                       | O.T.P.S.          | \$119,750.00           |
|                            | <b>8409 - Sports Programs Total</b>                   |                   | <b>\$265,350.00</b>    |
|                            | 8411 - Community Center Admin                         | Personal Services | \$699,097.00           |
|                            |                                                       | O.T.P.S.          | \$424,100.00           |
|                            |                                                       | Non-Government    | \$1,400.00             |
|                            | <b>8411 - Community Center Admin Total</b>            |                   | <b>\$1,124,597.00</b>  |
|                            | 8501 - Office On Aging Admin                          | Personal Services | \$214,965.00           |
|                            |                                                       | O.T.P.S.          | \$40,110.00            |
|                            | <b>8501 - Office On Aging Admin Total</b>             |                   | <b>\$255,075.00</b>    |
|                            | 8601 - Public Health Admin                            | O.T.P.S.          | \$375,000.00           |
|                            | <b>8601 - Public Health Admin Total</b>               |                   | <b>\$375,000.00</b>    |
|                            | 8701 - Animal Protection                              | O.T.P.S.          | \$75,000.00            |
|                            | <b>8701 - Animal Protection Total</b>                 |                   | <b>\$75,000.00</b>     |
|                            | 9101 - Municipal Court                                | Personal Services | \$1,374,379.00         |
|                            |                                                       | O.T.P.S.          | \$182,500.00           |
|                            | <b>9101 - Municipal Court Total</b>                   |                   | <b>\$1,556,879.00</b>  |
|                            | <b>101 - General Total</b>                            |                   | <b>\$62,231,293.00</b> |
| 201 - Street Constr, Maint | 6201 - Maint,Service Admin                            | Personal Services | \$42,335.00            |
|                            | <b>6201 - Maint,Service Admin Total</b>               |                   | <b>\$42,335.00</b>     |
|                            | 6208 - Maint,Street Maintenance                       | Personal Services | \$102,444.00           |
|                            |                                                       | O.T.P.S.          | \$500.00               |
|                            | <b>6208 - Maint,Street Maintenance Total</b>          |                   | <b>\$102,944.00</b>    |
|                            | 6211 - Maint,Traffic Signs & Signals                  | Capital           | \$40,000.00            |
|                            | <b>6211 - Maint,Traffic Signs &amp; Signals Total</b> |                   | <b>\$40,000.00</b>     |
|                            | 6213 - Maint,Monticello Blvd                          | O.T.P.S.          | \$37,801.00            |
|                            | <b>6213 - Maint,Monticello Blvd Total</b>             |                   | <b>\$37,801.00</b>     |
|                            | 6215 - Maint,Road Repaving-State/Cnty                 | O.T.P.S.          | \$1,992.00             |
|                            | <b>6215 - Maint,Road Repaving-State/Cnty Total</b>    |                   | <b>\$1,992.00</b>      |
|                            | 6220 - Maint,Taylor Road                              | O.T.P.S.          | \$63,800.00            |
|                            | <b>6220 - Maint,Taylor Road Total</b>                 |                   | <b>\$63,800.00</b>     |
|                            | 6236 - Maint,Annual Street Surface                    | Capital           | \$4,000,000.00         |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

| <b>Fund</b>                             | <b>Department</b>                                | <b>Object</b>     | <b>Original</b>       |
|-----------------------------------------|--------------------------------------------------|-------------------|-----------------------|
| 201 - Street Constr, Maint              | <b>6236 - Maint,Annual Street Surface Total</b>  |                   | <b>\$4,000,000.00</b> |
|                                         | 6312 - Maint,Meadowbrook Blvd Rehab              | O.T.P.S.          | \$118,921.00          |
|                                         | <b>6312 - Maint,Meadowbrook Blvd Rehab Total</b> |                   | <b>\$118,921.00</b>   |
| <b>201 - Street Constr, Maint Total</b> |                                                  |                   | <b>\$4,407,793.00</b> |
| 206 - Law Enforcement                   | 7205 - Law Enforcement                           | O.T.P.S.          | \$64,200.00           |
|                                         | <b>7205 - Law Enforcement Total</b>              |                   | <b>\$64,200.00</b>    |
|                                         | 7210 - Law Enforcement Grants                    | Capital           | \$41,400.00           |
|                                         | <b>7210 - Law Enforcement Grants Total</b>       |                   | <b>\$41,400.00</b>    |
| <b>206 - Law Enforcement Total</b>      |                                                  |                   | <b>\$105,600.00</b>   |
| 207 - Drug Law Enforcement              | 7206 - Drug Law Enforcement                      | Personal Services | \$62,000.00           |
|                                         |                                                  | O.T.P.S.          | \$107,500.00          |
|                                         |                                                  | Capital           | \$45,000.00           |
|                                         | <b>7206 - Drug Law Enforcement Total</b>         |                   | <b>\$214,500.00</b>   |
| <b>207 - Drug Law Enforcement Total</b> |                                                  |                   | <b>\$214,500.00</b>   |
| 208 - CDBG Resource                     | 5201 - CDBG Financial Admin                      | Personal Services | \$7,437.00            |
|                                         | <b>5201 - CDBG Financial Admin Total</b>         |                   | <b>\$7,437.00</b>     |
|                                         | 5203 - CDBG Admin Contracts                      | O.T.P.S.          | \$460,000.00          |
|                                         |                                                  | Capital           | \$570,000.00          |
|                                         | <b>5203 - CDBG Admin Contracts Total</b>         |                   | <b>\$1,030,000.00</b> |
|                                         | 5220 - CDBG Office On Aging                      | Personal Services | \$40,510.00           |
|                                         | <b>5220 - CDBG Office On Aging Total</b>         |                   | <b>\$40,510.00</b>    |
|                                         | 5222 - Economic Development                      | Personal Services | \$149,300.00          |
|                                         |                                                  | O.T.P.S.          | \$1,295,000.00        |
|                                         | <b>5222 - Economic Development Total</b>         |                   | <b>\$1,444,300.00</b> |
|                                         | 5224 - CDBG Admin                                | Personal Services | \$152,255.00          |
|                                         |                                                  | O.T.P.S.          | \$19,500.00           |
|                                         | <b>5224 - CDBG Admin Total</b>                   |                   | <b>\$171,755.00</b>   |
|                                         | 5225 - CDBG Parkland                             | O.T.P.S.          | \$207,000.00          |
|                                         | <b>5225 - CDBG Parkland Total</b>                |                   | <b>\$207,000.00</b>   |
|                                         | 5228 - CDBG Public Works                         | O.T.P.S.          | \$146,486.00          |
|                                         |                                                  | Capital           | \$489,394.00          |
|                                         | <b>5228 - CDBG Public Works Total</b>            |                   | <b>\$635,880.00</b>   |
|                                         | 5301 - CDBG Home Repair Resource                 | O.T.P.S.          | \$233,536.00          |
|                                         | <b>5301 - CDBG Home Repair Resource Total</b>    |                   | <b>\$233,536.00</b>   |
|                                         | 5303 - CDBG Housing Pres Office                  | Personal Services | \$365,119.00          |
|                                         |                                                  | O.T.P.S.          | \$588,500.00          |
|                                         | <b>5303 - CDBG Housing Pres Office Total</b>     |                   | <b>\$953,619.00</b>   |
|                                         | 5304 - CDBG Code Enforcement                     | Personal Services | \$143,106.00          |
|                                         | <b>5304 - CDBG Code Enforcement Total</b>        |                   | <b>\$143,106.00</b>   |
|                                         | 5306 - CDBG Neighborhood Relate                  | Personal Services | \$2,934.00            |
|                                         | <b>5306 - CDBG Neighborhood Relate Total</b>     |                   | <b>\$2,934.00</b>     |
|                                         | 5309 - GIS                                       | Personal Services | \$59,125.00           |
|                                         |                                                  | Capital           | \$5,500.00            |
|                                         | <b>5309 - GIS Total</b>                          |                   | <b>\$64,625.00</b>    |
|                                         | 8407 - Child Care/Summer Program                 | O.T.P.S.          | \$21,000.00           |
|                                         | <b>8407 - Child Care/Summer Program Total</b>    |                   | <b>\$21,000.00</b>    |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

| <b>Fund</b>                                  | <b>Department</b>                             | <b>Object</b>     | <b>Original</b>       |
|----------------------------------------------|-----------------------------------------------|-------------------|-----------------------|
| <b>208 - CDBG Resource Total</b>             |                                               |                   | <b>\$4,955,702.00</b> |
| 211 - Home Program                           | 5503 - HOME Admin                             | O.T.P.S.          | \$765,000.00          |
|                                              | <b>5503 - HOME Admin Total</b>                |                   | <b>\$765,000.00</b>   |
|                                              | 5504 - Contingency-HOME                       | O.T.P.S.          | \$600,000.00          |
|                                              | <b>5504 - Contingency-HOME Total</b>          |                   | <b>\$600,000.00</b>   |
| <b>211 - Home Program Total</b>              |                                               |                   | <b>\$1,365,000.00</b> |
| 213 - Police Facility Impr Fund              | 7201 - Police Admin                           | O.T.P.S.          | \$21,000.00           |
|                                              | <b>7201 - Police Admin Total</b>              |                   | <b>\$21,000.00</b>    |
| <b>213 - Police Facility Impr Fund Total</b> |                                               |                   | <b>\$21,000.00</b>    |
| 214 - Local Programming                      | 2108 - General Operations                     | O.T.P.S.          | \$74,000.00           |
|                                              | <b>2108 - General Operations Total</b>        |                   | <b>\$74,000.00</b>    |
|                                              | 2201 - Information Technology                 | Capital           | \$25,000.00           |
|                                              | <b>2201 - Information Technology Total</b>    |                   | <b>\$25,000.00</b>    |
|                                              | 2502 - Public Relations                       | Personal Services | \$15,450.00           |
|                                              | <b>2502 - Public Relations Total</b>          |                   | <b>\$15,450.00</b>    |
|                                              | 2601 - Cable TV Admin                         | Personal Services | \$60.00               |
|                                              |                                               | O.T.P.S.          | \$207,400.00          |
|                                              |                                               | Capital           | \$119,000.00          |
|                                              | <b>2601 - Cable TV Admin Total</b>            |                   | <b>\$326,460.00</b>   |
| <b>214 - Local Programming Total</b>         |                                               |                   | <b>\$440,910.00</b>   |
| 215 - Cain Park Operating                    | 8901 - Cain Park Admin/Start-Up               | Personal Services | \$379,608.00          |
|                                              |                                               | O.T.P.S.          | \$2,079,700.00        |
|                                              | <b>8901 - Cain Park Admin/Start-Up Total</b>  |                   | <b>\$2,459,308.00</b> |
|                                              | 8905 - Arts Festival/Art Gallery              | O.T.P.S.          | \$54,000.00           |
|                                              | <b>8905 - Arts Festival/Art Gallery Total</b> |                   | <b>\$54,000.00</b>    |
|                                              | 8906 - Theater                                | O.T.P.S.          | \$164,500.00          |
|                                              | <b>8906 - Theater Total</b>                   |                   | <b>\$164,500.00</b>   |
| <b>215 - Cain Park Operating Total</b>       |                                               |                   | <b>\$2,677,808.00</b> |
| 216 - Rec Fac Imp Fund                       | 8301 - Park Maintenance Admin                 | O.T.P.S.          | \$209,000.00          |
|                                              | <b>8301 - Park Maintenance Admin Total</b>    |                   | <b>\$209,000.00</b>   |
| <b>216 - Rec Fac Imp Fund Total</b>          |                                               |                   | <b>\$209,000.00</b>   |
| 221 - Indigent DUI Treatment                 | 9101 - Municipal Court                        | O.T.P.S.          | \$14,500.00           |
|                                              | <b>9101 - Municipal Court Total</b>           |                   | <b>\$14,500.00</b>    |
| <b>221 - Indigent DUI Treatment Total</b>    |                                               |                   | <b>\$14,500.00</b>    |
| 222 - Muni Ct-Computerization                | 9101 - Municipal Court                        | Personal Services | \$9,816.00            |
|                                              |                                               | O.T.P.S.          | \$40,000.00           |
|                                              |                                               | Capital           | \$15,000.00           |
|                                              | <b>9101 - Municipal Court Total</b>           |                   | <b>\$64,816.00</b>    |
| <b>222 - Muni Ct-Computerization Total</b>   |                                               |                   | <b>\$64,816.00</b>    |
| 225 - Muni Ct Special Projects               | 9101 - Municipal Court                        | Personal Services | \$24,879.00           |
|                                              |                                               | O.T.P.S.          | \$33,500.00           |
|                                              |                                               | Capital           | \$55,000.00           |
|                                              | <b>9101 - Municipal Court Total</b>           |                   | <b>\$113,379.00</b>   |
| <b>225 - Muni Ct Special Projects Total</b>  |                                               |                   | <b>\$113,379.00</b>   |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

| Fund                                            | Department                                      | Object            | Original              |
|-------------------------------------------------|-------------------------------------------------|-------------------|-----------------------|
| 226 - Lead Safe Cuyahoga                        | 5303 - CDBG Housing Pres Office                 | Personal Services | \$46,127.00           |
|                                                 | <b>5303 - CDBG Housing Pres Office Total</b>    |                   | <b>\$46,127.00</b>    |
|                                                 | 5701 - Housing Program Grants                   | Personal Services | \$47,042.00           |
|                                                 |                                                 | O.T.P.S.          | \$100,000.00          |
|                                                 | <b>5701 - Housing Program Grants Total</b>      |                   | <b>\$147,042.00</b>   |
| <b>226 - Lead Safe Cuyahoga Total</b>           |                                                 |                   | <b>\$193,169.00</b>   |
| 228 - CDBG-COVID                                | 5203 - CDBG Admin Contracts                     | O.T.P.S.          | \$100,000.00          |
|                                                 | <b>5203 - CDBG Admin Contracts Total</b>        |                   | <b>\$100,000.00</b>   |
|                                                 | 5220 - CDBG Office On Aging                     | O.T.P.S.          | \$2,352.00            |
|                                                 | <b>5220 - CDBG Office On Aging Total</b>        |                   | <b>\$2,352.00</b>     |
|                                                 | 5224 - CDBG Admin                               | O.T.P.S.          | \$12,460.00           |
|                                                 | <b>5224 - CDBG Admin Total</b>                  |                   | <b>\$12,460.00</b>    |
|                                                 | 5228 - CDBG Public Works                        | Capital           | \$93,038.00           |
|                                                 | <b>5228 - CDBG Public Works Total</b>           |                   | <b>\$93,038.00</b>    |
| <b>228 - CDBG-COVID Total</b>                   |                                                 |                   | <b>\$207,850.00</b>   |
| 230 - Street Lighting                           | 3101 - Finance                                  | O.T.P.S.          | \$15,000.00           |
|                                                 | <b>3101 - Finance Total</b>                     |                   | <b>\$15,000.00</b>    |
|                                                 | 6211 - Traffic Signs & Signals                  | O.T.P.S.          | \$1,025,000.00        |
|                                                 | <b>6211 - Traffic Signs &amp; Signals Total</b> |                   | <b>\$1,025,000.00</b> |
| <b>230 - Street Lighting Total</b>              |                                                 |                   | <b>\$1,040,000.00</b> |
| 231 - Tree                                      | 8801 - Forestry                                 | Personal Services | \$918,965.00          |
|                                                 |                                                 | O.T.P.S.          | \$503,505.00          |
|                                                 |                                                 | Capital           | \$302,000.00          |
|                                                 | <b>8801 - Forestry Total</b>                    |                   | <b>\$1,724,470.00</b> |
| <b>231 - Tree Total</b>                         |                                                 |                   | <b>\$1,724,470.00</b> |
| 232 - Police Pension                            | 7201 - Police Admin                             | Personal Services | \$382,650.00          |
|                                                 | <b>7201 - Police Admin Total</b>                |                   | <b>\$382,650.00</b>   |
| <b>232 - Police Pension Total</b>               |                                                 |                   | <b>\$382,650.00</b>   |
| 233 - Fire Pension                              | 7301 - Fire Admin                               | Personal Services | \$382,650.00          |
|                                                 | <b>7301 - Fire Admin Total</b>                  |                   | <b>\$382,650.00</b>   |
| <b>233 - Fire Pension Total</b>                 |                                                 |                   | <b>\$382,650.00</b>   |
| 234 - Earned Benefits                           | 2108 - General Operations                       | Personal Services | \$300,000.00          |
|                                                 | <b>2108 - General Operations Total</b>          |                   | <b>\$300,000.00</b>   |
| <b>234 - Earned Benefits Total</b>              |                                                 |                   | <b>\$300,000.00</b>   |
| 240 - Federal Miscellaneous Grants              | 5101 - Planning                                 | O.T.P.S.          | \$1,500,000.00        |
|                                                 | <b>5101 - Planning Total</b>                    |                   | <b>\$1,500,000.00</b> |
|                                                 | 7201 - Police Admin                             | Personal Services | \$48,411.00           |
|                                                 | <b>7201 - Police Admin Total</b>                |                   | <b>\$48,411.00</b>    |
| <b>240 - Federal Miscellaneous Grants Total</b> |                                                 |                   | <b>\$1,548,411.00</b> |
| 301 - G.O. Bond Retirement                      | 3101 - Finance                                  | O.T.P.S.          | \$3,164,927.00        |
|                                                 | <b>3101 - Finance Total</b>                     |                   | <b>\$3,164,927.00</b> |
| <b>301 - G.O. Bond Retirement Total</b>         |                                                 |                   | <b>\$3,164,927.00</b> |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

| Fund                                            | Department                                   | Object            | Original               |
|-------------------------------------------------|----------------------------------------------|-------------------|------------------------|
| 402 - Financed Capital Projects                 | 1101 - City Council                          | Capital           | \$3,700.00             |
|                                                 | <b>1101 - City Council Total</b>             |                   | <b>\$3,700.00</b>      |
|                                                 | 2201 - Information Technology                | Capital           | \$759,107.00           |
|                                                 | <b>2201 - Information Technology Total</b>   |                   | <b>\$759,107.00</b>    |
|                                                 | 5101 - Planning                              | Capital           | \$1,236,000.00         |
|                                                 | <b>5101 - Planning Total</b>                 |                   | <b>\$1,236,000.00</b>  |
|                                                 | 6201 - Service Admin                         | Capital           | \$1,673,500.00         |
|                                                 | <b>6201 - Service Admin Total</b>            |                   | <b>\$1,673,500.00</b>  |
|                                                 | 7201 - Police Admin                          | Capital           | \$412,512.00           |
|                                                 | <b>7201 - Police Admin Total</b>             |                   | <b>\$412,512.00</b>    |
|                                                 | 7301 - Fire Admin                            | Capital           | \$190,000.00           |
|                                                 | <b>7301 - Fire Admin Total</b>               |                   | <b>\$190,000.00</b>    |
|                                                 | 7402 - Housing Inspections                   | Capital           | \$3,000.00             |
|                                                 | <b>7402 - Housing Inspections Total</b>      |                   | <b>\$3,000.00</b>      |
|                                                 | 8201 - Public Prop/Park Maint                | Capital           | \$1,234,950.00         |
|                                                 | <b>8201 - Public Prop/Park Maint Total</b>   |                   | <b>\$1,234,950.00</b>  |
| <b>402 - Financed Capital Projects Total</b>    |                                              |                   | <b>\$5,512,769.00</b>  |
| 411 - Economic Development                      | 5101 - Planning                              | O.T.P.S.          | \$151,850.00           |
|                                                 |                                              | Capital           | \$60,000.00            |
|                                                 | <b>5101 - Planning Total</b>                 |                   | <b>\$211,850.00</b>    |
| <b>411 - Economic Development Total</b>         |                                              |                   | <b>\$211,850.00</b>    |
| 412 - City Hall Maint & Repair                  | 2102 - City Hall Maint/Repair                | O.T.P.S.          | \$21,000.00            |
|                                                 | <b>2102 - City Hall Maint/Repair Total</b>   |                   | <b>\$21,000.00</b>     |
| <b>412 - City Hall Maint &amp; Repair Total</b> |                                              |                   | <b>\$21,000.00</b>     |
| 416 - Refuse Capital Fund                       | 6203 - Refuse Coll/Transfer Sta              | Capital           | \$1,015,000.00         |
|                                                 | <b>6203 - Refuse Coll/Transfer Sta Total</b> |                   | <b>\$1,015,000.00</b>  |
| <b>416 - Refuse Capital Fund Total</b>          |                                              |                   | <b>\$1,015,000.00</b>  |
| 601 - Water Administration                      | 6302 - Water Distribution                    | Capital           | \$1,914,540.00         |
|                                                 | <b>6302 - Water Distribution Total</b>       |                   | <b>\$1,914,540.00</b>  |
|                                                 | 6314 - Runnymede/Quilliams Wtr               | O.T.P.S.          | \$20,206.00            |
|                                                 | <b>6314 - Runnymede/Quilliams Wtr Total</b>  |                   | <b>\$20,206.00</b>     |
| <b>601 - Water Administration Total</b>         |                                              |                   | <b>\$1,934,746.00</b>  |
| 602 - Sewerage Disposal                         | 6205 - Sewer Maintenance                     | Personal Services | \$1,530,953.00         |
|                                                 |                                              | O.T.P.S.          | \$792,350.00           |
|                                                 |                                              | Capital           | \$8,767,000.00         |
|                                                 |                                              | Non-Government    | \$10,000.00            |
|                                                 | <b>6205 - Sewer Maintenance Total</b>        |                   | <b>\$11,100,303.00</b> |
| <b>602 - Sewerage Disposal Total</b>            |                                              |                   | <b>\$11,100,303.00</b> |
| 603 - Parking Fund                              | 6210 - Parking Department                    | O.T.P.S.          | \$803,000.00           |
|                                                 |                                              | Non-Government    | \$2,500.00             |
|                                                 | <b>6210 - Parking Department Total</b>       |                   | <b>\$805,500.00</b>    |
| <b>603 - Parking Fund Total</b>                 |                                              |                   | <b>\$805,500.00</b>    |
| 605 - Refuse Fund                               | 6203 - Refuse Coll/Transfer Sta              | Personal Services | \$2,835,862.00         |
|                                                 |                                              | O.T.P.S.          | \$1,536,723.00         |

ORDINANCE NO.  
AN ORDINANCE AMENDING APPROPRIATIONS FOR THE  
CURRENT EXPENSES AND OTHER EXPENDITURES OF THE  
CITY OF CLEVELAND HEIGHTS, OHIO  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026

| <b>Fund</b>                                  | <b>Department</b>                            | <b>Object</b>     | <b>Original</b>         |
|----------------------------------------------|----------------------------------------------|-------------------|-------------------------|
| 605 - Refuse Fund                            | 6203 - Refuse Coll/Transfer Sta              | Capital           | \$25,000.00             |
|                                              | <b>6203 - Refuse Coll/Transfer Sta Total</b> |                   | <b>\$4,397,585.00</b>   |
| <b>605 - Refuse Fund Total</b>               |                                              |                   | <b>\$4,397,585.00</b>   |
| 606 - ALS Ambulance Services                 | 7304 - ALS Ambulance Services                | Personal Services | \$651,746.00            |
|                                              |                                              | O.T.P.S.          | \$587,760.00            |
|                                              |                                              | Capital           | \$261,986.00            |
|                                              | <b>7304 - ALS Ambulance Services Total</b>   |                   | <b>\$1,501,492.00</b>   |
| <b>606 - ALS Ambulance Services Total</b>    |                                              |                   | <b>\$1,501,492.00</b>   |
| 701 - Hospitalization Self-Ins               | 3101 - Finance                               | Personal Services | \$10,128,787.00         |
|                                              | <b>3101 - Finance Total</b>                  |                   | <b>\$10,128,787.00</b>  |
| <b>701 - Hospitalization Self-Ins Total</b>  |                                              |                   | <b>\$10,128,787.00</b>  |
| 804 - Off/Aging Donations                    | 8501 - Office On Aging Admin                 | O.T.P.S.          | \$1,750.00              |
|                                              | <b>8501 - Office On Aging Admin Total</b>    |                   | <b>\$1,750.00</b>       |
| <b>804 - Off/Aging Donations Total</b>       |                                              |                   | <b>\$1,750.00</b>       |
| 808 - Youth Recreation Donation              | 8101 - Community Services Admin              | Non-Government    | \$20,000.00             |
|                                              | <b>8101 - Community Services Admin Total</b> |                   | <b>\$20,000.00</b>      |
| <b>808 - Youth Recreation Donation Total</b> |                                              |                   | <b>\$20,000.00</b>      |
| 811 - Juvenile Diversion Prog                | 7209 - Juvenile Diversion Prog               | O.T.P.S.          | \$12,000.00             |
|                                              | <b>7209 - Juvenile Diversion Prog Total</b>  |                   | <b>\$12,000.00</b>      |
| <b>811 - Juvenile Diversion Prog Total</b>   |                                              |                   | <b>\$12,000.00</b>      |
| 850 - Flexible Spending Account              | 3101 - Finance                               | Personal Services | \$234,352.00            |
|                                              | <b>3101 - Finance Total</b>                  |                   | <b>\$234,352.00</b>     |
| <b>850 - Flexible Spending Account Total</b> |                                              |                   | <b>\$234,352.00</b>     |
| 858 - Miscellaneous Agency                   | 7201 - Police Admin                          | O.T.P.S.          | \$50,000.00             |
|                                              | <b>7201 - Police Admin Total</b>             |                   | <b>\$50,000.00</b>      |
|                                              | 7401 - Building Services                     | Non-Government    | \$14,000.00             |
|                                              | <b>7401 - Building Services Total</b>        |                   | <b>\$14,000.00</b>      |
| <b>858 - Miscellaneous Agency Total</b>      |                                              |                   | <b>\$64,000.00</b>      |
| <b>Grand Total</b>                           |                                              |                   | <b>\$122,726,562.00</b> |