



**August 17, 2026
Regular Meeting
7:30 PM**

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

AGENDA - CLEVELAND HEIGHTS CITY COUNCIL MEETING

- 1) Meeting called to order by Council President**
- 2) Roll Call of Council Members**
- 3) Excuse absent members**
- 4) Amendments to the Agenda (if necessary)**
- 5) Approval of minutes from previous meeting(s)**
 - a. June 1, 2026
 - b. June 15, 2026
 - c. June 22, 2026
 - d. June 26, 2026
 - e. July 6, 2026
- 6) Proclamations and Honors**
 - a. Proclamation for Amy Rosenbluth
 - b. Proclamation for Philippe "Philly" Weeden
- 7) Communications from the Mayor**
- 8) City Administrator's Report**
- 9) Departmental Report(s)**
- 10) Report of the Clerk of Council**
 - a. Notify Council that the Clerk has received a Notice to Legislative Authority from the Ohio Department of Liquor Control for the transfer of a D-5 Liquor Permit from Tricat LLC to HKCLE, LLC d/b/a High Key on Lee located at 2279-2281 Lee Rd.

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. Comments unrelated to the agenda may be made after Committee Reports.

12) LEGISLATION

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

a. First Readings – Consideration of Adoption Requested

RESOLUTION NO. 144-2026(AS): First Reading. A Resolution appointing Matt Alden as a 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

RESOLUTION NO. 145-2026(PD): First Reading. A Resolution giving consent to the Director of Transportation of the State of Ohio for the Heights Regional Greenway Phase 1 Project (PID 120115), authorizing the execution of agreements required by the Ohio Department of Transportation, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 146-2026(F): First Reading. A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

ORDINANCE NO. 147-2026(F): First Reading. An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective

as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 148-2026(F): First Reading. A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City of Cleveland Heights and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

ORDINANCE NO. 149-2026(F): First Reading. An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 150-2026(PSH): First Reading. A Resolution authorizing the Mayor to execute an agreement with Cellco Partnership d/b/a Verizon Wireless for cellular and related telecommunication services and equipment; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 156-2026(PD): First Reading. A Resolution memorializing Council's approval of a use variance concerning the property at 2536 Noble Road, pursuant to Section 1115.07(i) of the Codified Ordinances of the City of Cleveland Heights, as described in BZA Cal. No. 3659A; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

b. First Readings Only

ORDINANCE NO. 151-2026(PD): First Reading. An Ordinance authorizing the Mayor to execute an intergovernmental agreement with the City of East Cleveland to facilitate completion of the Taylor Road Corridor Project; and

declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 152-2026(MSES): First Reading. A Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to fund a pre-design study of the culvert at MLK Jr. Drive; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 153-2026(MSES): First Reading. A Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to fund an exploratory investigation of Outfall DBMB0746; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 154-2026(MSES): First Reading. A Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to fund the City-wide Catch Basin Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

ORDINANCE NO. 155-2026(AS): First Reading. An Ordinance amending Chapter 143 "Landmark Commission" of the Codified Ordinances of Cleveland Heights, Ohio, and repealing the prior version.

Introduced by Mayor Petras

RESOLUTION NO. 157-2026(MSES): First Reading. A Resolution authorizing the Mayor to enter into agreements with Best Equipment Company and Classic Ford Mentor for the acquisition of a Loadmaster Elite Body for the Refuse and Recycling Division of the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

RESOLUTION NO. 160-2026(AS): First Reading. A Resolution accepting the recommendations of the Tax Incentive Review Council (TIRC) concerning Community Reinvestment Area Tax Exemption Agreements within the City of Cleveland Heights.

Introduced by Mayor Petras and All City Councilmembers

c. Second Readings

ORDINANCE NO. 123-2026(F): Second Reading. An Ordinance declaring improvements to a certain parcel within the City of Cleveland Heights to be a public purpose, exempting the improvements to such parcel from real property taxation for a period of 30 years; requiring the owners of such parcels to make service payments in lieu of taxes; establishing an Urban Redevelopment Tax Increment Equivalent Fund for the deposit of such payments; and approving a Development Agreement with the owner of said parcel; all pursuant to Sections 5709.41, 5709.42 and 5709.43 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

d. Consent Agenda

RESOLUTION NO. 158-2026(COTW): First Reading. A Resolution joining communities throughout the nation in proclaiming September 2026, *Prostate Cancer Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by All City Councilmembers and Mayor Petras

RESOLUTION NO. 159-2026(COTW): First Reading. A Resolution recognizing September 2026 as *Suicide Prevention Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

13) Committee Reports

14) 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.

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: SEPTEMBER 8, 2026



June 1, 2026
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

Start:

2) Roll Call of Council Members

Present: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

Excused: Gail Larson

Also present: Mayor Petras, Administrator Reese, Director Hanna, Clerk Balester

3) Excuse absent members

- Vice President Larson excused

4) Amendments to the Agenda (if necessary)

Motion to take from the table and add to the agenda Resolution 103-

2026: Craig Cobb

Seconded: Jim Posch

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

MOTION PASSED

5) Approval of minutes from previous meeting(s)

a. April 20, 2026

APPROVED

b. May 4, 2026

APPROVED

c. May 11, 2026

APPROVED

6) Presentation(s)

a. Laura Loeb, *Heights Schools Foundation*

7) Proclamations and Honors

8) Communications from the Mayor

- On May 20, 2026, the City of Cleveland Heights received bids for project #26-04 Road Resurfacing Program Phase #2. The lowest and best bid came from Ronyak Paving, Inc. at \$1,219,250.00.
- On April 24, 2026 the City of Cleveland Heights received bids for project #26-02 Pavement Striping Project – 2026, 2027, and 2028. The lowest and best bid over a 3-year period was JD Striping Services, Inc. at \$335,606.78 for 2026, \$354,391.69 for 2027, and \$376,917.34 for 2028, for a total of \$1,066,915.81.
- The lower lake's water level was lowered in anticipation of excessive rainfall that was expected.
- Cumberland Pool — the city received a \$300k grant to help repair the facilities. The City has looked at hiring an owner's rep for the Cumberland Pool Project.

9) City Administrator's Report

- Encouraged people to watch the presentation in COTW regarding the City's use of ARPA funds. Gave thanks to the city's finance team for all their hard work. ARPA-funded programs will be highlighted in the upcoming FOCUS magazine.
- Special Event Application — worked with Todd Walburn to create this new application, which will help the city be better prepared...
- Spoke about the MOU with Friends of Cain Park, which is on the agenda for Council's consideration tonight.
- The internal 2027 Budget process has begun, and an outline will be provided.

10) Departmental Report(s)

- Jami Taylor spoke about upcoming city events in June:
 - June 13, Cain Park, Juneteenth celebration from 11 am-4 pm

- June 14 from 10 am-12 pm "Free to Dream" parade for Laila Edwards
- June 27 GLOW Party Pride Event 4 pm-9:30 pm at Cain Park

11) Report of the Clerk of Council

- Notified Council that I have received a notice from the Division of Liquor Control for the transfer of a D-2/D2-x/D-3/D-5I liquor permit from YLT Heights LLC to Edwin's Leadership & Restaurant Institute located at 12383-89-93 Cedar Rd.

12) 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. Comments unrelated to the agenda may be made after Committee Reports.

Speakers

Name	Resident/Board Member/Other	Topic
Laura DeLaney	Resident	RES 106-2026
Davida Russell	Resident	RES 106-2026

13) LEGISLATION

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a. First Readings – Consideration of Adoption Requested

ORDINANCE NO. 111-2026(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 241-2025, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio, for the fiscal year ending December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Jim Posch

Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 112-2026(CRR): First Reading. A Resolution authorizing the City to apply for funding through the Ohio Department of Natural Resources NatureWorks Grant Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Jessica Cohen

Seconded: Jim Posch

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 113-2026(MSES): First Reading. A Resolution authorizing the Mayor to execute a change order to an agreement with Renaissance Restoration, Ltd. to provide for additional services necessary to lay new concrete foundations for the retaining wall adjacent to the Service Center's salt bin; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Craig Cobb

Seconded: Jim Posch

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

b. First Readings Only

RESOLUTION NO. 114-2026(F): First Reading. A Resolution approving the adoption of the 2027 Tax Budget; and declaring the necessity that this

1 Introduced by Mayor Petras

2 **READ INTO THE RECORD**

3 **RESOLUTION NO. 115-2026(CRR): First Reading.** An Ordinance
4 amending Part One, Title Eleven, Chapter 171 of the Codified Ordinances of
5 the City of Cleveland Heights to enact a new Section 171.02(h) "Contracts for
6 youth, adult, and senior program services," to provide the City with greater
7 flexibility when contracting with persons to administer the City's recreational
8 programming or using City facilities to offer recreational programming to the
9 public; and declaring the necessity that this legislation become immediately
10 effective as an emergency measure.

11
12 Introduced by Mayor Petras

13 **READ INTO THE RECORD**

14 **c. Second Readings**

15
16 **RESOLUTION NO. 100-2026(F): Second Reading.** A Resolution declaring
17 the necessity of assessing a portion of the expense of street lighting; and
18 declaring the necessity that this legislation become immediately effective as
19 an emergency measure.

20
21 Introduced by Mayor Petras

22 **Motion to adopt:** Jim Posch

23 **Seconded:** Craig Cobb

24
25 **Yes:** Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda,
26 Sarah Stone

27 **No:** None

28 **LEGISLATION PASSED**

29 **RESOLUTION NO. 101-2026(F): Second Reading.** A Resolution declaring
30 the necessity of assessing a portion of the expense of improving streets and
31 parkways, including grading, draining, curbing, paving, repaving, repairing,
32 sweeping, or cleaning thereof, removing snow therefrom, and planting,
33 maintaining, and removing shade trees thereon; and declaring an
34 emergency.

35
36 Introduced by Mayor Petras

37 **Motion to adopt:** Jim Posch

38 **Seconded:** Sarah Stone

39
40 **Yes:** Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda,

Sarah Stone
No: None

LEGISLATION PASSED

RESOLUTION NO. 104-2026(PSH): Second 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 Petras

Motion to adopt: Jim Posch
Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Tony Cuda, Sarah Stone
No: None

LEGISLATION PASSED

RESOLUTION NO. 105-2026(MSES): Second Reading. A Resolution authorizing the Mayor to execute an agreement with Wade Trim, Inc. of Ohio, for professional design engineering and associated services relating to the mitigation of illicit connections in the Overlook Road area and control of sanitary sewer overflow CH-46; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Joe DeWitt-Foy
Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Tony Cuda, Sarah Stone
No: None

LEGISLATION PASSED

RESOLUTION NO. 106-2026(PD): Second Reading (As Amended). A Resolution authorizing a grant agreement with the Taylor Merchants Association; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council Member Cohen

Motion to amend: Jessica Cohen
Seconded: Jim Posch

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

MOTION PASSED

Motion to adopt: Jessica Cohen

Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda,
Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 103-2026(CRR): Second Reading (As amended 6/1/2026). A Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Friends of Cain Park to support Cain Park programming for the 2026 and 2027 seasons.

Introduced by Mayor Petras

Motion to amend: Jim Posch

Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda,
Sarah Stone

No: None

MOTION PASSED

Motion to adopt: Jim Posch

Seconded: Jessica Cohen

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda,
Sarah Stone

No: None

LEGISLATION PASSED

14) Committee Reports

- **PD:** Council Member Cohen gave a brief update from the COTW discussion on 5/26. There is a meeting of the Planning and Development Committee to hear from the community tomorrow at 6 pm.

15) 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
Tiffany Massing	Resident	Shaker Lakes/Parklands
Gail Bromley	Resident	Shaker Lakes/Parklands
Corry Sable	Resident	Shaker Lakes/Parklands

16) Old Business

- None

17) New Business

- **Motion to move Sept 21 Regular Council Meeting to Sept 22:** Jessica Cohen
Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

MOTION PASSED

18) 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 the time limit based on the volume of business on the agenda, the time of evening, or other similar factors.

- Council Member Cohen thanked the administration for getting the state capital funding.

19) Council President's Report

- Spoke about the Cleveland Orchestra coming to Cain Park this summer.

20) Adjournment

End: 8:41 PM

NEXT MEETING OF COUNCIL: JUNE 15, 2026



June 15, 2026
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: 7:43 PM

2) Roll Call of Council Members

Present: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

Excused: None

Also present: Mayor Petras, Administrator Reese, Director Hanna, Clerk Balester

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

- None

5) Presentation(s)

- a. Keesha Allen, *Executive Director HRRC*

6) Proclamations and Honors

- a. CH-UH 100 Year Anniversary Proclamation

b. Carla Rautenberg and Deborah Van Kleef Proclamation

7) Communications from the Mayor

- Thanked everybody who came out this weekend for the City's Juneteenth celebration and parade for Laila Edwards. Thanked all the staff members who helped organize and work the parade route.
- Pride in the Park is Saturday, June 27th, at 4 pm in Cain Park.
- On Thursday, a man armed with a handgun sexually assaulted a woman in the area of Lee Rd. and Derbyshire Rd. If anybody has any information, please reach out to Crime Stoppers at 216-252-7463.

8) City Administrator's Report

- Hillside Dairy Demo abatement has been completed, and we are ready for demolition. Tomorrow at 8:45 am, there will be a press conference, and demolition will begin at 9 am. Demo should take approximately 2 weeks, and landscaping an additional 2–3 weeks.
- Gave an update on the city's efforts regarding deer management.
- The Mayor has nominated an HR Director, and there will be a confirmation hearing at a Special Council Meeting next Monday, June 22nd, at 5 pm.

9) Departmental Report(s)

10) Report of the Clerk of Council

- a. *Notice to Legislative Authority for the transfer of a D-3/D-2X/D-2 liquor permit from Edwins Leadership & Restaurant Institute to Edwins Oyster Bar located at 12395 Cedar Rd.*

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. Comments unrelated to the agenda may be made after Committee Reports)

Speakers

Name	Resident/Board Member/Other	Topic
James O'Hare	Resident	RES 119-2026 - Parks and Recreation Month
Lou Radivoyevitch	Resident	Housing Advisory Group and Down Payment Assistance Program

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. 116-2026(PD): First Reading. An Ordinance adopting the City of Cleveland Heights' Comprehensive Plan for Affordable Housing and Down Payment Assistance Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 117-2026(AS): First Reading. A Resolution appointing Nikole McPheron and Dan Luscher as members of the Parks and Recreation Advisory Board of the City of Cleveland Heights, OH, to fill the remainder of unexpired terms; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council Member Cob, Council President Cuda, and Council Vice President Larson

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 118-2026(AS): First Reading. A Resolution appointing Denise Baba as a member of the Transportation and Mobility Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Council Member Cobb, Council President Cuda, and Council Vice President Larson

Motion to adopt: Craig Cobb

Seconded: Jim Posch

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 119-2026(CRR): First Reading. A Resolution proclaiming July 2026 to be *National Parks and Recreation Month* in the City of Cleveland Heights; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

Introduced by Mayor Petras and All City Council Members

Motion to adopt: Gail Larson

Seconded: Jim Posch

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

b. First Readings Only

ORDINANCE NO. 120-2026(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 241-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

1 Introduced by Mayor Petras

2 **READ INTO THE RECORD**

3 **RESOLUTION NO. 121-2026(MSES): First Reading.** A Resolution
4 authorizing the Mayor to enter into a Community Cost Share Agreement with
5 the Northeast Ohio Regional Sewer District; and declaring the necessity that
6 this legislation become immediately effective as an emergency measure.
7

8 Introduced by Mayor Petras

9 **READ INTO THE RECORD**

10 **RESOLUTION NO. 122-2026(MSES): First Reading.** A Resolution
11 authorizing the Mayor to enter into an agreement with A & H Equipment, for
12 the acquisition of a Pelican Three-Wheel Mechanical Street Sweeper for the
13 Streets Division of the Department of Public Works; and declaring the
14 necessity that this legislation become immediately effective as an emergency
15 measure.
16

17 Introduced by Mayor Petras

18 **READ INTO THE RECORD**

19 **ORDINANCE NO. 123-2026(F): First Reading.** An Ordinance declaring
20 improvements to a certain parcel within the City of Cleveland Heights to be a
21 public purpose, exempting the improvements to such parcel from real
22 property taxation for a period of 30 years; requiring the owners of such parcels
23 to make service payments in lieu of taxes; establishing an Urban
24 Redevelopment Tax Increment Equivalent Fund for the deposit of such
25 payments; and approving a Development Agreement with the owner of said
26 parcel; all pursuant to Sections 5709.41, 5709.42 and 5709.43 of the Ohio
27 Revised Code; and declaring the necessity that this legislation become
28 immediately effective as an emergency measure.
29

30 Introduced by Mayor Petras

31 **READ INTO THE RECORD**

32 **ORDINANCE NO. 124-2026(PD): First Reading.** An Ordinance amending
33 Ordinance No. 13-2019, as amended previously by Ordinance No. 11-2022
34 and Ordinance No. 195-2023, to reduce the number of Directors on the Board
35 of Directors of the Cleveland Heights Community Improvement Corporation
36 to include only the Mayor, President of Council, and the Director of the City's
37 Department of Planning and Development, authorizing the Mayor to file
38 appropriate Amended Articles of Incorporation, and declaring the necessity
39 that this legislation become immediately effective as an emergency measure.
40

41 Introduced by Mayor Petras

READ INTO THE RECORD

ORDINANCE NO. 125-2026(PD): First Reading. A Resolution establishing a Municipal Property Development and Disposition Committee and prescribing its composition, purpose, powers, duties, and procedures; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

READ INTO THE RECORD

ORDINANCE NO. 126-2026(HB): First Reading. An Ordinance amending the City's Housing and Business Maintenance Codes by enacting new Subsection 1347.03(g), and repealing in their entirety Sections 1351.34 and 1369.16(c) of the City of Cleveland Heights, Ohio's Codified Ordinances.

Introduced by Mayor Petras

Motion to adopt: Craig Cobb

Seconded: Joe DeWitt-Foy

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

c. Second Readings

RESOLUTION NO. 114-2026(F): Second Reading. A Resolution approving the adoption of the 2027 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Gail Larson

Seconded: Joe DeWitt-Foy

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 115-2026(CRR): Second Reading. An Ordinance amending Part One, Title Eleven, Chapter 171 of the Codified Ordinances of the City of Cleveland Heights to enact a new Section 171.02(h) "Contracts for youth, adult, and senior program services," to provide the City with greater

flexibility when contracting with persons to administer the City's recreational programming or using City facilities to offer recreational programming to the public; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Joe DeWitt-Foy

Seconded: Jessica Cohen

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

13) Committee Reports

- **Finance:** The next discussion will be at the COTW on 6/22
- **PSH:** The next discussion will be at the COTW on 6/22
- **MSES:** The next discussion will be at the COTW on 6/22

14) Public Comment - General

(Note: Persons wishing to speak must register in advance. A 3-minute time limit applies. Council President reserves the right to reduce time limit based on the volume of business on the agenda.)

Speakers

Name	Resident/Board Member/Other	Topic
Deborah Van Kleeef	Resident	Doan Brook restoration at Horseshoe Park
Carla Rautenberg	Resident	RCV and Democracy
Edgar Mitchell	Resident	Thanked Council and the Administration for their work
Denise Booker	Resident	Deer feeding issues
Juanita Brent	Other	State Capital Funding — Cumberland Pool
Barbara Sosnowski	Resident	Noble-Neighbor garden spaces
Isac Mahalli	Resident	Taylor Rd. Synagogue

15) Old Business

- None

1 **16) New Business**

- 2
- 3 • None
- 4

5 **17) Council Member Comments**

6

- 7 • **Council Member DeWitt-Foy** thanked all the city staff who worked so
- 8 hard over the weekend, both with the city events and with the storm
- 9 cleanup.
- 10 • **Council Member Stone** Encouraged residents to attend the City's
- 11 Housing Needs Assessment Open House on June 24 at 5:00 p.m. at the
- 12 Community Center, where preliminary findings would be presented and
- 13 public feedback solicited. She echoed gratitude for emergency responders
- 14 • **Council Member Cohen** Complimented the City's beautification efforts,
- 15 particularly seasonal flower plantings and their positive effect on business
- 16 districts. Shared information from Cleveland Heights for Immigrant Rights
- 17 about a series of free legal clinics covering:
- 18 • Citizenship and naturalization.
- 19 • Family preparedness and powers of attorney.
- 20 • DACA-related issues. She encouraged interested residents to seek
- 21 details through the organization's registration links.
- 22 • **Council Vice President Larson** Thanked Mayor Petras and Amanda
- 23 Matalone from the Office on Aging, Cleveland Heights police officers, and
- 24 EMS personnel for assisting a close friend who suffered a serious fall.
- 25 Recognition of the professionalism and compassion demonstrated during
- 26 that emergency response. Made a n announcement regarding a Forest Hill
- 27 Park cleanup organized by the East Side Citizens Empowerment
- 28 Foundation on June 27 at 10:00 a.m., encouraging residents to volunteer
- 29 and support a project benefiting neighboring East Cleveland.
- 30

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

32

- 33 • Spoke briefly about the Juneteenth event and the parade for Laila
- 34 Edwards.
- 35

36 **19) Adjournment**

37 End: 9:27 PM

38

39 **NEXT MEETING OF COUNCIL: JULY 6, 2026**



June 22, 2026
Special Meeting
5:00 PM

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

MEETING MINUTES

1) Meeting called to order by Council President

Start: 5:00 PM

2) Roll Call of Council Members

Present: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

Excused: None

Also present: Mayor Petras

3) Excuse absent members

- None

4) Communications from the Mayor

- None

6) Public Confirmation Hearing

Human Resources Director

- The Mayor presented Christina Halstead as his choice for Human Resources Director.
- Council members asked Ms. Halstead questions during the confirmation hearing portion about her experience and her plans for Cleveland Heights should she be confirmed by City Council.

7) **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. 129-2026(AS): First Reading. An Ordinance amending the City's Housing and Business Maintenance Codes by enacting new Subsection 1347.03(g) of the City's Codified Ordinances and repealing in their entirety Sections 1351.34 and 1369.16(c) of the City of Cleveland Heights, Ohio's Codified Ordinances; repealing Ordinance 126-2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

b. First Readings Only

RESOLUTION NO. 127-2026(CRR): First Reading. A Resolution authorizing the Mayor to enter into a professional services agreement with RFC Contracting LLC., for owner's representative services for the Cumberland Pool Facility Modernization and Rehabilitation Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

READ INTO THE RECORD

RESOLUTION NO. 128-2026(COTW): First Reading. A Resolution appointing Helen Hertz, Linda Striefsky, Kory Clark, India Birdsong-Terry, and William Fadel as members of the Municipal Property Development and Disposition Committee of the City of Cleveland Heights, OH.

Introduced by Mayor Petras and All City Council Members

READ INTO THE RECORD

c. Second Readings

ORDINANCE NO. 120-2026(F): Second Reading (As Amended). An Ordinance to amend certain subparagraphs of Ordinance No. 241-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

NO VOTE

ORDINANCE NO. 124-2026(PD): Second Reading. An Ordinance amending Ordinance No. 13-2019, as amended previously by Ordinance No. 11-2022 and Ordinance No. 195-2023, to reduce the number of Directors on the Board of Directors of the Cleveland Heights Community Improvement Corporation to include only the Mayor, President of Council, and the Director of the City's Department of Planning and Development, authorizing the Mayor to file appropriate Amended Articles of Incorporation, and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Gail Larson

Seconded: Sarah Stone

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

ORDINANCE NO. 125-2026(PD): Second Reading. A Resolution establishing a Municipal Property Development and Disposition Committee and prescribing its composition, purpose, powers, duties, and procedures; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

NO VOTE

8) Old Business

- None

9) New Business

- None

10) Adjournment

End: 6:05 PM

NEXT MEETING OF COUNCIL: JULY 6, 2026

DRAFT



June 26, 2026
Special Meeting
11:30 AM

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

MEETING MINUTES

1) Meeting called to order by Council President

Start: 11:33 AM

2) Roll Call of Council Members

Present: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

Excused: None

Also present: Mayor Petras, Director Hanna, Clerk Balester

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

- None

5) 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.

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

2
3 **RESOLUTION NO. 129-2026(AS): First Reading.** A Resolution approving
4 the Mayor's appointment of Christina Halstead as the Director of Human
5 Resources, commencing upon her confirmation; and declaring the necessity
6 that this legislation become immediately effective as an emergency measure.
7

8 Introduced by Mayor Petras

9 **Motion to adopt:** Gail Larson

10 **Seconded:** Jim Posch

11
12 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Jessica Cohen, Tony Cuda, Sarah
13 Stone

14 **No:** None

15 **LEGISLATION PASSED**

16 **ORDINANCE NO. 130-2026(CRR): First Reading.** An Ordinance
17 authorizing a contract with Actors' Equity Association to provide for the
18 employment of its members in Cain Park productions; and declaring the
19 necessity that this legislation become immediately effective as an emergency
20 measure.
21

22 Introduced by Mayor Petras

23 **Motion to adopt:** Sarah Stone

24 **Seconded:** Gail Larson

25
26 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
27 Tony Cuda, Sarah Stone

28 **No:** None

29 **LEGISLATION PASSED**

30 **b. First Readings Only**

31
32 **RESOLUTION NO. 131-2026(PD): First Reading.** A Resolution authorizing
33 the Mayor to enter into a professional services agreement with DS
34 Architecture, LLC for Engineering and Design Services for the Cumberland
35 Pool Facility Modernization and Rehabilitation Project; and declaring the
36 necessity that this legislation become immediately effective as an emergency
37 measure.
38

39 Introduced by Mayor Petras

40 **READ INTO THE RECORD**

ORDINANCE NO. 132-2026(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 241-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

READ INTO THE RECORD

RESOLUTION NO. 133-2026(F): First Reading. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

READ INTO THE RECORD

RESOLUTION NO. 134-2026(F): First Reading. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

READ INTO THE RECORD

c. Second Readings

RESOLUTION NO. 127-2026(CRR): Second Reading. A Resolution authorizing the Mayor to enter into a professional services agreement with RFC Contracting LLC., for owner's representative services for the Cumberland Pool Facility Modernization and Rehabilitation Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Craig Cobb

Seconded: Jim Posch

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone
No: None

LEGISLATION PASSED

RESOLUTION NO. 128-2026(COTW): Second Reading (as amended 6/26/26). A Resolution appointing Helen Hertz, Linda Striefsky, Kory Clark, India Birdsong-Terry, and William Fadel as members of the Municipal Property Development and Disposition Committee of the City of Cleveland Heights, OH.

Introduced by Mayor Petras and All City Council Members

Motion to adopt: Craig Cobb
Seconded: Gail Larson

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone
No: None

LEGISLATION PASSED

RESOLUTION NO. 121-2026(MSES): Second Reading. A Resolution authorizing the Mayor to enter into a Community Cost Share 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 Petras

Motion to adopt: Craig Cobb
Seconded: Gail Larson

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone
No: None

LEGISLATION PASSED

RESOLUTION NO. 122-2026(MSES): Second Reading. A Resolution authorizing the Mayor to enter into an agreement with A & H Equipment, for the acquisition of a Pelican Three-Wheel Mechanical Street Sweeper for the Streets Division of the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Gail Larson
Seconded: Craig Cobb

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,

Tony Cuda, Sarah Stone
No: None

LEGISLATION PASSED

d. Third Readings

ORDINANCE NO. 120-2026(F): Third Reading (as amended 6/26/2026). An Ordinance to amend certain subparagraphs of Ordinance No. 241-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Jim Posch

Seconded: Craig Cobb

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

ORDINANCE NO. 125-2026(PD): Third Reading (as amended 6/26/2026). A Resolution establishing a Municipal Property Development and Disposition Committee and prescribing its composition, purpose, powers, duties, and procedures; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Gail Larson

Seconded: Craig Cobb

Yes: Craig Cobb, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: Gail Larson

LEGISLATION PASSED

6) Adjournment

End: 12:16 PM

NEXT MEETING OF COUNCIL: JULY 6, 2026



July 6, 2026
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: 7:37 PM

2) Roll Call of Council Members

Present: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

Excused: None

Also present: Mayor Petras, Administrator Reese, Director Hanna, Director Clinkscale, Clerk Balester

3) Excuse absent members

- None

4) Amendments to the Agenda (if necessary)

- None

5) Approval of minutes from previous meeting(s)

- a. May 18, 2026

APPROVED

6) Proclamations and Honors

- a. Proclamation for Karen Knittel

1 b. Proclamation for Carla Rautenberg and Deborah Van Kleef

2
3
4 **7) Communications from the Mayor**

5 Matters of Record:

- 6
7
 - 8 • On June 12, 2026, the City of Cleveland Heights received three bids for
9 project #26-06 "Brinkmore and Mt. Laurel Water Main Replacement
10 Project" and the lowest and best bid came from **Terrance Construction**
11 **Inc. in the amount of #1,422,148.74.**
 - 12 • On June 18, 2026, the City of Cleveland Heights received bids for project
13 #26-05 "Altamont Water Main Replacement Project." The lowest and best
14 bid came from **Terrace Construction Inc. in the amount**
15 **of \$2,128,876.53.**
 - 16 • Requests permission to bid Project #26-07 "Transfer Station Rehabilitation
17 Project"
 - 18 ○ **Motion to authorize Mayor to bid project #26-07:** Gail Larson
19 **Seconded:** Craig Cobb

20 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica
21 Cohen, Tony Cuda, Sarah Stone
22 **No:** None

23 **MOTION PASSED**

24
25 **8) City Administrator's Report**

- 26
27
 - 28 • Participated in a public arts community tour in Cleveland Heights a few
29 weeks ago and he found it very helpful and educational.
 - 30 • The city is in the midst of the Human Resources transition, and the new
31 HR director started today.
 - 32 • Deer Management meetings are continuing; there will be a public hearing
33 on Tuesday, July 28, from 6pm-8pm where ODNR and Cleveland
34 Metroparks will make a presentation, and there will be an opportunity for
35 the public to speak
 - 36 • August 17 City Council meeting, the City Administrator will provide a
written report to Council.

37
38 **9) Departmental Report(s)**

39
40 a. Department of Public Works, *Director Collette Clinkscale*
41

- Gave an update on the 2026 Road Program: phase one is almost complete, and phase two has been bid out (10 additional streets), with work expected to start at the beginning of August.
- The City's street striping project will start at the end of July/beginning of August.

10) Report of the Clerk of Council

- Shared that she has been elected by her fellow members of the Ohio Municipal Clerks Association to serve on the OMCA Executive Board.

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. Comments unrelated to the agenda may be made after Committee Reports).

Speakers

Name	Resident/Board Member/Other	Topic
Isac Mahalli	Resident	RES 138-2026: Nuisance Abatement 3378 Blanche Ave
A. Snodgrass	Resident	RES 136-2026: ICC Contract - Building and Housing Code Update

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. 135-2026(F): First Reading. An Ordinance to amend certain subparagraphs of Ordinance No. 241-2025 and subsequent amending ordinances, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2026; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 136-2026(HB): First Reading. A Resolution authorizing the Mayor to execute a contract with the International Code Council to assist in preparing Building & Housing Code Updates for the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Jim Posch

Seconded: Jessica Cohen

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 137-2026(PSH): First Reading. A Resolution authorizing the Mayor to accept and expend grant funds under the Cuyahoga County Board of Health for the 2026-2030 Lead Safe Cuyahoga Program; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Sarah Stone

Seconded: Jessica Cohen

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

RESOLUTION NO. 138-2026(HB): First Reading. A Resolution declaring the property at 3378 Blanche Ave. Cleveland Heights, Ohio, to be a nuisance; authorizing abatement of the nuisance; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

1 **Motion to adopt:** Jim Posch

2 **Seconded:** Gail Larson

3
4 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
5 Tony Cuda, Sarah Stone

6 **No:** None

7 **LEGISLATION PASSED**

8 **RESOLUTION NO. 139-2026(F): First Reading.** A Resolution confirming
9 the appointment of Eric Zamft and Craig Cobb to three-year terms to the City
10 of Cleveland Heights' Tax Incentive Review Council (TIRC); and declaring the
11 necessity that this legislation become immediately effective as an emergency
12 measure.

13
14 Introduced by Mayor Petras

15 **Motion to adopt:** Jim Posch

16 **Seconded:** Gail Larson

17
18 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
19 Tony Cuda, Sarah Stone

20 **No:** None

21 **LEGISLATION PASSED**

22 **RESOLUTION NO. 140-2026(MSES): First Reading.** A Resolution
23 authorizing the Mayor to enter into an agreement with GPD Group for
24 professional engineering services associated with the MLK Drive – Doan
25 Brook Culvert Pre-Design Study; and declaring the necessity that this
26 legislation become immediately effective as an emergency measure.

27
28 Introduced by Mayor Petras

29 **Motion to adopt:** Jim Posch

30 **Seconded:** Craig Cobb

31
32 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
33 Tony Cuda, Sarah Stone

34 **No:** None

35 **LEGISLATION PASSED**

36 **RESOLUTION NO. 141-2026(PSH): First Reading.** A Resolution
37 authorizing the Mayor to execute agreements with Cummins, Inc. and Gatto

Electrical Services, Inc for a replacement diesel generator at Fire Station #2; waiving competitive bidding; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Gail Larson

Seconded: Jim Posch

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

ORDINANCE NO. 143-2026(F): First Reading. An Ordinance adopting a new Section 139.26 of the Codified Ordinances, entitled "Additional Nominal Fringe Benefits and Public Purpose Expenditures;" and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Jessica Cohen

Seconded: Craig Cobb

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

b. First Readings Only

ORDINANCE NO. 142-2026(PD): First Reading. An Ordinance amending various Sections of Part Eleven, Zoning Code, of the Codified Ordinances of the City of Cleveland Heights to permit accessory dwelling units (ADUs).

Introduced by Mayor Petras

READ INTO THE RECORD

Motion to refer to Planning Commission: Jessica Cohen

Seconded: Craig Cobb

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

MOTION PASSED

MATTER REFERRED TO PLANNING COMMISSION

1 **c. Second Readings**
2

3 **RESOLUTION NO. 131-2026(PD): Second Reading.** A Resolution
4 authorizing the Mayor to enter into a professional services agreement with DS
5 Architecture, LLC for Engineering and Design Services for the Cumberland
6 Pool Facility Modernization and Rehabilitation Project; and declaring the
7 necessity that this legislation become immediately effective as an emergency
8 measure.
9

10 Introduced by Mayor Petras

11 **Motion to adopt:** Jessica Cohen

12 **Seconded:** Gail Larson
13

14 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
15 Tony Cuda, Sarah Stone

16 **No:** None
17

LEGISLATION PASSED

18 **ORDINANCE NO. 132-2026(F): Second Reading.** An Ordinance to amend
19 certain subparagraphs of Ordinance No. 241-2025 and subsequent amending
20 ordinances, relating to appropriations and other expenditures of the City of
21 Cleveland Heights, Ohio for the fiscal year ending December 31, 2026; and
22 declaring the necessity that this legislation become immediately effective as
23 an emergency measure.
24

25 Introduced by Mayor Petras

26 **Motion to adopt:** Jim Posch

27 **Seconded:** Gail Larson
28

29 **Yes:** Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen,
30 Tony Cuda, Sarah Stone

31 **No:** None
32

LEGISLATION PASSED

33 **RESOLUTION NO. 133-2026(F): Second Reading.** A Resolution appointing
34 an Assessment Equalization Board to hear objections relative to the
35 estimated assessments for a portion of the expense of street lighting within
36 the City of Cleveland Heights; and declaring the necessity that this legislation
37 become immediately effective as an emergency measure.
38

39 Introduced by Mayor Petras

40 **Motion to adopt:** Jessica Cohen

41 **Seconded:** Gail Larson

Yes: Craig Cobb, Gail Larson, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone
No: None
Recused: Jim Posch

LEGISLATION PASSED

RESOLUTION NO. 134-2026(F): Second Reading. A Resolution appointing an Assessment Equalization Board to hear objections relative to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Petras

Motion to adopt: Gail Larson

Seconded: Jessica Cohen

Yes: Craig Cobb, Gail Larson, Jim Posch, Joe DeWitt-Foy, Jessica Cohen, Tony Cuda, Sarah Stone

No: None

LEGISLATION PASSED

13) Committee Reports

- **AS:** Vacancy for an alternate position on BZA to fill an unexpired term ending December 31, 2028; applications will be open until July 24, 2026.
- **PSH:** The Public Safety and Health Committee will have a meeting on July 28 for a public input session. There will be a presentation from ODNR and The Metroparks, followed by public comment.
- **CRR:** During the COTW on July 13, the Director of Parks and Recs will provide an update on projects to date in 2026 for the parks and rec, and preview projects coming in the second half of 2026.
- **HB:** During the July 13 COTW meeting, they will discuss the results of the housing needs assessment and a more refined draft of the short-term rental legislation
- **MSES:** Gave an update on what CESC and TMC are working on
- **PD:** During the July 13 COTW meeting, there will be continued discussion of the Landmark Commission's revised ordinance.

14) 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
Edgar Mitchell	Resident	Thanked Council and the Administration for their work
Anthony Miozzi	Resident	Flock Cameras
Marvin Moskowitz	Resident	Taylor Rd. Synagogue
Cynthia Trotta	Resident	ADU's

15) Old Business

- None

16) New Business

- None

17) Council Member Comments

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

- Councilmember Cohen thanked Karen Knittle for all the expertise and knowledge that she has given to our city throughout her time working here and wished her well in her retirement.

18) Council President's Report

- Spoke about how he feels great about how the first half of this year has gone, and he is appreciative of all the collaborative effort that his colleagues and the administration have maintained this year.

19) Adjournment

End: 8:43 PM

NEXT MEETING OF COUNCIL: AUGUST 17, 2026

Proposed: 08.17.2026

RESOLUTION NO. 144-2026(AS), *First Reading*

By Councilmember Cobb

A Resolution appointing Matt Alden as a 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.

WHEREAS, the Board of Zoning Appeals consists of five (5) regular members and one (1) alternate member, all of whom shall be residents of the City not employed by the City and all of whom shall be appointed by the Council to four (4) year term; and

WHEREAS, Matt Alden is currently an alternate member of the BZA, and a regular member vacancy has arisen on the BZA.

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

SECTION 1. Matt Alden is hereby appointed as a regular member of the Board of Zoning Appeals to a term ending December 31, 2029.

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.

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 fully constitute the Board of Zoning Appeals and continue the efficient operation 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.

TONY CUDA
President of Council

RESOLUTION NO. 144-2026(AS)

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



Date: August 17, 2026

To: City Council

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

Subject: ODOT Consent Legislation for NOACA TLCI Heights Regional Greenway Phase 1

Purpose Statement: *ODOT transportation projects that involve Federal or State monies require Consent Legislation that permits the project to occur in a given municipality. For the NOACA TLCI-funded Heights Regional Greenway Phase 1 project, ODOT has requested this legislation of Cleveland Heights. ODOT has additionally requested that this legislation be approved on First Reading as an emergency.*

The Cities of Cleveland Heights, South Euclid, and University Heights have been working collaboratively to address shared challenges to transportation, access, and mobility within the region. The initial result of this collaboration was the Heights Regional Active Transportation Plan, adopted by Cleveland Heights in December of 2024.

One of the desired outcomes of putting together the Plan, is the ability to apply for implementation funds. The three (3) cities were awarded a Transportation for Livable Communities Initiative (TLCI) grant from NOACA for Phase 1 of the Heights Regional Greenway. The project includes the installation of sharrows and way-findings signs throughout the cities of South Euclid, University Heights and Cleveland Heights (mostly in South Euclid and University Heights), as well as an enhanced crosswalk installed at Mayfield and Warrensville Roads.

The project was applied for by South Euclid on behalf of the three (3) cities, and South Euclid remains the primary sponsor of the project. However, as a result of Federal funding being utilized by this project within Cleveland Heights, ODOT requires consent legislation. Both South Euclid and University Heights have already provided such consent; only Cleveland Heights' consent remains for the project to proceed. ODOT has requested that such legislation be passed on First Reading, as an Emergency, to allow for the project to move forward in the most expeditious manner.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? ODOT request. It would allow the project to commence.

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

If yes, why? ODOT request. It would allow the project to commence.

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

*2027 construction. It is anticipated that the grant will cover the costs fully. However, it is a reimbursement program, so funds will be requested as part of the 2027 budget.

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

Proposed: 08.17.2026

RESOLUTION NO. 145-2026(PD), *First Reading*

By Mayor Petras

A Resolution giving consent to the Director of Transportation of the State of Ohio for the Heights Regional Greenway Phase 1 Project (PID 120115), authorizing the execution of agreements required by the Ohio Department of Transportation, and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Cities of Cleveland Heights, South Euclid, and University Heights have been working collaboratively to address shared transportation, access, and mobility challenges within the region; and

WHEREAS, this collaboration resulted in the Heights Regional Active Transportation Plan, which was adopted by the City of Cleveland Heights in December 2024; and

WHEREAS, the Cities of Cleveland Heights, South Euclid, and University Heights were awarded funding through the Northeast Ohio Areawide Coordinating Agency's Transportation for Livable Communities Initiative ("TLCI") for the Heights Regional Greenway Phase 1 Project; and

WHEREAS, because Federal transportation funding is being utilized for improvements within Cleveland Heights, the Ohio Department of Transportation ("ODOT") requires consent legislation from the City of Cleveland Heights before proceeding with the Project; and

WHEREAS, ODOT has requested that such consent legislation be approved on first reading and as an emergency measure in order to allow the Project to proceed in the most expeditious manner; and

WHEREAS, this Council finds that the Heights Regional Greenway Phase 1 Project will improve connectivity, mobility and transportation options for residents of Cleveland Heights and the surrounding communities.

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

RESOLUTION NO. 145-2026(PD)

SECTION: Being in the public interest, the City of Cleveland Heights hereby gives consent to the Director of Transportation of the State of Ohio to complete the Heights Regional Greenway Phase 1 Project, PID No. 120115, as detailed in any applicable Local Public Agency ("LPA") agreements entered into between the parties.

SECTION 2. The City shall cooperate with the Director of Transportation in the development and construction of the Project and is authorized to enter into any LPA Federal ODOT-Let Project Agreement and any other agreements necessary to develop and construct the Project.

SECTION 3. The Mayor is hereby authorized to execute all agreements, certifications, and other documents necessary to carry out the intent of this Resolution and required by ODOT in connection with the Project. All agreements shall be approved as to form by the Director of Law.

SECTION 4. The City agrees that any right-of-way, utility accommodation, relocation, reimbursement, maintenance obligations, and other responsibilities associated with the Project shall be addressed in accordance with applicable State and Federal requirements and any agreements entered into with ODOT.

SECTION 5. This Council finds and determines that all formal actions of this Council concerning and 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 committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 6. 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 7. 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 satisfy ODOT requirements and allow the Heights Regional Greenway Phase 1 Project to proceed without delay. 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. 145-2026(PD)

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



Date: 8/7/2026

To: Council

From: Joe Brodzinski, Finance Director

Subject: Street Lighting and Shade Tree/Forestry Special Assessments Legislation

Purpose Statement: To approve the renewal and levy of special assessments for street lighting and shade trees/forestry services, following the Assessment Equalization Board's review of filed objections and submission of its report to Council, at rates of \$0.92 per front foot for street lighting and \$1.68 per front foot for forestry services, for a combined assessment rate of \$2.60 per front foot.

The City's current street lighting and tree special assessment levies will expire at the end of 2026. These levies pay the City's electric bill for street lights and the salaries and maintenance for the forestry department. The assessment is based on the amount of footage a property has on a city owned street. The current rates are \$0.92 per foot for the street lighting assessment and \$1.08 per foot for the tree assessment for a total of \$2.00 per foot. On June 1, 2026, Council adopted Resolution 100-2026 and Resolution 101-2026, declaring the necessity of renewing the assessments for, respectively, street lighting and shade trees/forestry services."

The street lighting and tree assessments have been in place for more than 40 years. The fee was increased from \$1.80 to \$2.00 starting in 2014 and has remained unchanged since that time. As part of the renewal process, staff reviewed the financial condition of the Street Lighting Fund (230) and Tree Fund (231) to determine whether adjustments were necessary. The analysis found that the Street Lighting Fund is projected to remain financially stable over the next several years at its current revenue level. However, rising personnel and operating costs over the past 12 years have caused Tree Fund expenditures to begin outpacing revenues. Without a rate increase, the fund would eventually experience a negative balance. As a result, it was recommended that the street lighting assessment remain at \$0.92 per front foot and that the tree assessment be increased from \$1.08 to \$1.68 per front foot, resulting in a new combined assessment rate of \$2.60 per front foot. On June 1, 2026, Council passed Resolutions of Necessity, 100-2026 and 101-2026, which re-established two separate special assessments at the recommended rates.

Notifications were delivered to property owners informing them of the passage of resolutions 100-2026 & 101-2026. As part of the special assessment process, property owners have the option to file an objection to their assessment. Ohio Revised Code 727.16 requires Council to appoint an Assessment Equalization Board to hear these objections. Three individuals who live within Cuyahoga County, but not within the city limits, were identified to serve on the board.

They are finance professionals who have agreed to serve on this board. Their position is voluntary and unpaid. The board was officially appointed on July 6, 2026, with hearings scheduled to be held on August 17, 2026. At least three objections will be considered at that meeting, after which the board will make its final determinations. A report summarizing the board's findings and recommendations will be presented to Council at the August 17, 2026 Council meeting for consideration and action.

In addition, legislation is being presented at that meeting requesting that the Assessment Ordinances proceed on first reading. Approval of the ordinances on this timeline is necessary to meet the County's certification deadline of September 14, 2026.

Is this legislation recurring: Yes: X No:

Is emergency language necessary: Yes: X No:

If yes, why? Approval of the ordinances on this timeline is necessary to meet the County's certification deadline of September 14, 2026.

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

If yes, why? Approval of the ordinances on this timeline is necessary to meet the County's certification deadline of September 14, 2026.

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: 08.17.2026

RESOLUTION NO. 146-2026(F), *First Reading*

By Mayor Petras

A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by its adoption of Resolution No. 133-2026, appointed an Assessment Equalization Board to hear objections to the estimated assessments for a portion of the expense of street lighting within the City; and

WHEREAS, said Board met on August 17, 2026, and heard and determined all objections before it; and

WHEREAS, said Board has submitted its report and recommendations to this Council, which is attached hereto as Exhibit A.

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

SECTION 1. The report of the Assessment Equalization Board appointed by Resolution No. 133-2026, attached hereto as Exhibit A, is hereby accepted and approved.

SECTION 2. The estimated assessments, as equalized by said Board, and the recommendations to this Council with respect thereto, are hereby directed to be placed on file with the Clerk of Council.

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

SECTION 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 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

RESOLUTION NO. 146-2026(F)

safety of the inhabitants of the City of Cleveland Heights, such emergency being that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 14, 2026, if it is to be added to the 2026 Tax Duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

Proposed: 08.17.2026

ORDINANCE NO. 147-2026(F), *First Reading*

By Mayor Petras

An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by its adoption of Resolution No. 100-2026, declared the necessity of assessing a portion of the expense of street lighting within the City; and

WHEREAS, pursuant thereto, estimated assessments were duly prepared and filed with the Clerk of Council; and

WHEREAS, one or more objections were filed to said estimated assessments; and

WHEREAS, the Assessment Equalization Board appointed pursuant to this Council's adoption of Resolution No. 133-2026 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 146-2026(F), approving and accepting said report, and has ordered the estimated assessments equalized in accordance with the recommendations of said Board and filed with the Clerk of Council; and

WHEREAS, this Council has determined to proceed with the levying of said equalized assessments in accordance with the street lighting list now on file with the Clerk of Council; and

WHEREAS, this Ordinance was adopted by the concurrence of not less than three-fourths of the seven members elected to this Council.

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

SECTION 1. It is the determination of this Council, in furtherance of the public health, convenience and general welfare, to proceed with the assessing of a portion of the cost and expense of street lighting within the City, upon the lands hereinafter described, for a period of two (2) consecutive years beginning with the 2026 tax duplicate for collection in the years 2027 and 2028, inclusive, at the annual rate of up to Ninety-Two Cents (\$0.92) per front foot, with the Corner Lot Reduction as specified in Resolution No. 100-2026, on the following properties:

All the lots and lands on the following dedicated streets:

ORDINANCE NO. 147-2026(F)

Allston Road	Clarence Road	Essex Road
Alpine Road	Clarendon Road	Euclid Heights
Altamont Avenue	Clarkson Road	Boulevard
Andrews Road	Cleveland Heights	Exeter Road
Antisdale Avenue	Boulevard	Fairfax Road
Ardleigh Drive	Clifford Drive	Fairhill Road
Ardoon Street	Colchester Road	Fenley Road
Arlington Road	Coleridge Road	Forest View Drive
Ashton Road	Colonial Drive	Glen Allen Drive
Atherstone Road	Compton Road	Glenwood Road
Avondale Road	Corydon Road	Goodnor Road
Bainbridge Road	Cottage Grove Drive	Grandview Avenue
Bayreuth Road	Crest Road	Greyton Road
Beechwood Avenue	Cumberland Road	Guilford Road
Bellfield Avenue	Cummings Road	Hampshire Lane
Belvoir Boulevard	Dartmoor Road	Hampshire Road
Bendemeer Road	Delamere Drive	Hampstead Road
Berkeley Avenue	Delaware Drive	Harcourt Drive
Berkeley Road	Dellwood Road	Hartwood Road
Berkshire Lane	Delmore Road	Harvey Road
Berkshire Road	Demington Drive	Haselton Road
Beverly Road	Denton Drive	Helmsdale Road
Birch Tree Path	Derbyshire Road	Henderson Road
Blackmore Road	DeSota Avenue	Hereford Road
Bolton Road	Devonshire Drive	Hillstone Road
Boynton Road	Dresden Road	Hollister Road
Bradford Road	East Derbyshire Road	Hyde Park Avenue
Brandon Road	East Fairfax Road	Idlewood Road
Brentwood Road	East Monmouth Road	Inglewood Road
Briarwood Road	East Overlook Road	Ivydale Road
Brinkmore Road	Eastwick Road	Janette Avenue
Burbridge Road	Edendale Street	Kenilworth Lane
Burlington Road	Edgerly Road	Kenilworth Road
Cadwell Avenue	Edgewood Road	Kensington Road
Carver Road	Edison Drive	Kent Road
Castleton Road	Edwards Road	Kerrwood Road
Cecil Place	Elandon Drive	Kew Road
Cedar Glen	Elbon Road	Keystone Drive
Chatfield Drive	Englewood Road	Kildare Road
Chelsea Drive	Erievue Road	Kingston Road
Kirkwood Road	Lennox Road	Maple Road
Lamberton Road	Lincoln Boulevard	Maplewood Road
Lancashire Road	Lowell Road	Marlboro Road
Langton Road	Lownesdale Road	Marlindale Road
Lecona Drive	Lynn Park Drive	Medford Road

ORDINANCE NO. 147-2026(F)

Middlefield Road	Renfield Road	Stratford Road
Middlehurst Road	Renrock Road	Stuart Road
Middleton Road	Revere Road	Summit Park Road
Minor Park Lane	Rexwood Road	Superior Park Drive
Monmouth Road	Ridgefield Road	Surrey Road
Montevista Road	Rinard Road	Sycamore Road
Montford Road	Rock Court	Sylvanhurst Road
Mornington Lane	Rockwood Road	Sylvania Road
Mount Laurel Road	Rosedale Road	Taylor Road (South)
Murray Hill Road	Rosemond Road	Thayne Road
Navahoe Road	Rossmoor Road	Thorne Road
Nobleshire Road	Roxboro Road	Tower Road
Norfolk Road	Rumson Road	Tremont Road
Northampton Road	Runnymede Boulevard	Tudor Drive
Nottingham Lane	Rushleigh Road	Vandermar Street
Oak Road	Rutherford Road	Vineshire Road
Oakdale Road	Rydalmount Road	Walden Road
Oakridge Drive	St. Albans Road	Wellington Road
Orchard Road	St. James Parkway	Westminster Road
Ormond Road	(North)	Westover Road
Overlook Lane	St. James Parkway	Whitby Road
Oxford Road	(West)	Whitethorn Road
Parkdale Road	Scarborough Road	Wilmar Court
Parkhill Road	Seaton Road	Wilmar Road
Parkway Drive	Selwyn Road	Wilton Road
Pembroke Road	Severance Circle Drive	Windsor Road
Pennifield Road	Severn Road	Winsford Road
Pomona Road	Shaker Road	Wood Road
Powell Avenue	Shannon Road	Woodmere Drive
Preyer Avenue	Somerton Road	Woodridge Road
Princeton Road	South Compton Road	Woodview Road
Quarry Drive	South Noble Road	Woodward Avenue
Queenston Road	South Overlook Road	Wynn Road
Radcliffe Road	Spangler Road	Yellowstone Road
Radnor Road	Staunton Road	Yorkshire Road
Randolph Road	Stillman Road	
Redwood Road	Stoneleigh Road	

Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

Ardmore Road	Caledonia Avenue	Cleviden Road
Belmar Road	Cambridge Road	Coventry Road
Blanche Avenue	Canterbury Road	East Antisdale Avenue
Bluestone Road	Cedar Road	East Scarborough Road
Brewster Road	Cedarbrook Road	Eddington Road
Brunswick Road	Chestnut Hills Drive	Edgehill Road

ORDINANCE NO. 147-2026(F)

Elmwood Road	Meadowbrook Boulevard	Overlook Road
Eloise Drive	Monticello Boulevard	Quilliams Road
Fairmount Boulevard	Mount Vernon Boulevard	Ravine Drive
Forest Hills Boulevard	Nela View Road	Reyburn Road
Glenmont Road	Newbury Drive	Roanoke Road
Glynn Road	Noble Road	Shelburne Road
Grosvenor Road	Nordway Road	Silsby Road
Hanover Drive	Northcliffe Road	Superior Road
Hillcrest Road	North Park Boulevard	Taylor Road (North)
Lee Boulevard	Northvale Boulevard	Tullamore Road
Lee Road	North Woodland Road	Warrensville Center Road
Mayfield Road	Oakhill Road	Washington Boulevard

Said assessment shall be in accordance with the estimated street lighting assessments filed with the Clerk of Council, pursuant to Resolution No. 100-2026, as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 146-2026(F).

SECTION 2. It is the determination of this Council that no claim for damages was filed with the Clerk of Council.

SECTION 3. The cost and expense of the aforesaid improvement, in an amount not to exceed Ninety-Two Cents (\$0.92) a front foot, per year, on the above-described lots and lands, shall be assessed in proportion to the special benefits which will result from said street lighting upon the above-described lots and lands. The remainder of the cost and expense of said improvements, and two percent of the entire cost, shall be paid by the City. Any cost of said improvement not specifically assessed shall be paid by the City.

SECTION 4. The assessment of the cost and expense of said street lighting, amounting to approximately One Million Seven Hundred Thirty-Four Thousand Seven Hundred Ninety-Nine Dollars (\$1,734,799.00), as reported to the Council by the Clerk of Council, as equalized, is hereby adopted, and there shall be levied and assessed upon said lots and lands above-described the amounts on the street lighting assessments now on file with the Clerk of Council, which assessments are in proportion to the special benefits accruing to the property assessed and are not in excess of the actual benefits to said property.

SECTION 5. The total assessment against each lot and parcel of land shall be levied in two (2) equal installments, shall be certified to the County Finance Director and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within thirty (30) days from the date of the adoption of this Ordinance.

SECTION 6. The Director of Finance is hereby directed to cause notice of the levy of the assessments herein provided for to be filed with the Cuyahoga County Fiscal Officer.

SECTION 7. It is found and determined that all formal actions and deliberations of

ORDINANCE NO. 147-2026(F)

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.

SECTION 8. 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 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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 14, 2026, in order to be added to the 2026 Tax Duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

Proposed: 08.17.2026

RESOLUTION NO. 148-2026(F), *First Reading*

By Mayor Petras

A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City of Cleveland Heights and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by its adoption of Resolution No. 134-2026, appointed an Assessment Equalization Board to hear objections to the estimated assessments for a portion of the expense of improvement of streets including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees within the City; and

WHEREAS, said Board met on August 17, 2026, and heard and determined all objections before it; and

WHEREAS, said Board has submitted its report and recommendations to this Council, which is attached hereto as Exhibit A.

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

SECTION 1. The report of the Assessment Equalization Board appointed by Resolution No. 134-2026, attached hereto as Exhibit A, is hereby accepted and approved.

SECTION 2. The estimated assessments, as equalized by said Board, and the recommendations to this Council with respect thereto, are hereby directed to be placed on file with the Clerk of Council.

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

SECTION 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

RESOLUTION NO. 148-2026(F)

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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 14, 2026, if it is to be added to the 2026 Tax Duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

Proposed: 08.17.2026

ORDINANCE NO. 149-2026(F), *First Reading*

By Mayor Petras

An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council, by its adoption of Resolution No. 101-2026, declared the necessity of assessing a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City; and

WHEREAS, pursuant thereto, estimated assessments were duly prepared and filed with the Clerk of Council; and

WHEREAS, one or more objections were filed to said estimated assessments; and

WHEREAS, the Assessment Equalization Board appointed pursuant to this Council's adoption of Resolution No. 134-2026 has heard and determined all objections and has filed its report and recommendations with this Council; and

WHEREAS, this Council has adopted Resolution No. 148-2026(F) approving and accepting said report, and has ordered the estimated assessments equalized in accordance with the recommendations of said Board and filed with the Clerk of Council; and

WHEREAS, this Council has determined to proceed with the levying of said equalized assessments in accordance with the list now on file with the Clerk of Council; and

WHEREAS, this Ordinance was adopted by the concurrence of not less than three-fourths of the seven members elected to this Council.

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

SECTION 1. It is the determination of this Council, in furtherance of the public health, convenience and general welfare, to proceed with the assessing of a portion of the cost and expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the City, upon the lands hereinafter described, for a period of two (2) consecutive years beginning with the 2026 tax duplicate for collection in the years 2027 and 2028, inclusive, at the

ORDINANCE NO. 149-2026(F)

annual rate of up to One Dollar Sixty-Eight Cents (\$1.68) per front foot, with the Corner Lot Reduction as specified in Resolution No. 101-2026, on the following properties:

All the lots and lands on the following dedicated streets:

Allston Road	Cleveland Heights	Fenley Road
Alpine Road	Boulevard	Forest View Drive
Altamont Avenue	Clifford Drive	Glen Allen Drive
Andrews Road	Colchester Road	Glenwood Road
Antisdale Avenue	Coleridge Road	Goodnor Road
Ardleigh Drive	Colonial Drive	Grandview Avenue
Ardoon Street	Compton Road	Greyton Road
Arlington Road	Corydon Road	Guilford Road
Ashton Road	Cottage Grove Drive	Hampshire Lane
Atherstone Road	Crest Road	Hampshire Road
Avondale Road	Cumberland Road	Hampstead Road
Bainbridge Road	Cummings Road	Harcourt Drive
Bayreuth Road	Dartmoor Road	Hartwood Road
Beechwood Avenue	Delamere Drive	Harvey Road
Bellfield Avenue	Delaware Drive	Haselton Road
Belvoir Boulevard	Dellwood Road	Helmsdale Road
Bendemeer Road	Delmore Road	Henderson Road
Berkeley Avenue	Demington Drive	Hereford Road
Berkeley Road	Denton Drive	Hillstone Road
Berkshire Lane	Derbyshire Road	Hollister Road
Berkshire Road	DeSota Avenue	Hyde Park Avenue
Beverly Road	Devonshire Drive	Idlewood Road
Birch Tree Path	Dresden Road	Inglewood Road
Blackmore Road	East Derbyshire Road	Ivydale Road
Bolton Road	East Fairfax Road	Janette Avenue
Boynton Road	East Monmouth Road	Kenilworth Lane
Bradford Road	East Overlook Road	Kenilworth Road
Brandon Road	Eastwick Road	Kensington Road
Brentwood Road	Edendale Street	Kent Road
Briarwood Road	Edgerly Road	Kerrwood Road
Brinkmore Road	Edgewood Road	Kew Road
Burbridge Road	Edison Drive	Keystone Drive
Burlington Road	Edwards Road	Kildare Road
Cadwell Avenue	Elandon Drive	Kingston Road
Carver Road	Elbon Road	Kirkwood Road
Castleton Road	Englewood Road	Lamberton Road
Cecil Place	Erievue Road	Lancashire Road
Cedar Glen	Essex Road	Langton Road
Chatfield Drive	Euclid Heights	Lecona Drive
Chelsea Drive	Boulevard	Lennox Road
Clarence Road	Exeter Road	Lincoln Boulevard
Clarendon Road	Fairfax Road	Lowell Road
Clarkson Road	Fairhill Road	Lownesdale Road

ORDINANCE NO. 149-2026(F)

Lynn Park Drive
Maple Road
Maplewood Road
Marlboro Road
Marlindale Road
Medford Road
Middlefield Road
Middlehurst Road
Middleton Road
Minor Park Lane
Monmouth Road
Montevista Road
Montford Road
Mornington Lane
Mount Laurel Road
Murray Hill Road
Navahoe Road
Nobleshire Road
Norfolk Road
Northampton Road
Nottinghill Lane
Oak Road
Oakdale Road
Oakridge Drive
Orchard Road
Ormond Road
Overlook Lane
Oxford Road
Parkdale Road
Parkhill Road
Parkway Drive
Pembrook Road
Pennfield Road
Pomona Road
Powell Avenue
Preyer Avenue
Princeton Road
Quarry Drive
Queenston Road
Radcliffe Road
Radnor Road
Randolph Road
Redwood Road
Renfield Road
Renrock Road
Revere Road
Rexwood Road

Ridgefield Road
Rinard Road
Rock Court
Rockwood Road
Rosedale Road
Rosemond Road
Rossmoor Road
Roxboro Road
Rumson Road
Runnymede Boulevard
Rushleigh Road
Rutherford Road
Rydalmount Road
St. Albans Road
St. James Parkway (North)
St. James Parkway (West)
Scarborough Road
Seaton Road
Selwyn Road
Severance Circle Drive
Severn Road
Shaker Road
Shannon Road
Somerton Road
South Compton Road
South Noble Road
South Overlook Road
Spangler Road
Staunton Road
Stillman Road
Stoneleigh Road
Stratford Road
Stuart Road
Summit Park Road
Superior Park Drive
Surrey Road
Sycamore Road
Sylvanhurst Road
Sylvania Road
Taylor Road (South)
Thayne Road
Thorne Road
Tower Road
Tremont Road
Tudor Drive
Vandermar Street
Vineshire Road

Walden Road
Wellington Road
Westminster Road
Westover Road
Whitby Road
Whitethorn Road
Wilmar Court
Wilmar Road
Wilton Road
Windsor Road
Winsford Road
Wood Road
Woodmere Drive
Woodridge Road
Woodview Road
Woodward Avenue
Wynn Road
Yellowstone Road
Yorkshire Road

Also all the lots and lands lying within the City of Cleveland Heights on the following streets:

Ardmore Road	Elmwood Road	Nordway Road
Belmar Road	Eloise Drive	Northcliffe Road
Blanche Avenue	Fairmount Boulevard	North Park Boulevard
Bluestone Road	Forest Hills Boulevard	Northvale Boulevard
Brewster Road	Glenmont Road	North Woodland Road
Brunswick Road	Glynn Road	Oakhill Road
Caledonia Avenue	Grosvenor Road	Overlook Road
Cambridge Road	Hanover Drive	Quilliams Road
Canterbury Road	Hillcrest Road	Ravine Drive
Cedar Road	Lee Boulevard	Reyburn Road
Cedarbrook Road	Lee Road	Roanoke Road
Chestnut Hills Drive	Mayfield Road	Shelburne Road
Cleviden Road	Meadowbrook Boulevard	Silsby Road
Coventry Road	Monticello Boulevard	Superior Road
East Antisdale Avenue	Mount Vernon Boulevard	Taylor Road (North)
East Scarborough Road	Nela View Road	Tullamore Road
Eddington Road	Newbury Drive	Warrensville Center Road
Edgehill Road	Noble Road	Washington Boulevard

Said assessment shall be in accordance with the estimated street improvement assessments filed with the Clerk of Council, pursuant to Resolution No. 41-2022, as equalized in accordance with the report and recommendations of the Assessment Equalization Board, pursuant to Resolution No. 148-2026(F).

SECTION 2. It is the determination of this Council that no claim for damages was filed with the Clerk of Council.

SECTION 3. The cost and expense of the aforesaid improvement, in an amount not to exceed One Dollar and Sixty-Eight Cents (\$1.68) a front foot, per year, on the above-described lots and lands, shall be assessed in proportion to the special benefits which will result from said improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning hereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon upon the above-described lots and lands. The remainder of the cost and expense of said improvements, and two percent of the entire cost, shall be paid by the City. Any cost of said improvement not specifically assessed shall be paid by the City.

SECTION 4. The assessment of the cost and expense of said improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon, amounting to approximately Three Million One Hundred Sixty-Seven Thousand Eight Hundred Ninety-Four Dollars (\$3,167,894), as reported to the

ORDINANCE NO. 149-2026(F)

Council by the Clerk of Council, as equalized, is hereby adopted, and there shall be levied and assessed upon said lots and lands above-described the amounts on the shade tree and street improvement assessments now on file with the Director of Finance/Clerk of Council, which assessments are in proportion to the special benefits accruing to the property assessed and are not in excess of the actual benefits to said property.

SECTION 5. The total assessment against each lot and parcel of land shall be levied in two (2) equal installments, shall be certified to the County Fiscal Officer and placed upon the Tax Duplicate according to law, and shall be collected as other taxes; provided, however, that a property owner shall have the option of paying the assessment in cash within thirty (30) days from the date of the adoption of this Ordinance.

SECTION 6. The Director of Finance is hereby directed to cause notice of the levy of the assessments herein provided for to be filed with the Cuyahoga County Fiscal Officer.

SECTION 7. 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.

SECTION 8. 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 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 that the assessment must be filed with the Cuyahoga County Fiscal Officer by September 14, 2026, in order to be added the 2026 Tax Duplicate. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

ORDINANCE NO. 149-2026(F)

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



Date: 08.12.2026

To: City Council

From: Department of Law

Subject: Resolution Authorizing Verizon Contract Renewal

Purpose Statement: To authorize a contract with Verizon for mobile telecommunications services and equipment, including upgraded 5G SIM cards necessary to support City operations and the continued functionality of Police Department Mobile Data Terminals.

The City receives mobile and other telecommunication equipment and services from Verizon. In addition to the physical phones and wireless service used by City employees, Verizon provides certain equipment and services necessary for the operation of Cleveland Heights Police Department's Mobile Data Terminals ("MDT"). Each cruiser in the Department's fleet is outfitted with an MDT, allowing the officer inside to receive calls, run license plates, and issue e-citations—all of which requires an independent mobile internet connection. These MDTs are configured to use Verizon SIM cards and are crucial for the effective day-to-day operation of the Department. Currently, the MDTs are in need of upgraded 5G SIM cards that the City cannot obtain from Verizon without renewing the City's contract.

This contract is part of the U.S. Government Services Administration's "Multiple Award Schedule." Through this schedule, other governmental entities are able to procure equipment and services from vendors at the same (to the extent possible) rates, terms, and conditions offered to the federal government. While this contract (Contract No. 47QTCA20D00B5) is valid through 2030, the City executes individual Short Form Purchase Orders for the particular products and services it requires for terms of 1-2 years. The proposed Short Form Purchase Order (Exhibit "1") contemplates service and equipment charges on 380 lines for one year, for a total of \$365,000.00.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To ensure the uninterrupted operation of critical City communication systems, including the Cleveland Heights Police Department's Mobile Data Terminals.

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

If yes, why? To ensure the uninterrupted operation of critical City communication systems, including the Cleveland Heights Police Department's Mobile Data Terminals.

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

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

Each department budgets for their cell usage – the overall contract is paid out of several funds across the various departments.

Proposed: 08/17/2026

RESOLUTION NO. 150-2026(PSH)*First Reading*

By Mayor Petras

A Resolution authorizing the Mayor to execute an agreement with Cellco Partnership d/b/a Verizon Wireless for cellular and related telecommunication services and equipment; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, Cellco Partnership d/b/a Verizon Wireless ("Verizon") makes its equipment and services available to governmental entities through the U.S. General Services Administration's Multiple Award Schedule, Contract No. 47QTCA20D0085; and

WHEREAS, the City has previously contracted Verizon with for its cellular and related telecommunications equipment and services; and

WHEREAS, Verizon equipment utilized by the Cleveland Heights Police Department ("CHPD") require new 5G SIM cards to function properly and cannot be obtained without renewing the City's contract; and

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

SECTION 1. Notwithstanding any provision of C.O. Chapter 171 to the contrary, the Mayor is hereby authorized to execute an agreement or agreements with Verizon for a combined term not to exceed two (2) years, and an amount not to exceed Three Hundred Sixty Five Thousand and 00/100 Dollars (\$365,000.00) in the first year, to provide cellular and related telecommunication services for the City.

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 on the City of Cleveland Heights website.

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being meeting the need to upgrade the SIM cards necessary for the proper operation of CHPD's in-car MDTs; Wherefore, provided it receives the affirmative vote of five (5) or more of the members

RESOLUTION NO. 150-2026(PSH)

elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



Date: July 23, 2026

To: City Council

From: Xavier Yozwiak, Planner/Zoning Inspector

Subject: Use Variance at 2536 Noble Road

Purpose Statement: *This legislation would confirm the findings of the Board of Zoning Appeals and permit personal service businesses to operate in the office building located at 2536 Noble Road.*

On July 15, 2026, the Board of Zoning Appeals (BZA) granted a use variance, Calendar No. 3659A, to permit personal service businesses in a non-conforming office building located at 2536 Noble Road, which is in a "MF-2" Multiple-Family district. Charles Howard, the building owner, proposes to relocate an existing barbershop on Noble Road into the building. On July 21, 2026, the findings of BZA were filed with the Clerk of Council.

Use variances are extraordinary. For this reason, Council is required to review and approve use variances in addition to BZA, per Code Section 1115.07(i). Furthermore, Council has 45-day window after the findings of BZA are filed with the Clerk of Council to approve or deny the use variance. Should Council approve the use variance, the use variance becomes immediately effective.

Should Council confirm BZA's findings, Staff is requesting that Council approve the use variance on first reading because of the timing of Council's recess and the Zoning Code requirement to respond within 45 days (by September 6, 2026). Additionally, a second reading would be a considerable business expense for Mr. Howard, who has continued to rent his other location on Noble Road since May while his approvals have been in limbo.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? The Zoning Code requires a response from Council on the use variance within 45 days that the findings of BZA were filed with the Clerk of Council.

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

If yes, why? The Zoning Code requires a response from Council on the use variance within 45 days that the findings of BZA were filed with the Clerk of Council.

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

*Note, funds will be coming from previously encumbered funds from 2023, requiring a budget amendment to transfer those funds to this specific vendor. That amendment is companion legislation.

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



BZA Summary Document

Printed Date: July 01, 2026

Permit Number:	UV26-000003	Permit Type:	Board of Zoning Appeals Use Variance
Property Address:	2536 NOBLE RD CLEVELAND HEIGHTS, OH 44121		
Application Date:	06/15/2026		
Applicant Name	Charles Howard	Applicant Email	
Applicant Address		Applicant Company Name	Custom Cuts
Applicant Company Address		Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Owner		
Name	Charles Howard		
Phone Number			
Email Address			
Property Type	Multi-Family Residential, Commercial, etc.		
Brief Summary of Variance Request	To continue use of the building for commercial use and maintain it's prior nonconforming use status.		
Number of Variances Requested	1		
Please explain why or how the property cannot be put to any economically viable use under any of the permitted uses in the zoning district?	The nonconforming parcel is 41' wide and 4300 s.f., substantially smaller than the minimum required in an MF2 zoning district (6000 s.f. min, 60' min lot width). Required front, side, corner side, and rear setbacks, as well as parking and height requirements for multi-family development make the site nearly unusable for MF development. We believe the previous business at this site operated several decades until it closed in 2023. The applicant applied for and received Architectural board of review approval to alter the windows which was approved on September 26, 2024. He received a building permit for interior and exterior alteration CB25-000001 on January 2, 2024. This investment shows that he alerted the City to his proposed continuation of the commercial use and may be eligible to be considered for continuation of a prior nonconforming use. The applicant has a strong desire to continue to invest in and be a part of the community where he has an already established successful barber business		
The variance requested stems from a condition	This/these condition(s) is/are:: The nonconforming parcel's small size doesn't meet minimum requirements. Its original use as commercial use for the area's development in		

which is unique to the property at issue and not ordinarily found in the same zone or district. This/these condition(s) is/are:

The hardship condition is not created by actions of the applicant. The hardship condition is a result of:

The granting of the variance will not adversely affect the rights of adjacent property owners or residents; because:

The granting of the variance will not adversely affect the public health, safety or general welfare; because:

The variance will be consistent with the general spirit and intent of the Zoning Code; because:

Please explain how the variance sought is the minimum which will afford relief to the applicant.

Once you submit your application you will be taken to the payment page. Enter your payment information and submit. I understand review won't start until payment is made.

the 1920s and continued commercial use over a century is unique to the district, established, and accepted by the greater community. It is adjacent to the southerly commercial zoning district. It is substantially smaller than other lots in the MF zoning district, rendering it very unlikely for MF development.

The hardship condition is not created by actions of the applicant. The hardship condition is a result of:: This site and building have existed on this site for 100 years. It has been used for commercial use for that timeframe as well and likely never used for residential purpose. The applicant did not create this hardship condition. In fact, the applicant applied for and received building permits to improve the space and has invested \$25,000 in the building's improvement (windows, doors, painting, flooring, stations, barber chairs, mirrors and etc) with City ABR approval and City building permit.

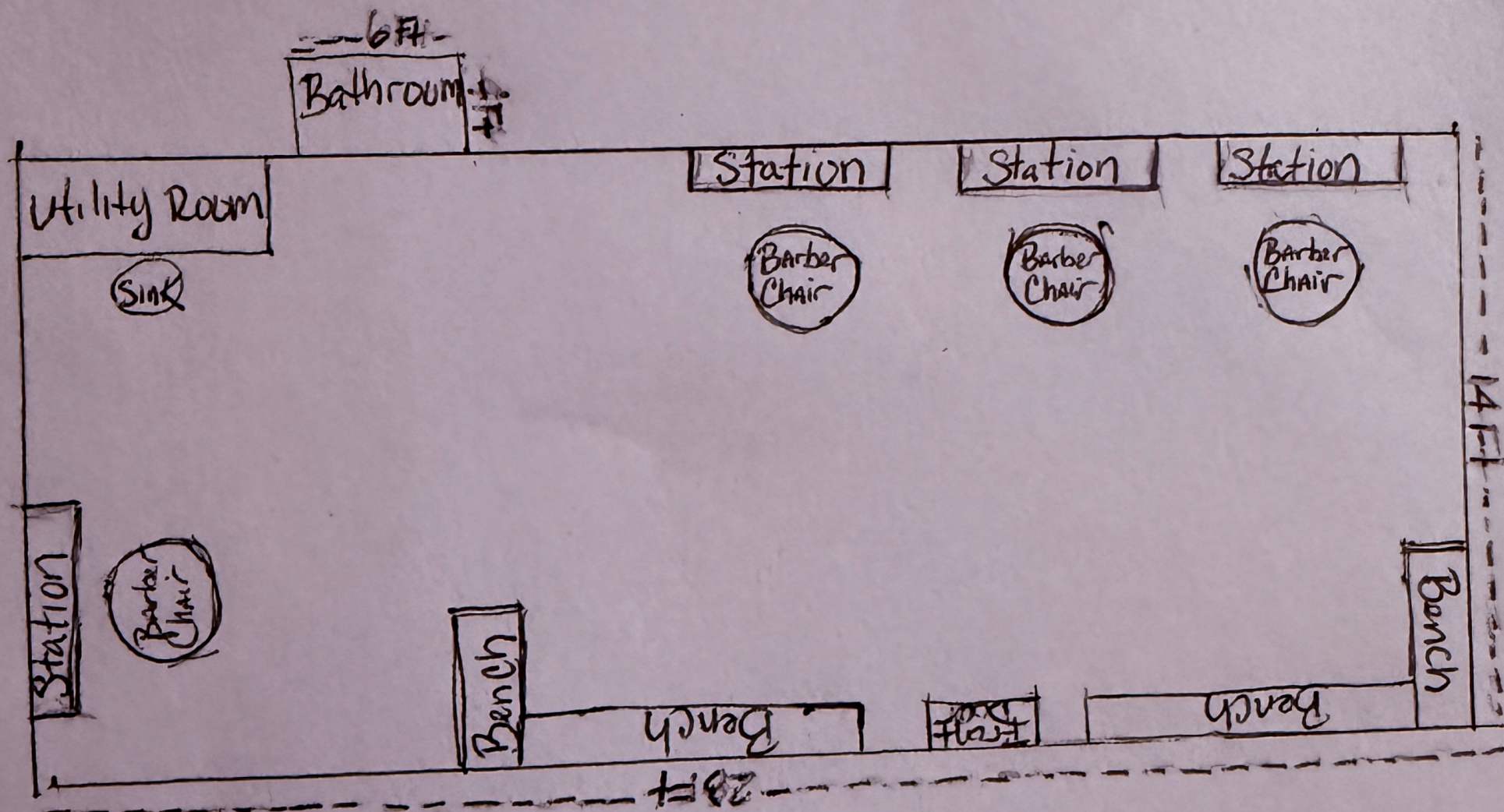
Adjacent property owners and residents have been accustomed to this property's use for commercial use for 100 years. The impact of leaving this historic building and filling it with an active use that serves the nearby community (and has been established in the commercial district for XX years) will not adversely impact the rights of adjacent property owners. If this building is unable to be used for commercial use, the likelihood that it would be demolished is great. The size of the small lot that, per zoning, can not be developed for MF use and not for single-family use would, in effect, result in a vacant lot. The applicant's proposal is to provide a service, reuse a historic building, and provide tax dollars to the city is in the better interest of the neighborhood and community at large.

Investment in historic properties, reuse of existing resources, and occupancy of a vacant building are positive for the community. Provision of barber services and rehabilitation of site will positively impact the community by having an active business in the district. The public health, safety and general welfare will not be adversely impacted by this business locating in a building used as commercial use. The building remaining vacant and not rehabilitated would negatively impact the neighborhood.

The general spirit and intent of the zoning code is to regulate uses and their impact on adjacent uses. Residents and business owners in adjacent and nearby homes/ apartments businesses are accustomed to a commercial use at this site. It has never, to our knowledge, been used for single- or multi-family residential use. The applicant's investment in the property with City permission and permits to use the property for a barbershop is within the spirit and intent of the zoning code. It's adjacency to a commercial district and 100-year use for business is in keeping with the spirit of the zoning code.

The applicant simply requests permission to reuse this property for commercial use. We believe the most recent use was Jerome Layton Insurance, a commercial use, which according to a google search: Jerome Layton Insurance operated out of Cleveland Heights, Ohio, for several decades, having closed its doors in 2023. The local agency was formerly located at 2536 Noble Rd. The applicant has substantially invested in this property, desires to operate a business out of the building long-used for business and the minimum required to relieve the applicant's hardship.

Yes



Barber Shop Layout

Board of Zoning Appeals

STAFF REPORT FOR THE JULY 15, 2026 BZA MEETING

Staff contact: Xavier Yozwiak, Planner / Zoning Inspector

Date of report: July 10, 2026

Cal. 3659- Cal. No. 3659 C. Howard, 2536 Noble Rd., “MF-2” Multiple-Family, proposes a barbershop and requests:

- A. Use variance to Code Sections 1123.03 and 1123.04 of the Cleveland Heights Zoning Code to permit the barbershop; and
- B. Variance to Code Section 1161.03(c)(1) of the Cleveland Heights Zoning Code to permit 0 off-street parking spaces when 1 space is required.

Procedure:

- The Board will first decide the use variance (Cal No. 3659A) for the barbershop which requires finding that strict compliance with the zoning code will result in an unnecessary hardship for the applicant.
- Code Section 1115.07(e)(2) says that an unnecessary hardship is met when all of the following criteria are demonstrated by clear and convincing evidence:
 - 1. *The property cannot be put to any economically viable use under any of the permitted uses in the zoning district;*
 - 2. *The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;*
 - 3. *The hardship condition is not created by actions of the applicant;*
 - 4. *The granting of the variance will not adversely affect the rights of adjacent property owners or residents;*
 - 5. *The granting of the variance will not adversely affect the public health, safety or general welfare;*
 - 6. *The variance will be consistent with the general spirit and intent of the Zoning Code;*
and
 - 7. *The variance sought is the minimum which will afford relief to the applicant.*
- Approval from Council is required if the Board grants the use variance.
- The standard variances in the application for 2536 Noble Rd (Cal No. 3659B) will be considered only if the use variance (Cal No. 3659A) is granted.

Context:

- 2536 Noble Rd is an office building in a “MF-2” Multiple-Family district. The property is at the northwest corner of the Noble Rd and Roanoke Rd intersection. The properties nearby 2536 Noble Rd are zoned:
 - North: “MF-2” Multiple-Family

- East: “C-2” Local Retail
 - South: “A” Single-Family
 - West: “MF-2” Multiple-Family
- The Master Plan Future Land Use Map shows that the parcel will be used for multi-family or attached single-family buildings.

Project:

- The applicant proposes a barbershop in a vacant office building.

Facts:

Property Description:

- The parcel is a non-conforming lot in terms of area and width. The parcel is 4,300 square feet in area and 41 feet wide. Code Section 1123.06 states that a code conforming “MF-2” Single-Family parcel has an area of 20,000 square feet and a minimum width of 100 feet at the building line.

Code Background:

- Code Section 1123.01(b), the purpose of “MF-2” Multiple-Family districts: *“The MF-2 District is established to provide for medium density developments of approximately twenty-five (25) dwelling units an acre.”*

Property History:

- 1920: According to County Records, the office building at 2536 Noble Rd was constructed in 1920.
- 1933-2018: A variety of records indicate that 2536 Noble Rd was used as an office for real estate and insurance agencies as early as 1933 and as late as 2018. This was a legal continuation of a non-conforming use, per Code Section 1173.01.
- 2018-2022: Between 2018 and 2022, Smarty Pants Tutoring Services, LLC operated a tutoring and adult training center at 2536 Noble Rd, which was code-conforming, conditionally-permitted use. At that point, the building could no longer be used as an office building again, per Code Section 1173.01(c).

Permitted and Conditionally Permitted Uses:

- Code Section 1123.03 permits the following uses in a “MF-2” Multiple-Family district: *townhouses, multiple-family dwellings, cluster development, and public parking.*
- Code Section 1123.04 conditionally permits the following uses in a “MF-2” Multiple-Family district: *planned residential development, places of worship, schools, colleges and universities, special training schools and adult education facilities, public libraries, public safety facilities, public and private parks and playgrounds, public recreational facilities, parking decks and one-story garages as the principal structures, accessory parking for contiguous commercial districts, day cares and pre-schools, lodging or congregate living facilities, nursing homes, hospitals, public utilities, live/work dwellings, attached single-family dwelling units, and community gardens.*
- Barbershops are a permitted use in the “C-2” Local Retail, “C2-X” Multiple-Use, and “C-

3” General Commercial districts, per Code Section 1131.02(c)(3). Barbershops fall into category of uses described as “personal services”, which also includes dry cleaning, laundry, beauty salons, tattoo parlors, and body piercing.

Yards Description:

- The table below shows the minimum yard requirements at 2536 Noble Rd, per Code Section 1123.07, and compares it to the existing yards. All of the existing yards are non-conforming, except for the rear yard.

Yard	Required Width	Existing (Approx)	Result
Primary Front	≥30 ft	15 ft	NC
Secondary Front	≥30 ft	10 ft	NC
Side	≥15 ft	10 ft	NC
Rear	≥30 ft	64 ft	C

Density:

- At 25 dwelling units per acre, the maximum number of dwelling units permitted at 2536 Noble would be 2 units, per Code Section 1123.01(b).
- A code-conforming residential development at the property would have to occur as townhomes, as two-family dwellings are not permitted in the “MF-2” Multiple-Family district, per Code Section 1123.03.¹

Parking:

- The existing office building has 441 square feet of floor area.
- The proposed barbershop will have no off-street parking spaces, which requires a (standard) variance. Code Section 1161.03(c)(1) requires 1 off-street parking space for a barbershop at 2536 Noble Rd.

The applicant has submitted a Statement of Hardship with their application and it is attached to this staff report.

If all criteria for an unnecessary hardship are demonstrated by clear and convincing evidence, the Board can approve the use variance for the lodging house.

If approved, conditions should include:

1. Calendar No. 3659A use variance is granted to Code Sections 1123.03 and 1123.04 to permit personal services in the existing structure;
2. This use variance is conditional on the use of the current building which cannot be demolished; and
3. Approval of the use variance by City Council.

If the use variance is granted, conditions for the standard variance should include:

1. Calendar No. 3659B is granted to Code Section 1161.03(c)(1) to permit 0 off-street parking spaces when 1 space is required as shown on the drawings submitted to BZA.

ⁱ The biggest difference is that two-family dwellings include buildings with dwelling units that are arranged above each other. Multiple-family buildings are defined as buildings with 3 or more units. For more information, see the definition of “dwelling, multiple family,” “dwelling, town house,” and “dwelling, two-family” in Code Sections 1103.03(b)(34), 1103.03(b)(36), and 1103.03(b)(37).



BZA Summary Document

Printed Date: July 01, 2026

Permit Number:	UV26-000003	Permit Type:	Board of Zoning Appeals Use Variance
Property Address:	2536 NOBLE RD CLEVELAND HEIGHTS, OH 44121		
Application Date:	06/15/2026		
Applicant Name	Charles Howard	Applicant Email	
Applicant Address		Applicant Company Name	Custom Cuts
Applicant Company Address		Applicant Home Phone	
Applicant Cell Phone		Applicant Work Phone	
Applicant Relationship to Property	Owner		
Name	Charles Howard		
Phone Number			
Email Address			
Property Type	Multi-Family Residential, Commercial, etc.		
Brief Summary of Variance Request	To continue use of the building for commercial use and maintain it's prior nonconforming use status.		
Number of Variances Requested	1		
Please explain why or how the property cannot be put to any economically viable use under any of the permitted uses in the zoning district?	The nonconforming parcel is 41' wide and 4300 s.f., substantially smaller than the minimum required in an MF2 zoning district (6000 s.f. min, 60' min lot width). Required front, side, corner side, and rear setbacks, as well as parking and height requirements for multi-family development make the site nearly unusable for MF development. We believe the previous business at this site operated several decades until it closed in 2023. The applicant applied for and received Architectural board of review approval to alter the windows which was approved on September 26, 2024. He received a building permit for interior and exterior alteration CB25-000001 on January 2, 2024. This investment shows that he alerted the City to his proposed continuation of the commercial use and may be eligible to be considered for continuation of a prior nonconforming use. The applicant has a strong desire to continue to invest in and be a part of the community where he has an already established successful barber business		
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The variance will be consistent with the general spirit and intent of the Zoning Code; because:

Please explain how the variance sought is the minimum which will afford relief to the applicant.

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the 1920s and continued commercial use over a century is unique to the district, established, and accepted by the greater community. It is adjacent to the southerly commercial zoning district. It is substantially smaller than other lots in the MF zoning district, rendering it very unlikely for MF development.

The hardship condition is not created by actions of the applicant. The hardship condition is a result of:: This site and building have existed on this site for 100 years. It has been used for commercial use for that timeframe as well and likely never used for residential purpose. The applicant did not create this hardship condition. In fact, the applicant applied for and received building permits to improve the space and has invested \$25,000 in the building's improvement (windows, doors, painting, flooring, stations, barber chairs, mirrors and etc) with City ABR approval and City building permit.

Adjacent property owners and residents have been accustomed to this property's use for commercial use for 100 years. The impact of leaving this historic building and filling it with an active use that serves the nearby community (and has been established in the commercial district for XX years) will not adversely impact the rights of adjacent property owners. If this building is unable to be used for commercial use, the likelihood that it would be demolished is great. The size of the small lot that, per zoning, can not be developed for MF use and not for single-family use would, in effect, result in a vacant lot. The applicant's proposal is to provide a service, reuse a historic building, and provide tax dollars to the city is in the better interest of the neighborhood and community at large.

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The applicant simply requests permission to reuse this property for commercial use. We believe the most recent use was Jerome Layton Insurance, a commercial use, which according to a google search: Jerome Layton Insurance operated out of Cleveland Heights, Ohio, for several decades, having closed its doors in 2023. The local agency was formerly located at 2536 Noble Rd. The applicant has substantially invested in this property, desires to operate a business out of the building long-used for business and the minimum required to relieve the applicant's hardship.

Yes

Cal. No. 3659
C. Howard, 2536 Noble Rd
“MF-2” Multiple-Family

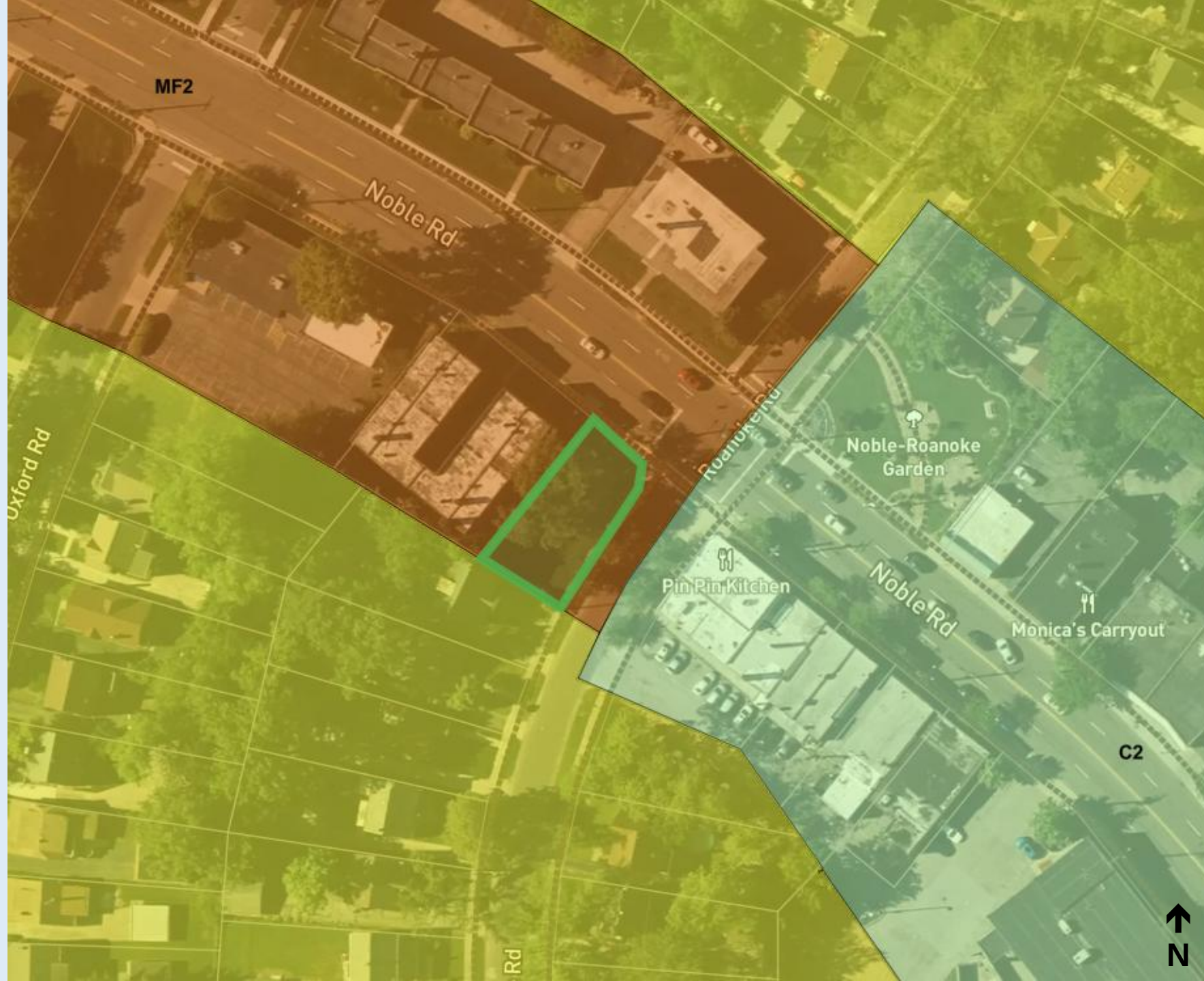


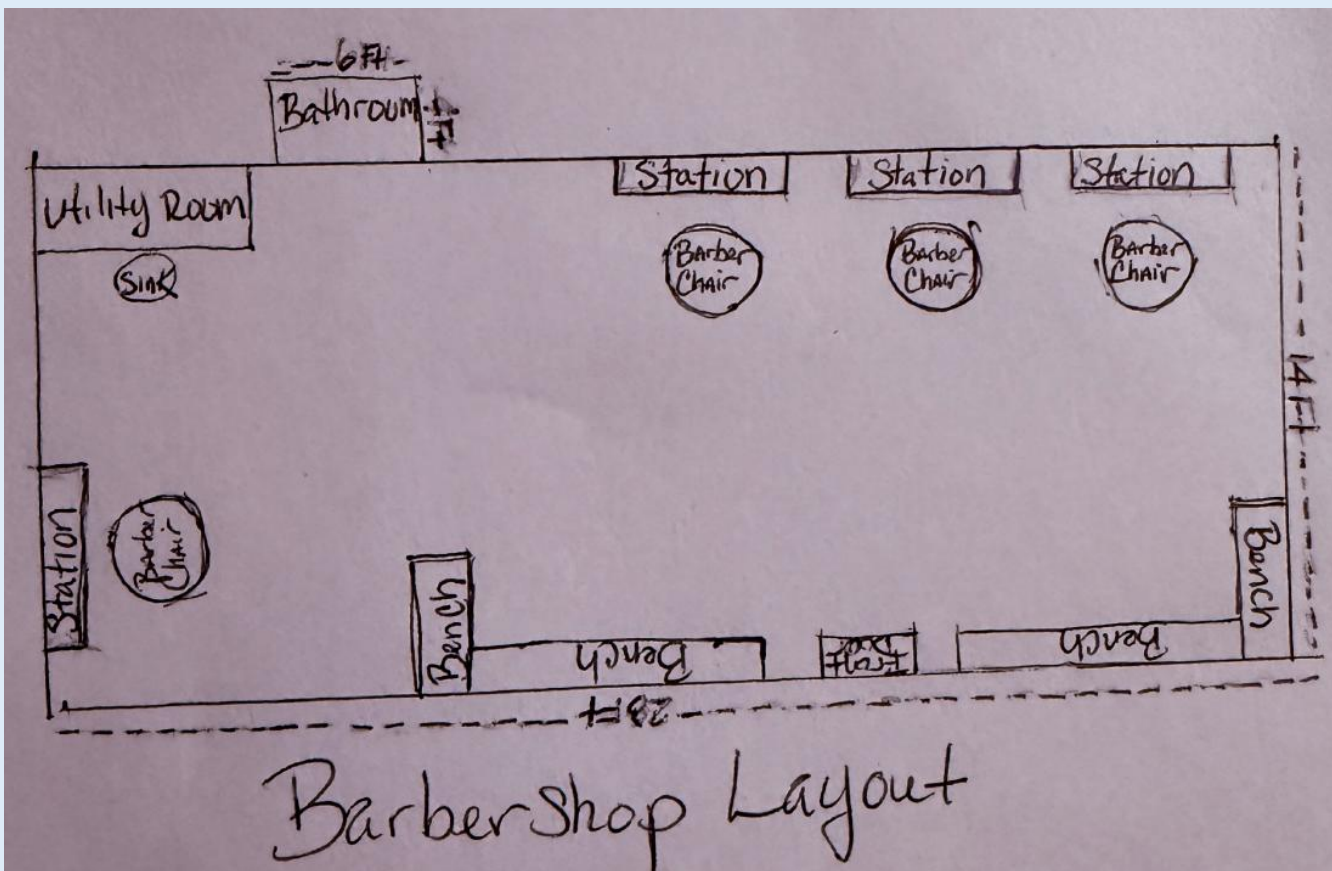
Proposes a barbershop and requests:

- A. Use variance to Code Sections 1123.03 and 1123.04 of the Cleveland Heights Zoning Code to permit the barbershop.
- B. Variance to Code Section 1161.03(c)(1) of the Cleveland Heights Zoning Code to permit 0 off-street parking spaces when 1 space is required.

Procedure

- BZA will first decide Cal No 3659A (use variance)
- Use variances require unnecessary hardship and Council approval
- BZA will consider Cal No 3659B (standard variance) if Cal No 3659A is granted







Code Background

- Code Section 1123.01(b): *“The MF-2 District is established to provide for medium density developments of approximately twenty-five (25) dwelling units an acre.”*
- Code Section 1123.03, permitted uses: townhouses, multiple-family dwellings, cluster development, and public parking.
- Code Section 1123.04 lists 24 other conditionally permitted uses
- Code Section 1131.02(c)(3) permits barbershops in C-2, C2-X, C-3 districts as part of “personal services” (includes dry cleaning, laundry, beauty salons, tattoo parlors, and body piercing)

Property History

- 1920: 2536 Noble Rd constructed
- 1933-2018: Office use for real estate and insurance agencies (continuation of non-conforming use)
- 2018-2022: Smarty Pants Tutoring Services, LLC (conditionally permitted use)



C. L. HENDERSON
REAL ESTATE

LICENSED
BROKER

1296 Hayden Ave
14900 ELLIOT AVENUE

TELEPHONE: LI 1-2212

EAST CLEVELAND 12, OHIO
November 20, 1961

City of Cleveland Heights.
2953 Mayfield Road
Cleveland Heights 18 Ohio.

Attention: Mr. Gilbert J. Gowan

Gentlemen:

In regards to said premises at 2536 Noble Rd. Cleveland Heights, I intend to use said premises as a Real Estate - Insurance office, said office has been a Real Estate office for the past 28 years, occupied by Edw. J. Kemper Broker I have purchased the above property. The Title was transferred as of October 31, 1961. I am applying for a permit to remodel said building on the inside, consisting of taking all the partitions out and all materials off ceiling and walls. I will strengthen the roof and ceiling rafters, raise and shore the building so it is level and pour a concrete floor to extend 4" outside of the building, will put new wiring in and insulate building, put acoustical tile on ceiling and panel all the walls, will also divide into same number of rooms 2 office rooms, rest room and storage room. The Rest room will be enclosed separate from the storage room. I will install a 50,000 B.T.U. wall gas furnace, and a 30 gallon hot water tank. In the spring I would like to put aluminum siding on the outside of the building and do some landscaping, eventually would like to Black Top part of the lot for parking. I have lived in East Cleveland for the past 37 years. I own my home. I have been in the Real Estate business since 1954

Rec. drawings of floor and elevation

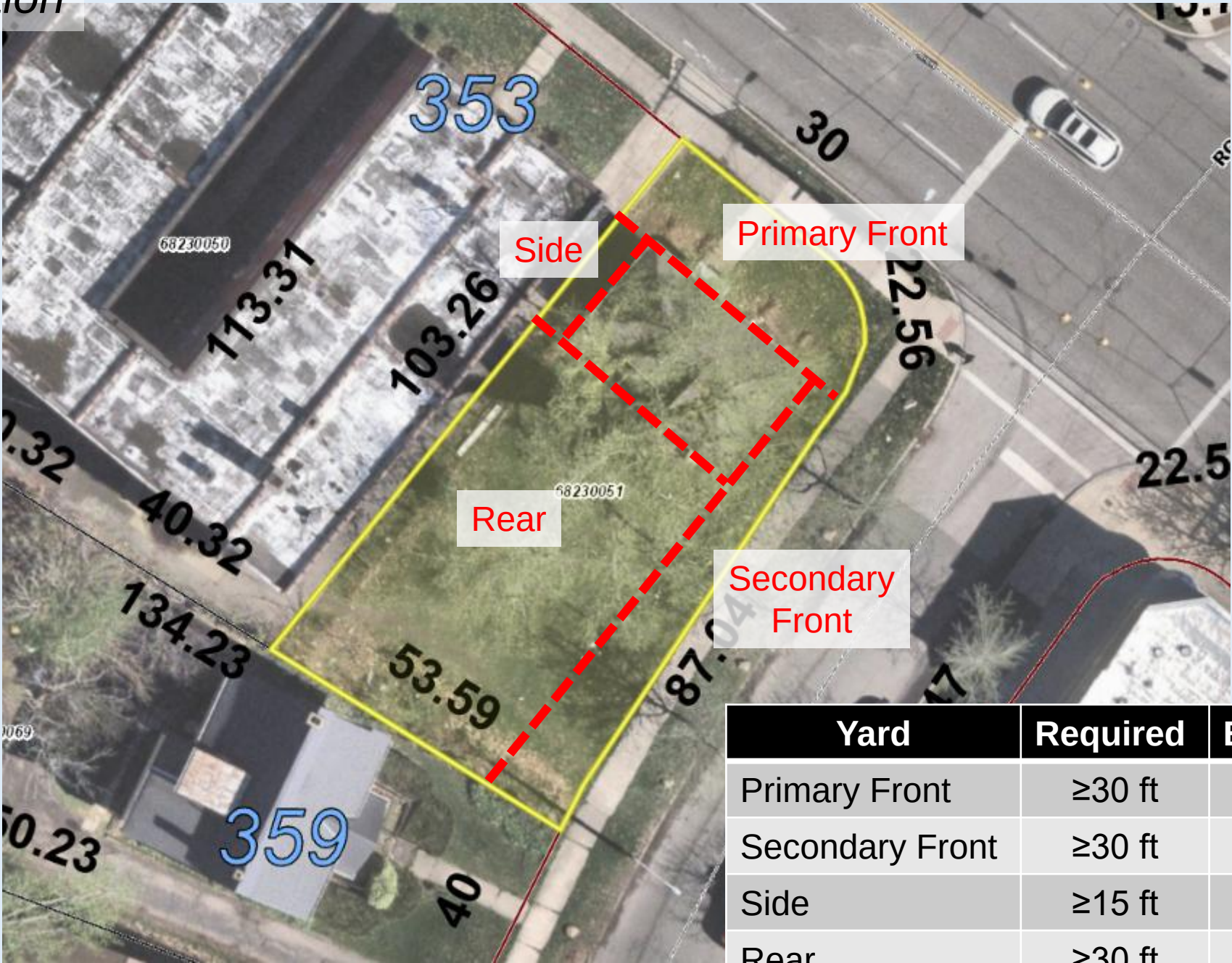
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Respectfully yours

C.L. Henderson
C.L. Henderson

Yards Description



Yard	Required	Existing	Result
Primary Front	≥30 ft	~15 ft	NC
Secondary Front	≥30 ft	~15 ft	NC
Side	≥15 ft	~10 ft	NC
Rear	≥30 ft	~64 ft	C





Off-street Parking Spaces	Qty
Required	1
Proposed	0

















CRITERIA FOR DEMONSTRATING UNNECESSARY HARDSHIP

No variance shall be granted to allow a use not permissible under the terms of this Zoning Code in the zoning district in which the property is located unless the Board finds, and Council approves, that the applicant for the variance has demonstrated that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required and the applicant has met the burden of demonstrating such hardship by clear and convincing evidence as to all of the following criteria:

- A. The property cannot be put to any economically viable use under any of the permitted uses in the zoning district;
- B. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district;
- C. The hardship condition is not created by actions of the applicant;
- D. The granting of the variance will not adversely affect the rights of adjacent property owners or residents;
- E. The granting of the variance will not adversely affect the public health, safety or general welfare;
- F. The variance will be consistent with the general spirit and intent of the Zoning Code; and
- G. The variance sought is the minimum which will afford relief to the applicant.

Proposed: 08.17.2026

RESOLUTION NO. 156-2026(PD),
First Reading

By Mayor Petras

A Resolution memorializing Council's approval of a use variance concerning the property at 2536 Noble Road, pursuant to Section 1115.07(i) of the Codified Ordinances of the City of Cleveland Heights, as described in BZA Cal. No. 3659A; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Charles Howard (the "Applicant") applied for a use variance on June, 15, 2026 concerning the property located at 2536 Noble Road in Cleveland Heights, OH 44118 (the "Property"); and

WHEREAS, the Board of Zoning Appeals ("BZA") heard the Applicant's use variance request on July 15, 2026, with a report from City staff including additional recommendations ("BZA Cal. No. 3659A"); and

WHEREAS, the BZA approved BZA Cal. No. 3659A via a 5-0 vote, finding that there was sufficient evidence put forth to demonstrate that denial of the variance would result in unnecessary hardship for the Applicant; and

WHEREAS, a certified copy of the findings of the BZA regarding BZA Cal. No. 3659A was filed with the Clerk of Council on July 23, 2026; and

WHEREAS, on August 17, 2026, City Council's Committee of the Whole was presented with the City's staff report concerning the Property, the findings of BZA, heard the Staff presentation, as well as an opportunity to interview the Applicant; and

WHEREAS, during the August 17, 2026 Council meeting, the public was given the opportunity to provide comment on the use variance request and findings of the BZA.

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

SECTION 1. This Council hereby finds and determines that the applicant met the burden of demonstrating all the criteria set forth in C.O. Section 1115.07(e)(2) by clear and convincing evidence, and the use variance requested in BZA Cal. No. 3569A is approved and final as recommended by the BZA Use Variance Approval Findings dated July 15, 2026, as it relates to the Property.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted

RESOLUTION NO. 156-2026(PD)

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 such emergency being the need for council to give approval within 45 days of the filing of the certified copy of the BZA findings with the Clerk of Council, pursuant to Section 1115.07(i) of the Codified Ordinances of the City of Cleveland Heights. Provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



Date: August 17, 2026

To: City Council

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

Subject: Inter-Municipal Agreement with the City of East Cleveland for the TLCI Taylor Road Improvement Project

Purpose Statement: *An inter-municipal agreement between the Cities of Cleveland Heights and East Cleveland is necessary in order for design work to be completed for the NOACA Transportation for Livable Communities Initiative ("TLCI") Taylor Road project. Such agreement requires approval by both Council's.*

On May 18, 2026, Council passed Resolution No. 110-2026, authorizing the Mayor to enter into an agreement with OHM Advisors for engineering design services for the Taylor Road TLCI Project, the details of which were provided in the supporting materials for that resolution.

One of the reasons why OHM was recommended was due to their current role as an engineering consultant to the City of East Cleveland. Despite that role, in order to effectuate and enter into the agreement with Cleveland Heights, inter-municipal legislation is necessary to allow OHM to conduct design work for Cleveland Heights that includes project components in East Cleveland.

The passage of this legislation would not change the cost and scope of the services already approved in Resolution No. 110-2026 – and therefore there is no budgetary impact.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To allow the contract with OHM to be in effect and the project to commence.

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

If yes, why?

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

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

Proposed: 08.17.2026

ORDINANCE NO. 151-2026(PD), *First Reading*

By Mayor Petras

An Ordinance authorizing the Mayor to execute an intergovernmental agreement with the City of East Cleveland to facilitate completion of the Taylor Road Corridor Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in 2019, the Northeast Ohio Area Coordinating Agency (“NOACA”) partnered with the Cities of Cleveland Heights, East Cleveland, and University Heights under the Transportation for Livable Communities Initiative (“TLCI”) to conduct a study of the transportation, environmental, demographic, economic, and land use planning related to the portion of Taylor Road extending from Euclid Avenue to Fairmount Boulevard (“Taylor Road Corridor”).

WHEREAS, NOACA published the Taylor Road Corridor Study in February 2021, which contained analysis of these conditions and recommendations for enhancing the livability and safety of various segments of the Taylor Road Corridor, Phase I of which extended from Euclid Heights Boulevard to Meadowbrook Boulevard.

WHEREAS, through Resolution No. 110-2026, this Council authorized the Mayor to enter into an agreement with OHM Advisors, in accordance with its May 2026 proposal attached hereto as Exhibit “A” (“Proposal”), for engineering and design services necessary to implement Phase II of the Taylor Road Corridor Project, which extends from Euclid Avenue to Euclid Heights Boulevard.

WHEREAS, the northernmost segment of Phase II is located beyond the jurisdiction of the City of Cleveland Heights, within the corporation limits of the City of East Cleveland, and has the support of East Cleveland’s Mayor as expressed in her letter of May 15, 2026, attached hereto as Exhibit “B”.

WHEREAS, Ohio Revised Code Section 715.02 provides that two or more municipal corporations may enter into an agreement for the joint construction or management of any public work or improvement benefitting each municipal corporation, subject to the approval by ordinance or resolution of each legislative body that is a party to the contract.

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 an intergovernmental

ORDINANCE NO. 151-2026(PD)

agreement with the City of East Cleveland to provide for the construction and management of the Taylor Road Corridor Project segment within East Cleveland's corporation limits by obtaining the engineering and design services necessary for Phase II of the Taylor Road Corridor Project.

SECTION 2. All engineering and design work shall be in accordance with the Proposal and require the approval of East Cleveland's city engineer, OHM Advisors, or other designee, prior to beginning construction. The Ohio Department of Transportation shall have final approval of all engineering and design work.

SECTION 3. In accordance with TLCI projects administered by ODOT, the City of Cleveland Heights shall be the project sponsor and responsible for the engineering and design costs. Further development and construction shall require an ODOT Let Project Agreement and consent legislation, and the City of East Cleveland shall take ownership of, and responsibility for, all maintenance and repairs of any improvements within its corporation limits.

SECTION 4. It is found and determined that all formal actions of the Council relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 5. Notice of the passage of this 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 6. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public health, safety, and welfare of the inhabitants of the City of Cleveland Heights, such emergency being ODOT's 2028 construction window requiring submission of the Final Plan Package to ODOT District 12's offices by May 28, 2027, for which this intergovernmental agreement is necessary; wherefore, provided it receives the affirmative vote of not less than five (5) members of this Council, it 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 period allowed by law.

TONY CUDA
President of Council

ORDINANCE NO. 151-2026(PD)

ADDIE BALESTER
Clerk of Council

PASSED:

Presented to Mayor: _____ Effective Date: _____

JIM PETRAS
Mayor



Date: July 28, 2026

To: Addie Balester, Clerk of Council
Chris Heltzel, Assistant Law Director
William Hanna, Law Director

Cc: Jim Petras, Mayor; Michael Reese, CAO; Anthony Ferrone, Assistant PW Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Community Cost Share Agreement

Purpose Statement: This legislation gives the Mayor authorization to enter into a Stormwater Management Program Agreement with the Northeast Ohio Regional Sewer District for a pre-design study of the MLK Drive Culvert over Doan Brook to address critical deficiencies to be paid for through Community Cost Share Funds in the amount of \$74,500.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To sign all necessary agreements

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

If yes, why?

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

This agreement is necessary to be reimbursed for the Pre Design Study. The full amount will be reimbursed by NEORS.

Proposed: 08.17.2026

RESOLUTION NO. 152-2026(MSES), *First Reading*

By Mayor Petras

A Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to fund a pre-design study of the culvert at MLK Jr. Drive; 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 NEORSD-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 \$74,500 in Community Cost-Share Funds for a pre-design study of the MLK Drive Culvert over Doan Brook to look at addressing critical deficiencies; 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 he is hereby, authorized to enter into a Community Cost Share Agreement with NEORSD to accept the funds necessary for the pre-design study described herein. The Mayor additionally is authorized to enter into any and all related agreements necessary to complete the services of 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

RESOLUTION NO. 152-2026(MSES)

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 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 potential need to mitigate environmental and other risks posed by the current condition of the culvert 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 allow by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

EXHIBIT A

NORTHEAST OHIO REGIONAL SEWER DISTRICT
RESOLUTION NO. 114-13

Authorizing the Executive Director to enter into Regional Stormwater
Management Program Community Cost-Share Program Agreements
with Member Communities.

WHEREAS, the Code of Regulations of the Northeast Ohio Regional Sewer District, Title V – Stormwater Management Code Chapter 9 outlines the Community Cost-Share Program developed to provide funds to District Member Communities for construction, operation and maintenance activities of community-specific stormwater management projects; and

WHEREAS, under the Community Cost-Share Program, 25% of the annual collected stormwater revenue from each Member Community will be held by the District in a Community Cost-Share account, whereby Communities, with review and approval by the District, through specific applications outlining the community-specific stormwater work to be performed can access reimbursement of their funds; and

WHEREAS, the District is seeking authority to enter into Regional Stormwater Management Program Community Cost-Share Program Agreements with Member Communities for the purpose of detailing and memorializing responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT:

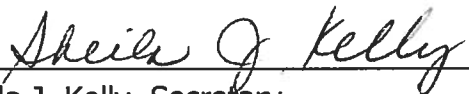
Section 1. That this Board finds that for the reasons stated in the preamble hereof it is in the best interests of the District to enter into Regional Stormwater Management Program Cost-Share Program Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program.

Section 2. That this Board hereby authorizes the Executive Director to enter into Regional Stormwater Management Program Cost-Share Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program under such terms and conditions that are satisfactory to the Director of Law and in the best interests of the District.

Section 3. That this Board authorizes the Executive Director to execute all documents and do all things necessary to effect the terms and conditions of the Stormwater Management Program Direct Billing Agreements with Member Communities.

Section 4. That this Board declares that all formal actions of the Board concerning and relating to the adoption of this resolution and that all deliberations of the Board and any of its committees that resulted in said formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On motion of Mayor Starr seconded by Mr. O'Malley, the foregoing resolution was unanimously adopted on May 16, 2013.



Sheila J. Kelly, Secretary
Board of Trustees
Northeast Ohio Regional Sewer District

EXHIBIT B

(Insert Member Community
Ordinance/Resolution)

EXHIBIT C



Community Cost-Share Program APPLICATION

Member Community Information

Community:	City of Cleveland Heights
Primary Project Contact: (Name & Title)	Collette Clinkscale Director of Public Works
Mailing Address:	40 Severance Circle Cleveland Heights, Ohio 44118
Phone Number:	216-291-2209
Email:	cclinkscale@clevelandheights.gov

Project Information

Project Title:	MLK Drive - Doan Brook Culvert Pre-Desig
Address or Location of Project:	MLK Drive Culvert Crossing along Doan Brook
Project Start Date:	8/1/2026
Project End Date:	2/28/2027
Community Cost-Share Fund Request:	\$74,500
Submission Date:	6/22/2026

Project Narrative

1) Project Summary (1,000 word maximum)

Describe the Project and include the following information, as applicable:

- Describe the Project and deliverables; provide a map if applicable
- Submit a deliverable worksheet listing tasks and deliverables with start dates and end dates for the significant benchmarks.
- List permitting requirements necessary to initiate and complete project and how the requirements will be met.

The MLK Drive Culvert over Doan Brook pre-design study look to address critical deficiencies in the stone arch culvert and masonry spandrel wall.

Recent inspections identified severe structural distress in the spandrel wall, including significant outward leaning fractured and displaced masonry blocks, vegetation intrusion, and a continuous crack at the interface between the arch barrel and wall.

This project is to evaluate several rehabilitation and replacement alternatives to address the failing structure.

Please see below for a timeline of each task:

- Task 1 Survey [3 weeks – field work and basemapping]
- Task 2 Permitting Review [Duration of project as each alternative will need to be evaluated]
- Task 3 Geotechnical Investigation [1.5 months – field work and reporting]
- Task 4 H&H Modeling [3 months]
- Task 5 Design [4.5 months]
- Task 6 Project Management [Duration of project]



2) Ability to Provide Long Term Maintenance (500 word maximum)

Describe the plans for long-term maintenance, addressing the following question:

- Who is responsible to provide on-going maintenance for the project and how will maintenance be ensured?
- Provide documentation of scheduled maintenance and operation for completed stormwater project(s).

The City of Cleveland Heights will be responsible for on-going maintenance.

Scheduled maintenance and operation will be determined once an alternative is selected.



3) Visibility and Public Outreach: (500 word maximum)

Public outreach is required if appropriate for your project.

- What audiences will be exposed to this Project (neighbors, students, community groups, general public)?

Public Outreach will be determined once an alternative is selected. The City will post information in the City newsletter and social media to let neighbors, community groups and interested persons know why crews may be working in the area.



4) **Budget Summary** (500 words maximum)

The Budget Summary and Project Budget (*see page 3*) represent the Community Cost-Share Project components exclusively. Include details on the provider of all services such as design, engineering, construction management and materials including specific material cost, equipment, and hourly rate.

If an engineer's estimate is included with the application, indicate which line items are included in the Community Cost-Share Project application.

See attached GPD Group proposal which represents the Community Cost-Share Amount being requested.



Vendor Registration

Prior to submission, ensure that the Member Community is a registered vendor with the District. Vendor Registration can be done by accessing http://www.neorsd.org/isupplier_homepage.php and completing the New Vendor Registration. If unsure of the Member Community vendor status, by initiating the New Vendor Registration a message of active registration will appear if currently registered as a vendor.

Project Budget

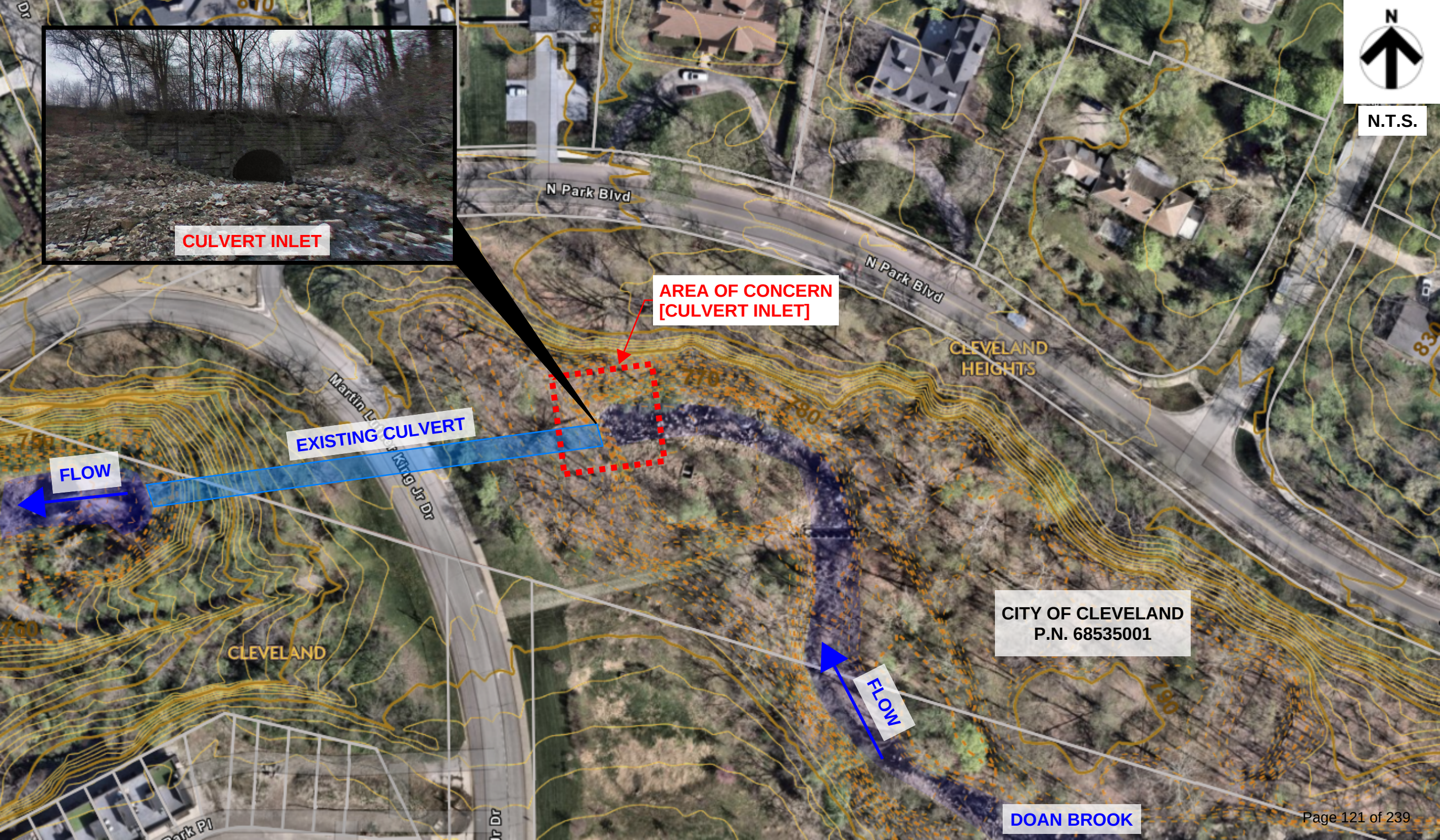
Project Expenses	Community Cost-Share Expense	Line Item Description
Professional Services	\$74,500.	Scope of Services and Fee Summary
Personnel <i>(Member Community staff only)</i>		
Subcontract		
Equipment		
Materials		
Other		
TOTAL	\$ 74,500	



N.T.S.



CULVERT INLET



CITY OF CLEVELAND
P.N. 68535001

DOAN BROOK

Collette Clinkscale
Director of Public Works
City of Cleveland Heights
40 Severance Circle
Cleveland Heights, OH 44118

MLK Jr. Drive – Doan Brook Culvert Pre-Design Study

Culvert and Stream Restoration

Ms. Collette Clinkscale,

GPD Group (GPD) would like to submit the following professional engineering services to provide culvert and stream restoration design alternatives for the MLK Jr. Drive culvert crossing along Doan Brook.

Project Understanding

The MLK Jr. Drive Culvert over Doan Brook pre-design study looks to address the critical structural deficiencies in a historic stone arch culvert and masonry spandrel wall constructed circa 1897 in Cleveland Heights. Although the roadway is currently supported by a downstream cast-in-place concrete box culvert, the upstream stone arch and spandrel wall remain critical to stream conveyance, site stability, and public safety.

Recent inspections dating back to 2024 identified severe structural distress in the spandrel wall, including significant outward leaning, fractured and displaced masonry blocks, vegetation intrusion, and a continuous structural crack at the interface between the arch barrel and wall. The wall is considered to be in critical condition with a risk of partial or complete collapse into Doan Brook. While roadway impacts are unlikely, failure could obstruct stream flow, damage the adjacent hiking trail, and pose safety hazards.

To address the failing structure, this study will evaluate several rehabilitation and replacement alternatives, ranging from stabilization of the existing structure to complete replacement with bank stabilization. Note this segment of Doan Brook is located within a FEMA-designated regulatory floodway, which will require careful consideration of hydraulic performance and regulatory compliance. Evaluation of alternatives will also consider constructability, permitting requirements, long-term durability, and coordination with multiple jurisdictions, including NEORSD and Cleveland Heights, to advance a durable, cost-effective solution that minimizes environmental and regulatory impacts.

Basic Scope of Services

GPD shall provide the following services:

Task 1 – Survey

- Survey
 - a. Conduct a topographic survey to document stream, surrounding embankments, and culvert structures existing conditions.
 - i. Survey includes:
 - 1. Trees, 6" and larger
 - 2. Topography across the project area, including both the stream, culvert, and adjacent land
 - 3. Utilities (If any)
 - b. Develop a CAD generated basemap

Task 2 – Permitting

- Design team will consult with local Environmental consultant to understand the impacts and design limitations of the historic stone arch culvert.
- Identify all required local, state, and if necessary, federal permits (i.e. USACE Nationwide permits, SHPO) to support the proposed stream restoration and outfall improvements.
 - a. Findings will be summarized in the Preliminary Engineering Report (PER).

Task 3 – Geotechnical Investigation

- Site will be assessed for subsurface material conditions.
- Review any relevant previous geotechnical reports, geological maps, etc.
- GPD group will perform up to a total of two (2) borings to a depth of 15 feet or wildcat tests with hand auguring. The boring locations will be coordinated in the field and based on field explorations.
 - a. Findings will be documented in a geotechnical engineering report (GER), including but not limited to test boring logs and location plan, discussion of soil profile and subsurface conditions, and recommendations.

Task 4 – Hydrologic and Hydraulic Modeling (H&H)

- Develop a one-dimensional (1-D) hydraulic model to simulate existing and proposed flow conditions under both baseflow conditions and select wet-weather storm events.
 - a. Note: Study area is within a designated FEMA regulatory floodway. To avoid further permitting and fees, project will strive to achieve a no rise condition.
- The model will be used to evaluate water surface elevations, flow depths, velocities, and energy gradients within the channel and adjacent floodplain.
- Results will support assessment of channel capacity, floodplain connectivity, and potential changes in hydraulic behavior resulting from proposed restoration activities.
- Results will be summarized in the PER.

Task 5 – Design (Civil & Structural)

- GPD will evaluate up to four (4) design alternatives:
 - a. Culvert (Historic stone arch) rehabilitation
 - i. Incorporate the necessary design measures to keep existing structure in place
 - b. Stone arch removal and culvert replacement
 - i. Remove the stone arch completely.
 - ii. Extend the culvert upstream.
 - iii. Construct new headwall/wingwalls and embankment
 - iv. Seeding and plantings on newly constructed embankment.
 - v. Restore impacted stream.
 - c. Bury stone arch and extend culvert upstream
 - i. Extend culvert upstream.
 - ii. Construct new headwall and embankment
 - iii. Bury existing structure in place
 - iv. Seeding and plantings on newly constructed embankment.
 - v. Restore impact stream.
 - d. Stone arch removal and embankment grading
 - i. Remove the stone arch completely
 - ii. Cut back upslope and regrade embankment
 - iii. Construct new headwall for existing box culvert
- For each of the design alternatives, the following sheets will be prepared:
 - a. Existing Conditions and Demo Plan
 - b. Proposed Site and Grading Plan
 - c. Miscellaneous Details (Civil, structural, etc.)
- Opinion of Probable Costs for each design alternative.
- Design alternatives will be summarized in the PER.

Task 6 – Project Management

- Project Coordination / QAQC / Reimbursables / Meetings
 - a. GPD will attend three (3) review meetings with the project team
 - i. Kick-off meeting (1) - introduce the project team, establish the schedule, define the project goals, guide the development of the construction plans along with the opinion of probable cost.
 - ii. Design review meetings (2) – one progress meeting and one final review meeting once the pre-design study is completed.

Project Deliverables

As part of the final submittal package for this pre-design study, the Design team will submit a *Preliminary Engineering Report* that includes the following items:

- Preliminary Engineering Report
 - a. Permitting review
 - b. Design Alternatives
 - i. Design Plans
 - ii. H&H Summary
 - iii. Opinion of Probable Costs
 - c. Preferred Alternative Summary
 - d. Geotechnical Engineering Report (Appendix)

Engineering Services Summary

GPD's compensation to perform the above scope of services will be based on a lump sum basis totaling a not to exceed the figure of seventy-four thousand and five hundred dollars (\$74,500), which includes reimbursable expenses for travel, and printing. Work will be billed on a monthly basis for the percentage of work completed that month.

Basic Scope of Services and Fee Summary		
Task	Description	Fee
1	Survey	\$8,000
2	Permitting Review	\$3,000
3	Geotechnical Investigation	\$11,000
4	H&H Modeling	\$9,000
5	Design (Civil & Structural)	\$37,500
6	Project Management	\$6,000
TOTAL		\$74,500.00

General Conditions Understanding:

1. Design plans will be prepared in electronic format using "AutoCAD Civil 3D" and provided to the Client in PDF format.
2. Pre-design plans will be prepared to a 'grant' ready status.
3. Client shall designate a representative authorized to act on its behalf with respect to the project. All direction and authorization shall be by or through such representative.
4. Client shall examine documents submitted by GPD and shall render decisions promptly, to avoid unreasonable delay in the progress of GPD's services.

5. Excluded from this proposal are the following:

- a. Property owner coordination. It is understood that the property owner will be responsible for coordinating and obtaining all necessary approvals from impacted parties for the proposed work. No easement preparation or documentation is included in this proposal.
- b. Any permitting applications/submittal/fees with local, state, or federal agencies.
- c. 3D site rendering.
- d. Phase I cultural resources survey.
- e. Endangered species habitat survey.

6. In providing estimates of probable construction cost, the Client understands that the Consultant has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing, and that the Consultant's estimates of probable construction cost are made on the basis of the Consultant's professional judgment and experience. The Consultant makes no warranty, express or implied, that the bids or the negotiated cost of the Work will not vary from the Consultant's estimate of probable construction cost. The existence and contents of this document shall not be construed to create responsibility or liability of Client or Consultant for changes related to this estimate of probable cost.

We are pleased to have the opportunity to submit our proposal. Please contact me at your earliest convenience with any questions or comments regarding our proposal. Do not hesitate to contact us directly by calling 330-572-2286 or email to jlanni@gpdgroup.com.

Respectfully submitted,
GPD Group



Joseph Lanni, P.E.
Project Manager



David Neumeyer, PE
Senior Project Manager

Cc: Ivan Valentic, Senior Project Manager [216.927.8684, ivalentic@gpdgroup.com]

GPD Group and Cleveland Heights
TERMS AND CONDITIONS

Glaus, Pyle, Schomer, Burns and DeHaven, Inc. dba GPD Group ("GPD") shall perform the services outlined in the proposal attached to this agreement, or any other performance rendered by GPD, (collectively referred to as the "Work") in accordance with the following Terms and Conditions for the party identified as Client ("Client") in the corresponding proposal:

Information and Access. When applicable, Client shall make available any and all plans, drawings, or other documentation, which relate to the Work in addition to any other information which one should consider as it relates to the Work. Client shall provide additional information upon GPD request. In the event that new, modified or changed information becomes available Client shall inform GPD of such immediately. Client shall insure access to the property or site(s) is available to GPD at agreed upon times, and Client shall make available representatives who will be the most knowledgeable concerning the Work which GPD shall perform. Client acknowledges that GPD shall regard all Client information as reliable and accurate, and hereby warrants such. Client agrees that GPD may assume that all plans, designs, structures and specifications related to the Work have been properly designed in accordance with the highest standard of care and are adequate for all purposes other than specifically addressed by the Work. GPD shall not be responsible for existing, hidden or unknown conditions and shall have no responsibility for the discovery, presence, handling, removal, disposal of hazardous materials of any form.

Billing and Payment. GPD, at its option, will submit invoices for services and reimbursable expenses on a monthly basis, unless otherwise agreed upon. Client shall pay invoices in full within 30 days after the invoice date. Any invoice or part thereof which has not been paid within 60 days shall accrue interest at 1.5% per month (equivalent to 18% per annum) until paid in full. GPD shall have the right to suspend the Work, terminate the agreement and retain and/or retrieve all work product until such invoices have been paid in full.

Timeliness of Performance. GPD will endeavor to perform the Work with reasonable diligence and expediency consistent with the applicable standard of care. GPD shall not be responsible for, and will not be held liable for, damages arising directly or indirectly from any delays for causes outside of GPD control, including the actions or inactions of Client, other subcontractors or consultants, and third parties. If delays resulting from any such causes increase the cost and/or time required by GPD to perform the Work, GPD shall be entitled to an equitable adjustment in schedule and/or compensation.

Standard of Care. GPD's services shall be performed in a manner consistent with the care and skill ordinarily used by members of the same profession practicing under similar circumstances at the same time in the same location.

Indemnification. GPD agrees to indemnify and hold the Client (which collectively includes officers, directors and employees) harmless from any and all damages, liabilities, claims, expenses or costs (including reasonable attorney's fees, expert-witness fees and defense costs) to the extent caused by GPD's negligent acts, professional errors, or omissions arising out of the Work or the performance of this agreement. GPD shall not be obligated to indemnify and hold the Client harmless in any manner whatsoever for the negligence of the Client.

Termination of Services. Either party may terminate this agreement upon 10 days written notice should the other fail to perform its obligations hereunder. In the event of such termination, Client shall pay GPD for all services rendered to the date of termination, all reimbursable expenses and reasonable termination expenses.

Ownership of Work Product. All Work, instruments of service, reports, drawings, specifications, electronic files, field data, notes and all other preparations by GPD shall remain the property of GPD, hereafter referred to as "Work Product". GPD shall retain all common law, statutory, and other reserved rights, including the copyright thereto in the Work Product. Client shall have a nonexclusive license in the Work Product that may not be used for any other purpose or project other than for which it was created without the written consent of GPD. Client reuse in violation of this section, or any changes or modifications to the Work Product not performed by GPD shall be considered an "Unauthorized Use." Client shall waive any and all claims related to Unauthorized Use Client shall maintain ownership over drawings or plans that are commissioned, for the purposes of Client to promulgate standard drawings. The rights granted to Client in this section shall transfer upon payment and to the extent paid.

Confidentiality. Unless required by law or court order, GPD and Client shall not disclose the terms of this agreement or substance of the Work and shall treat such as confidential. This section shall not apply to any information after it is generally available to the public other than as a result of disclosure by GPD or Client, which is generally available to the

public on the date of this agreement or which was lawfully received from a third party without a restriction on disclosure. GPD understands and acknowledges that in acting on behalf of Client it is subject to the Ohio Public Records Act and that this Agreement is public record.

Dispute Resolution. Any claim or dispute between GPD and Client shall be submitted to non-binding mediation and, if mediation is unsuccessful, may be brought in a proper venue in Cuyahoga County, Ohio. This agreement and the Work shall be governed by the laws of the State of Ohio.

Entire Agreement. These terms and conditions and the attached GPD proposal describe the entire agreement between GPD and Client. Both parties mutually agree that all other terms and conditions are hereby rejected. No amendments to these terms and conditions shall be effective unless acknowledged by written signature. Client's acceptance of these terms and conditions, whether acknowledged by signature or not, is a condition precedent to GPD's commencement of the Work.

No Third Party Beneficiary. This agreement is made for the benefit of GPD and Client and is not intended to benefit any third party or be enforceable by any third party. The rights of the GPD and Client to terminate, rescind, or agree to any amendment, waiver, variation or settlement shall not be subject to the consent of a third party.

Assignment. Neither party may assign this agreement without the consent of the other.

Severability. If any term, covenant, condition or provisions of this agreement is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect, and shall in no way be affected, impaired or invalidated thereby.

*The individual signing below hereby represents and warrants that s/he is duly authorized to execute and deliver this Agreement on behalf of the firm represented as Client herein and shall bind such parties in a corporate capacity.
Signature represents authorization and acceptance of the terms and conditions.*

<u>SIGNATURE</u>	
Client: _____ <i>Name of Firm</i>	
_____ Signor Name	_____ Signature
_____ Title	_____ Date

**COMMUNITY COST-SHARE AGREEMENT
BY AND BETWEEN
THE NORTHEAST OHIO REGIONAL SEWER DISTRICT
AND
CITY OF CLEVELAND HEIGHTS**

This Agreement is made and entered into this _____ day of _____, 2026, by and between the Northeast Ohio Regional Sewer District (District) acting pursuant to Resolution No. 114-13, adopted by the Board of Trustees of the District on May 16, 2013 (Exhibit “A”), and City of Cleveland Heights (City) acting pursuant to Ordinance/Resolution No. _____, adopted on _____, 20____ (Exhibit “B”).

Recitals

WHEREAS, the District, as a component of implementing a regional stormwater management program, manages a financial account termed the “*Community Cost-Share Account*” that is for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee; and

WHEREAS, the purpose of the Community Cost-Share Account is to provide funding to assist the City with District-approved projects through the Community Cost-Share Program; and

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

WHEREAS, the District supports the Community Cost-Share MLK Drive – Doan Brook Culvert Pre-Design Study (the “Project”) as a Community Cost-Share project proposed by the City; and

NOW THEREFORE, in consideration of the foregoing, the payment and the mutual promises contained in this Agreement, the parties agree as follows:

Article 1.0 City Obligations

- 1.1 The City agrees to perform as follows:
 - 1.1.1 Complete work as detailed in the District approved Community Cost-Share application. (Exhibit “C”)
 - 1.1.2 Complete and submit Progress Reports when submitting Request for Payment as needed, or within 30 days of close of the Project, in accordance with the *Community Cost-Share Program Policy*.

- 1.1.3 Notify the City's Watershed Team Leader at least 7 business days prior to the start of the Project.
- 1.1.4 Meet with District staff when requested to review the Project status.
- 1.1.5 Obtain all necessary legal agreements with affected property owners to perform the Project and to bind any successor in title to maintain compliance as specified in this Agreement between the District and City for the Project.
- 1.1.6 Comply with all applicable local, state and federal requirements. This may include, but is not limited to, U.S. Army Corp of Engineers Section 404, Ohio EPA Section 401 water quality certification, and Ohio Department of Natural Resources Dam Safety Laws.
- 1.1.7 If the City fails to maintain the Project in accordance with this Agreement, the City shall be liable for the full amount of any Community Cost-Share Program funds paid for the Project. Such amount shall be offset against the City Community Cost-Share Account.
- 1.1.8 Submit requests for approval to modify the budget, deadline, deliverables, or other components of the Project to the City's Watershed Team Leader at least 30 business days prior to the desired date of execution of the modification.
- 1.1.9 Acknowledge the District on any public advertisement or outreach efforts including all publications and signage related to the Project which shall include the following disclaimer:

This project was funded in part or totally through the Northeast Ohio Regional Sewer District (NEORS D) Community Cost-Share Program in coordination with City, under the provisions of the NEORS D Regional Stormwater Management Program. The contents and views, including any opinions, findings, or conclusions or recommendations, contained in this publication are those of the authors and have not been subject to NEORS D review and may not necessarily reflect the views of NEORS D, and no official endorsement should be inferred.
- 1.1.10 Provide the District the opportunity to have design approval for any signage or public education and outreach efforts related to the Project.
- 1.1.11 Permit the District to photograph the Project and to incorporate the Project into the District's overall public education and outreach efforts for stormwater management.
- 1.2 Failure to meet any of the requirements listed in Article 1.1 may result in termination of this Agreement and reimbursement of disbursed funds to the District.

Article 2.0 **District's Obligations**

2.1 The District agrees to perform as follows:

2.1.1 Allocate \$74,500.00 to the City for the Project from the City's Community Cost-Share Account.

2.1.2 Provide reimbursement of funds up to \$74,500.00 to the City within 60 days of receipt of a complete Request for Payment from the City, detailing costs related to the Project.

2.1.3 Timely review and approval or disapproval of requests to modify the budget, deadline, deliverables, or other components of the Project.

2.1.4 Acknowledge the City in presentations or publications related to the Project.

2.3 The District is not liable for any and all claims, damages, losses, liens, causes of action, suits, judgments and expenses of any nature, kind or description, that result from and to the extents caused by the acts or omissions of the City, the design professional, and the contractor, including all of their officers, owners, principals, subcontractors, employees, and agents. The District is not responsible for the accuracy, correctness and reliability of the plans as it is not reviewing or approving any plans as to suitability of the design/fitness for a particular purpose.

Article 3.0 **Dispute Resolution**

3.1 The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.

3.2 The Parties shall first try to resolve the dispute at the level of the designated representatives as follows:

District Representative	City Representative
Watershed Team Leader	Director of Public Works

If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the following level to resolve the dispute:

District Representative	City Representative
Director of Watershed Programs	Mayor

3.3 If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The mediator shall review all documents and written statements, in order to accurately and effectively

resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after mediator appointment, which meeting shall be attended by at least the respective representatives listed in paragraph 3.02 above. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator equally.

- 3.4 Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by both Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction as per Article 4, Remedies, below.

Article 4 **Remedies**

- 4.1 The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counter-claims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law. This Agreement shall be governed by and interpreted according to the laws of the State of Ohio.

Article 5 **Counterpart Signatures**

- 5.1 This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which counterparts when taken together shall constitute one Agreement.

Article 6 **Governing Law**

- 6.1 The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

Article 7 **Disclaimer of Joint Venture**

- 7.1 This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

Article 8 **Authority to Execute**

- 8.1 Each person executing this Agreement represents and warrants that it is duly authorized to execute this Agreement by the party on whose behalf it is so executing.

Article 9 **Exhibits**

The following exhibits are attached hereto and incorporated herein:

Exhibit “A” – District Resolution
Exhibit “B” – City Ordinance/Resolution
Exhibit “C” – District-Approved Community Cost Share Application

[signatures on the following pages]

The parties have executed this Agreement on the day and year first above written.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

BY: _____
Kyle Dreyfuss-Wells
Chief Executive Officer

AND

BY: _____
Darnell Brown, President
Board of Trustees

CITY OF CLEVELAND HEIGHTS

By: _____

Title: _____

The Legal Form and Correctness of this
Instrument is hereby Approved:

CITY OF CLEVELAND HEIGHTS

Assistant/Director of Law

This Instrument Prepared By:

Anka M. Davis
Assistant General Counsel
Northeast Ohio Regional Sewer District

Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

[FOR NEORSD USE]

AGREEMENT NO.

NORTHEAST OHIO REGIONAL SEWER
DISTRICT

WITH

CITY OF CLEVELAND HEIGHTS

FOR

COMMUNITY COST-SHARE PROJECT:
MLK DRIVE – DOAN BROOK CULVERT
PRE-DESIGN STUDY

Total Approximate Cost: \$74,500.00

The legal form and correctness of the within
instrument are hereby approved.

ERIC J. LUCKAGE
CHIEF LEGAL OFFICER

Date

CERTIFICATION

It is hereby certified that the amount required to
meet the contract, agreement, obligation, payment
or expenditure, for the above, has been lawfully
appropriated or authorized or directed for such
purpose and is in the Treasury or in process of
collection to the credit of the fund free from any
obligation or certification now outstanding.

KENNETH J. DUPLAY
CHIEF FINANCIAL OFFICER

Date

Budget Center 8100



Date: July 28, 2026

To: Addie Balester, Clerk of Council
Chris Heltzel, Assistant Law Director
William Hanna, Law Director

Cc: Jim Petras, Mayor; Michael Reese, CAO; Anthony Ferrone, Assistant PW Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Community Cost Share Agreement

Purpose Statement: This legislation gives the Mayor authorization to enter into a Stormwater Management Program Agreement with the Northeast Ohio Regional Sewer District for the exploratory investigation of Outfall DBMB0746 to be paid for through Community Cost Share Funds in the amount of \$10,444.00.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To sign all necessary agreements

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

If yes, why?

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

This agreement is necessary to be reimbursed by NEORS.

Proposed: 08.17.2026

RESOLUTION NO. 153-2026(MSES), *First Reading*

By Mayor Petras

A Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to fund an exploratory investigation of Outfall DBMB0746; 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 NEORSD-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 \$10,444.00 in Community Cost-Share Funds for Outfall DBM7046 Exploratory Investigation; 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 he is hereby, authorized to enter into a Community Cost Share Agreement with NEORSD to accept the funds necessary for the exploratory investigation described herein. The Mayor additionally is authorized to enter into any and all related agreements necessary to complete the services of 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

RESOLUTION NO. 153-2026(MSES)

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 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 potential need to mitigate environmental and other risks identified through the course of the exploratory investigation. 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 allow by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

EXHIBIT A

NORTHEAST OHIO REGIONAL SEWER DISTRICT
RESOLUTION NO. 114-13

Authorizing the Executive Director to enter into Regional Stormwater
Management Program Community Cost-Share Program Agreements
with Member Communities.

WHEREAS, the Code of Regulations of the Northeast Ohio Regional Sewer District, Title V – Stormwater Management Code Chapter 9 outlines the Community Cost-Share Program developed to provide funds to District Member Communities for construction, operation and maintenance activities of community-specific stormwater management projects; and

WHEREAS, under the Community Cost-Share Program, 25% of the annual collected stormwater revenue from each Member Community will be held by the District in a Community Cost-Share account, whereby Communities, with review and approval by the District, through specific applications outlining the community-specific stormwater work to be performed can access reimbursement of their funds; and

WHEREAS, the District is seeking authority to enter into Regional Stormwater Management Program Community Cost-Share Program Agreements with Member Communities for the purpose of detailing and memorializing responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT:

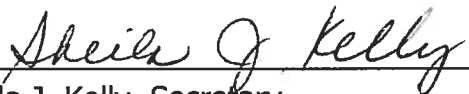
Section 1. That this Board finds that for the reasons stated in the preamble hereof it is in the best interests of the District to enter into Regional Stormwater Management Program Cost-Share Program Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program.

Section 2. That this Board hereby authorizes the Executive Director to enter into Regional Stormwater Management Program Cost-Share Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program under such terms and conditions that are satisfactory to the Director of Law and in the best interests of the District.

Section 3. That this Board authorizes the Executive Director to execute all documents and do all things necessary to effect the terms and conditions of the Stormwater Management Program Direct Billing Agreements with Member Communities.

Section 4. That this Board declares that all formal actions of the Board concerning and relating to the adoption of this resolution and that all deliberations of the Board and any of its committees that resulted in said formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On motion of Mayor Starr seconded by Mr. O'Malley, the foregoing resolution was unanimously adopted on May 16, 2013.



Sheila J. Kelly, Secretary
Board of Trustees
Northeast Ohio Regional Sewer District

EXHIBIT B

(Insert Member Community
Ordinance/Resolution)

EXHIBIT C



Community Cost-Share Program APPLICATION

Member Community Information

Community:	City of Cleveland Heights
Primary Project Contact: (Name & Title)	Collette Clinkscale Director of Public Works
Mailing Address:	40 Severance Circle Cleveland Heights, Ohio 44118
Phone Number:	216-291-2209
Email:	cclinkscale@clevelandheights.gov

Project Information

Project Title:	Outfall DBMB0746 Exploratory Investigation
Address or Location of Project:	North Park @ North Woodland (Nature Center)
Project Start Date:	8/1/2026
Project End Date:	9/30/2026
Community Cost-Share Fund Request:	\$10,444.00
Submission Date:	6/22/2026

Project Narrative

1) Project Summary (1,000 word maximum)

Describe the Project and include the following information, as applicable:

- Describe the Project and deliverables; provide a map if applicable
- Submit a deliverable worksheet listing tasks and deliverables with start dates and end dates for the significant benchmarks.
- List permitting requirements necessary to initiate and complete project and how the requirements will be met.

Outfall DBMB0746 that leads down into the Shaker Nature Center and into the Doan Brook has a crushed pipe at the outlet. The pipe is located down a sloping hill in the Nature Center. In order to reach this pipe, the area will have to be cleared to reach the broken pipe for excavation to determine what repairs/replacement has to be made to the existing pipe and manhole.

There are no permitting requirements.



2) Ability to Provide Long Term Maintenance (500 word maximum)

Describe the plans for long-term maintenance, addressing the following question:

- Who is responsible to provide on-going maintenance for the project and how will maintenance be ensured?
- Provide documentation of scheduled maintenance and operation for completed stormwater project(s).

The City of Cleveland Heights will perform maintenance of the pipe if it is determined to be the City's responsibility. A schedule will be presented upon inspection by the NEORS.



3) **Visibility and Public Outreach:** (500 word maximum)

Public outreach is required if appropriate for your project.

- What audiences will be exposed to this Project (neighbors, students, community groups, general public)?

Nature Center visitors and employees



*Community Cost-Share Program
Application*

4) **Budget Summary** (500 words maximum)

The Budget Summary and Project Budget (*see page 3*) represent the Community Cost-Share Project components exclusively. Include details on the provider of all services such as design, engineering, construction management and materials including specific material cost, equipment, and hourly rate.

If an engineer's estimate is included with the application, indicate which line items are included in the Community Cost-Share Project application.

This request is for exploratory excavation by Fabrizi Trucking and Paving. A budget will be created once the repair is determined and a quote has been submitted.

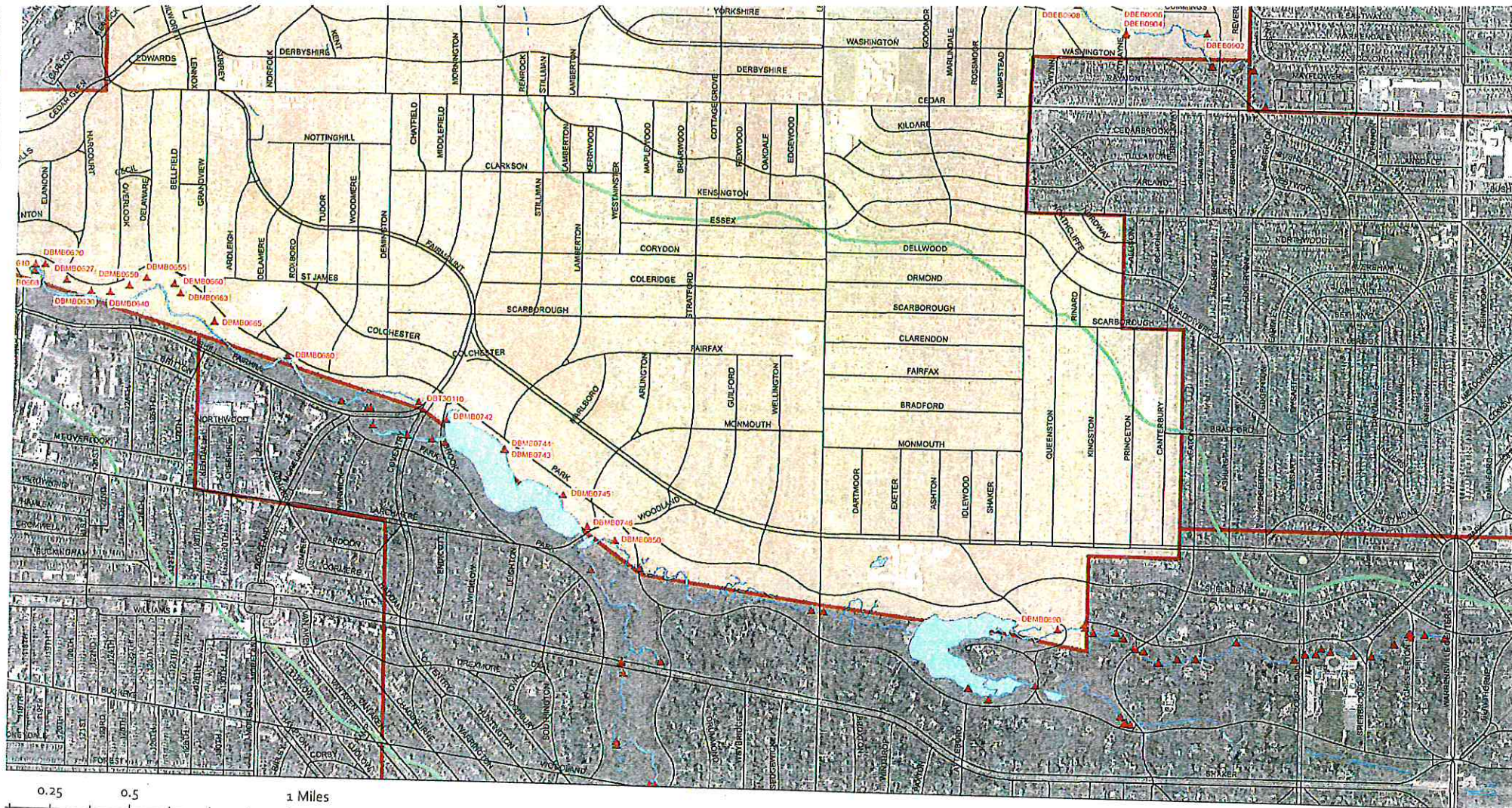


Vendor Registration

Prior to submission, ensure that the Member Community is a registered vendor with the District. Vendor Registration can be done by accessing http://www.neorsd.org/isupplier_homepage.php and completing the New Vendor Registration. If unsure of the Member Community vendor status, by initiating the New Vendor Registration a message of active registration will appear if currently registered as a vendor.

Project Budget

Project Expenses	Community Cost-Share Expense	Line Item Description
Professional Services		
Personnel <i>(Member Community staff only)</i>		
Subcontract		
Equipment		
Materials		
Other	\$10,444.00	Exploratory Excavation
TOTAL	\$ 10,444.00	



City of Cleveland Heights

Stormwater Outfalls



- ▲ MS4 Outfall
- Streets
- Streams
- Watershed Bo
- Municipal Bou

CUYAHOGA COUNTY
BOARD OF HEALTH
LISTED SOURCE FOR PUBLIC HEALTH INFORMATION

5550 Venture Drive Parma, Ohio 44130
216-201-2000 www.ccbh.net

January 29, 2018
inate System: GCS_WGS_1984

FABRIZI TRUCKING & PAVING CO, INC.

20389 First Ave., Middleburg Heights, OH 44130

OFFICE: Tel (440) 973-4929
Fax (440) 234-2844

SHOP: Tel (440) 234-1284
Fax (440) 234-2844

May 13, 2026

Attn: Jeff Johnson Company: City of Cleveland Hts.
Subject: Exploratory excavation to find existing manhole bottom.

Fabrizi Trucking & Paving Co., Inc. will provide all labor, equipment and material to perform the following scope of work:

ITEM/DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
EXPLORATORY EXCAVATION TO FIND BOTTOM OF THE MANHOLE	1	LS	\$ 10,444.00	\$ 10,444.00

Notes

- The above price includes the following.
 - Remove trees for access to the location. Trees will be cut up and stacked on existing pile.
 - Install timber mats to sit on.
 - Excavate the location proposed location to find the bottom the original structure and uncover the pipes.
 - Haul unsuitable material off site. Remaining spoils will be left on site and used to grade access area.
- Price is for a 10-hour day. Any time required beyond the 10 hours will need to be quoted separately.
- Price does not include any repairs to the existing pipe or manhole. Price will be given once it is exposed.
- Price do not include any inspection, fees, permits, or bond.
- Price is good for 30 days.

Thanks for the opportunity and please let me know if you have any questions.



Dustin Prebish
Dustin@fabrizi-inc.com
Fabrizi Trucking & Paving Co., Inc.
Office – 440-973-4929
Cell – 440-829-7030

An Equal Opportunity Employer

**COMMUNITY COST-SHARE AGREEMENT
BY AND BETWEEN
THE NORTHEAST OHIO REGIONAL SEWER DISTRICT
AND
CITY OF CLEVELAND HEIGHTS**

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Recitals

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WHEREAS, the purpose of the Community Cost-Share Account is to provide funding to assist the City with District-approved projects through the Community Cost-Share Program; and

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

WHEREAS, the District supports the Community Cost-Share Outfall DBMB0746 Exploratory Investigation (the “Project”) as a Community Cost-Share project proposed by the City; and

NOW THEREFORE, in consideration of the foregoing, the payment and the mutual promises contained in this Agreement, the parties agree as follows:

Article 1.0 City Obligations

- 1.1 The City agrees to perform as follows:
 - 1.1.1 Complete work as detailed in the District approved Community Cost-Share application. (Exhibit “C”)
 - 1.1.2 Complete and submit Progress Reports when submitting Request for Payment as needed, or within 30 days of close of the Project, in accordance with the *Community Cost-Share Program Policy*.

- 1.1.3 Notify the City's Watershed Team Leader at least 7 business days prior to the start of the Project.
- 1.1.4 Meet with District staff when requested to review the Project status.
- 1.1.5 Obtain all necessary legal agreements with affected property owners to perform the Project and to bind any successor in title to maintain compliance as specified in this Agreement between the District and City for the Project.
- 1.1.6 Comply with all applicable local, state and federal requirements. This may include, but is not limited to, U.S. Army Corp of Engineers Section 404, Ohio EPA Section 401 water quality certification, and Ohio Department of Natural Resources Dam Safety Laws.
- 1.1.7 If the City fails to maintain the Project in accordance with this Agreement, the City shall be liable for the full amount of any Community Cost-Share Program funds paid for the Project. Such amount shall be offset against the City Community Cost-Share Account.
- 1.1.8 Submit requests for approval to modify the budget, deadline, deliverables, or other components of the Project to the City's Watershed Team Leader at least 30 business days prior to the desired date of execution of the modification.
- 1.1.9 Acknowledge the District on any public advertisement or outreach efforts including all publications and signage related to the Project which shall include the following disclaimer:

This project was funded in part or totally through the Northeast Ohio Regional Sewer District (NEORS D) Community Cost-Share Program in coordination with City, under the provisions of the NEORS D Regional Stormwater Management Program. The contents and views, including any opinions, findings, or conclusions or recommendations, contained in this publication are those of the authors and have not been subject to NEORS D review and may not necessarily reflect the views of NEORS D, and no official endorsement should be inferred.
- 1.1.10 Provide the District the opportunity to have design approval for any signage or public education and outreach efforts related to the Project.
- 1.1.11 Permit the District to photograph the Project and to incorporate the Project into the District's overall public education and outreach efforts for stormwater management.
- 1.2 Failure to meet any of the requirements listed in Article 1.1 may result in termination of this Agreement and reimbursement of disbursed funds to the District.

Article 2.0 **District's Obligations**

2.1 The District agrees to perform as follows:

2.1.1 Allocate \$10,444.00 to the City for the Project from the City's Community Cost-Share Account.

2.1.2 Provide reimbursement of funds up to \$10,444.00 to the City within 60 days of receipt of a complete Request for Payment from the City, detailing costs related to the Project.

2.1.3 Timely review and approval or disapproval of requests to modify the budget, deadline, deliverables, or other components of the Project.

2.1.4 Acknowledge the City in presentations or publications related to the Project.

2.3 The District is not liable for any and all claims, damages, losses, liens, causes of action, suits, judgments and expenses of any nature, kind or description, that result from and to the extents caused by the acts or omissions of the City, the design professional, and the contractor, including all of their officers, owners, principals, subcontractors, employees, and agents. The District is not responsible for the accuracy, correctness and reliability of the plans as it is not reviewing or approving any plans as to suitability of the design/fitness for a particular purpose.

Article 3.0 **Dispute Resolution**

3.1 The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.

3.2 The Parties shall first try to resolve the dispute at the level of the designated representatives as follows:

District Representative	City Representative
Watershed Team Leader	Director of Public Works

If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the following level to resolve the dispute:

District Representative	City Representative
Director of Watershed Programs	Mayor

3.3 If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The mediator shall review all documents and written statements, in order to accurately and effectively

resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after mediator appointment, which meeting shall be attended by at least the respective representatives listed in paragraph 3.02 above. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator equally.

- 3.4 Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by both Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction as per Article 4, Remedies, below.

Article 4 **Remedies**

- 4.1 The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counter-claims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law. This Agreement shall be governed by and interpreted according to the laws of the State of Ohio.

Article 5 **Counterpart Signatures**

- 5.1 This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which counterparts when taken together shall constitute one Agreement.

Article 6 **Governing Law**

- 6.1 The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

Article 7 **Disclaimer of Joint Venture**

- 7.1 This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

Article 8 **Authority to Execute**

- 8.1 Each person executing this Agreement represents and warrants that it is duly authorized to execute this Agreement by the party on whose behalf it is so executing.

Article 9 **Exhibits**

The following exhibits are attached hereto and incorporated herein:

Exhibit “A” – District Resolution
Exhibit “B” – City Ordinance/Resolution
Exhibit “C” – District-Approved Community Cost Share Application

[signatures on the following pages]

The parties have executed this Agreement on the day and year first above written.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

BY: _____
Kyle Dreyfuss-Wells
Chief Executive Officer

AND

BY: _____
Darnell Brown, President
Board of Trustees

CITY OF CLEVELAND HEIGHTS

By: _____

Title: _____

The Legal Form and Correctness of this
Instrument is hereby Approved:

CITY OF CLEVELAND HEIGHTS

Assistant/Director of Law

This Instrument Prepared By:

Anka M. Davis
Assistant General Counsel
Northeast Ohio Regional Sewer District

Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

[FOR NEORSD USE]

AGREEMENT NO.

NORTHEAST OHIO REGIONAL SEWER
DISTRICT

WITH

CITY OF CLEVELAND HEIGHTS

FOR

COMMUNITY COST-SHARE PROJECT:
OUTFALL DBMB0746 EXPLORATORY
INVESTIGATION

Total Approximate Cost: \$10,444.00

The legal form and correctness of the within
instrument are hereby approved.

ERIC J. LUCKAGE
CHIEF LEGAL OFFICER

Date

CERTIFICATION

It is hereby certified that the amount required to
meet the contract, agreement, obligation, payment
or expenditure, for the above, has been lawfully
appropriated or authorized or directed for such
purpose and is in the Treasury or in process of
collection to the credit of the fund free from any
obligation or certification now outstanding.

KENNETH J. DUPLAY
CHIEF FINANCIAL OFFICER

Date

Budget Center 8100



Date: July 28, 2026

To: Addie Balester, Clerk of Council
Chris Heltzel, Assistant Law Director
William Hanna, Law Director

Cc: Jim Petras, Mayor; Michael Reese, CAO; Anthony Ferrone, Assistant PW Director

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Community Cost Share Agreement

Purpose Statement: This legislation gives the Mayor authorization to enter into a Stormwater Management Program Agreement with the Northeast Ohio Regional Sewer District for a City Wide Catch Basin Project to be paid for through Community Cost Share Funds in the amount of \$500,000.

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

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

If yes, why? To sign all necessary agreements

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

If yes, why?

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

This agreement is necessary to be reimbursed for this project. The full amount will be reimbursed by NEORS.

Proposed: 08.17.2026

RESOLUTION NO. 154-2026(MSES), *First Reading*

By Mayor Petras

A Resolution authorizing the Mayor to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District to fund the City-wide Catch Basin Project; 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 NEORSD-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 \$500,000 in Community Cost-Share Funds for a City Wide Catch Basin Project; 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 he is hereby, authorized to enter into a Community Cost Share Agreement with NEORSD to accept the funds necessary for the Catch Basin Project described herein. The Mayor additionally is authorized to enter into any and all related agreements necessary to complete the services of 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

RESOLUTION NO. 154-2026(MSES)

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 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 Cost 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 allow by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

EXHIBIT A

NORTHEAST OHIO REGIONAL SEWER DISTRICT
RESOLUTION NO. 114-13

Authorizing the Executive Director to enter into Regional Stormwater
Management Program Community Cost-Share Program Agreements
with Member Communities.

WHEREAS, the Code of Regulations of the Northeast Ohio Regional Sewer District, Title V – Stormwater Management Code Chapter 9 outlines the Community Cost-Share Program developed to provide funds to District Member Communities for construction, operation and maintenance activities of community-specific stormwater management projects; and

WHEREAS, under the Community Cost-Share Program, 25% of the annual collected stormwater revenue from each Member Community will be held by the District in a Community Cost-Share account, whereby Communities, with review and approval by the District, through specific applications outlining the community-specific stormwater work to be performed can access reimbursement of their funds; and

WHEREAS, the District is seeking authority to enter into Regional Stormwater Management Program Community Cost-Share Program Agreements with Member Communities for the purpose of detailing and memorializing responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT:

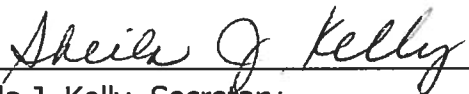
Section 1. That this Board finds that for the reasons stated in the preamble hereof it is in the best interests of the District to enter into Regional Stormwater Management Program Cost-Share Program Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program.

Section 2. That this Board hereby authorizes the Executive Director to enter into Regional Stormwater Management Program Cost-Share Agreements with Member Communities to memorialize responsibilities of the District and Member Communities under specific applications to the Community Cost-Share Program under such terms and conditions that are satisfactory to the Director of Law and in the best interests of the District.

Section 3. That this Board authorizes the Executive Director to execute all documents and do all things necessary to effect the terms and conditions of the Stormwater Management Program Direct Billing Agreements with Member Communities.

Section 4. That this Board declares that all formal actions of the Board concerning and relating to the adoption of this resolution and that all deliberations of the Board and any of its committees that resulted in said formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On motion of Mayor Starr seconded by Mr. O'Malley, the foregoing resolution was unanimously adopted on May 16, 2013.



Sheila J. Kelly, Secretary
Board of Trustees
Northeast Ohio Regional Sewer District

EXHIBIT B

(Insert Member Community
Ordinance/Resolution)

EXHIBIT C



Community Cost-Share Program APPLICATION

Member Community Information

Community:	City of Cleveland Heights
Primary Project Contact: (Name & Title)	Collette Clinkscale Director of Public Works
Mailing Address:	40 Severance Circle Cleveland Heights, Ohio 44118
Phone Number:	216-291-2209
Email:	cclinkscale@clevelandheights.gov

Project Information

Project Title:	City Wide Catch Basin Project
Address or Location of Project:	City Wide
Project Start Date:	April 1, 2027
Project End Date:	May 31, 2028
Community Cost-Share Fund Request:	\$500,000
Submission Date:	June 30, 2026

Project Narrative

1) Project Summary (1,000 word maximum)

Describe the Project and include the following information, as applicable:

- Describe the Project and deliverables; provide a map if applicable
- Submit a deliverable worksheet listing tasks and deliverables with start dates and end dates for the significant benchmarks.
- List permitting requirements necessary to initiate and complete project and how the requirements will be met.

This request is to convene a city-wide catch basin repair , replacement and/or cleaning project for approximately 100 catch basins located throughout the city. The City will plan to bid for these services in November 2026 with a projected start date of April 1, 2027 and an end date of May 31, 2028.

There are no permitting requirements necessary to initiate and complete this project.



2) Ability to Provide Long Term Maintenance (500 word maximum)

Describe the plans for long-term maintenance, addressing the following question:

- Who is responsible to provide on-going maintenance for the project and how will maintenance be ensured?
- Provide documentation of scheduled maintenance and operation for completed stormwater project(s).

The City of Cleveland Heights will be responsible to provide on-going maintenance for this project. Maintenance will be based on periodic inspection and cleaning of catch basins and regular street sweeping.



3) **Visibility and Public Outreach:** (500 word maximum)

Public outreach is required if appropriate for your project.

- What audiences will be exposed to this Project (neighbors, students, community groups, general public)?

Neighbors and the general public will be made aware of this project(s)



4) **Budget Summary** (500 words maximum)

The Budget Summary and Project Budget (*see page 3*) represent the Community Cost-Share Project components exclusively. Include details on the provider of all services such as design, engineering, construction management and materials including specific material cost, equipment, and hourly rate.

If an engineer's estimate is included with the application, indicate which line items are included in the Community Cost-Share Project application.

The City estimates the cost to be \$500,000 based on previous bidding



Vendor Registration

Prior to submission, ensure that the Member Community is a registered vendor with the District. Vendor Registration can be done by accessing http://www.neorsd.org/isupplier_homepage.php and completing the New Vendor Registration. If unsure of the Member Community vendor status, by initiating the New Vendor Registration a message of active registration will appear if currently registered as a vendor.

Project Budget

Project Expenses	Community Cost-Share Expense	Line Item Description
Professional Services		
Personnel <i>(Member Community staff only)</i>		
Subcontract		
Equipment		
Materials		
Other	\$500,000	Catch basin repair and maintenance
TOTAL	\$ 500,000	Based on previous catch basin repair projects

**COMMUNITY COST-SHARE AGREEMENT
BY AND BETWEEN
THE NORTHEAST OHIO REGIONAL SEWER DISTRICT
AND
CITY OF CLEVELAND HEIGHTS**

This Agreement is made and entered into this _____ day of _____, 2026, by and between the Northeast Ohio Regional Sewer District (District) acting pursuant to Resolution No. 114-13, adopted by the Board of Trustees of the District on May 16, 2013 (Exhibit “A”), and City of Cleveland Heights (City) acting pursuant to Ordinance/Resolution No. _____, adopted on _____, 20____ (Exhibit “B”).

Recitals

WHEREAS, the District, as a component of implementing a regional stormwater management program, manages a financial account termed the “*Community Cost-Share Account*” that is for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee; and

WHEREAS, the purpose of the Community Cost-Share Account is to provide funding to assist the City with District-approved projects through the Community Cost-Share Program; and

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

WHEREAS, the District supports the Community Cost-Share City Wide Catch Basin Project (the “Project”) as a Community Cost-Share project proposed by the City; and

NOW THEREFORE, in consideration of the foregoing, the payment and the mutual promises contained in this Agreement, the parties agree as follows:

Article 1.0 **City Obligations**

- 1.1 The City agrees to perform as follows:
 - 1.1.1 Complete work as detailed in the District approved Community Cost-Share application. (Exhibit “C”)
 - 1.1.2 Complete and submit Progress Reports when submitting Request for Payment as needed, or within 30 days of close of the Project, in accordance with the *Community Cost-Share Program Policy*.
 - 1.1.3 Notify the City’s Watershed Team Leader at least 7 business days prior to the start of the Project.

- 1.1.4 Meet with District staff when requested to review the Project status.
- 1.1.5 Obtain all necessary legal agreements with affected property owners to perform the Project and to bind any successor in title to maintain compliance as specified in this Agreement between the District and City for the Project.
- 1.1.6 Comply with all applicable local, state and federal requirements. This may include, but is not limited to, U.S. Army Corp of Engineers Section 404, Ohio EPA Section 401 water quality certification, and Ohio Department of Natural Resources Dam Safety Laws.
- 1.1.7 If the City fails to maintain the Project in accordance with this Agreement, the City shall be liable for the full amount of any Community Cost-Share Program funds paid for the Project. Such amount shall be offset against the City Community Cost-Share Account.
- 1.1.8 Submit requests for approval to modify the budget, deadline, deliverables, or other components of the Project to the City's Watershed Team Leader at least 30 business days prior to the desired date of execution of the modification.
- 1.1.9 Acknowledge the District on any public advertisement or outreach efforts including all publications and signage related to the Project which shall include the following disclaimer:

This project was funded in part or totally through the Northeast Ohio Regional Sewer District (NEORS D) Community Cost-Share Program in coordination with City, under the provisions of the NEORS D Regional Stormwater Management Program. The contents and views, including any opinions, findings, or conclusions or recommendations, contained in this publication are those of the authors and have not been subject to NEORS D review and may not necessarily reflect the views of NEORS D, and no official endorsement should be inferred.
- 1.1.10 Provide the District the opportunity to have design approval for any signage or public education and outreach efforts related to the Project.
- 1.1.11 Permit the District to photograph the Project and to incorporate the Project into the District's overall public education and outreach efforts for stormwater management.
- 1.2 Failure to meet any of the requirements listed in Article 1.1 may result in termination of this Agreement and reimbursement of disbursed funds to the District.

Article 2.0 **District's Obligations**

2.1 The District agrees to perform as follows:

- 2.1.1 Allocate \$500,000.00 to the City for the Project from the City's Community Cost-Share Account.
- 2.1.2 Provide reimbursement of funds up to \$500,000.00 to the City within 60 days of receipt of a complete Request for Payment from the City, detailing costs related to the Project.
- 2.1.3 Timely review and approval or disapproval of requests to modify the budget, deadline, deliverables, or other components of the Project.
- 2.1.4 Acknowledge the City in presentations or publications related to the Project.

2.3 The District is not liable for any and all claims, damages, losses, liens, causes of action, suits, judgments and expenses of any nature, kind or description, that result from and to the extents caused by the acts or omissions of the City, the design professional, and the contractor, including all of their officers, owners, principals, subcontractors, employees, and agents. The District is not responsible for the accuracy, correctness and reliability of the plans as it is not reviewing or approving any plans as to suitability of the design/fitness for a particular purpose.

Article 3.0 **Dispute Resolution**

- 3.1 The Parties shall continue the performance of their obligations under this Agreement notwithstanding the existence of a dispute.
- 3.2 The Parties shall first try to resolve the dispute at the level of the designated representatives as follows:

District Representative	City Representative
Watershed Team Leader	Director of Public Works

If the Parties are unable to resolve the dispute at that level within ten (10) working days, the Parties shall escalate the dispute to the following level to resolve the dispute:

District Representative	City Representative
Director of Watershed Programs	Mayor

- 3.3 If the Parties remain unable to resolve the dispute within an additional ten (10) working days, the Parties shall proceed to mediation upon request by either party. The mediator shall review all documents and written statements, in order to accurately and effectively

resolve the dispute. The mediator shall call a meeting between the Parties within ten (10) working days after mediator appointment, which meeting shall be attended by at least the respective representatives listed in paragraph 3.02 above. The Parties shall attempt in good faith to resolve the dispute. The Parties agree to follow the Uniform Mediation Act, Chapter 2710 of the Ohio Revised Code. The Parties shall share the cost of the mediator equally.

- 3.4 Such mediation shall be non-binding between the Parties and, to the extent permitted by law, shall be kept confidential. If the dispute is resolved and settled through the mediation process, the decision will be implemented by a written agreement signed by both Parties. If the dispute is unable to be resolved through mediation, the Parties agree to submit the dispute to the appropriate jurisdiction as per Article 4, Remedies, below.

Article 4 **Remedies**

- 4.1 The Parties agree that, after exhausting the dispute resolution process outlined above, all claims, counter-claims, disputes and other matters in question between the Parties arising out of or relating to this Agreement, or the breach thereof, will be decided at law. This Agreement shall be governed by and interpreted according to the laws of the State of Ohio.

Article 5 **Counterpart Signatures**

- 5.1 This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but which counterparts when taken together shall constitute one Agreement.

Article 6 **Governing Law**

- 6.1 The terms and provisions of this Agreement shall be construed under and governed by the laws of Ohio (to which all Parties hereto consent to venue and jurisdiction).

Article 7 **Disclaimer of Joint Venture**

- 7.1 This Agreement is not intended to create a joint venture, partnership or agency relationship between the Parties, and such joint venture, partnership, or agency relationship is specifically hereby disclaimed.

Article 8 **Authority to Execute**

- 8.1 Each person executing this Agreement represents and warrants that it is duly authorized to execute this Agreement by the party on whose behalf it is so executing.

Article 9 **Exhibits**

The following exhibits are attached hereto and incorporated herein:

Exhibit “A” – District Resolution
Exhibit “B” – City Ordinance/Resolution
Exhibit “C” – District-Approved Community Cost Share Application

[signatures on the following pages]

The parties have executed this Agreement on the day and year first above written.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

BY: _____
Kyle Dreyfuss-Wells
Chief Executive Officer

AND

BY: _____
Darnell Brown, President
Board of Trustees

CITY OF CLEVELAND HEIGHTS

By: _____

Title: _____

The Legal Form and Correctness of this
Instrument is hereby Approved:

CITY OF CLEVELAND HEIGHTS

Assistant/Director of Law

This Instrument Prepared By:

Anka M. Davis
Assistant General Counsel
Northeast Ohio Regional Sewer District

Each party agrees that this Agreement may be executed and distributed for signatures via email, and that the emailed signatures affixed by both parties to this Agreement shall have the same legal effect as if such signatures were in their originally written format.

[FOR NEORS D USE]

AGREEMENT NO.

NORTHEAST OHIO REGIONAL SEWER
DISTRICT

WITH

CITY OF CLEVELAND HEIGHTS

FOR

COMMUNITY COST-SHARE PROJECT:
CITY WIDE CATCH BASIN PROJECT

Total Approximate Cost: \$500,000.00

The legal form and correctness of the within
instrument are hereby approved.

ERIC J. LUCKAGE
CHIEF LEGAL OFFICER

Date

CERTIFICATION

It is hereby certified that the amount required to
meet the contract, agreement, obligation, payment
or expenditure, for the above, has been lawfully
appropriated or authorized or directed for such
purpose and is in the Treasury or in process of
collection to the credit of the fund free from any
obligation or certification now outstanding.

KENNETH J. DUPLAY
CHIEF FINANCIAL OFFICER

Date

Budget Center 8100



Date: August 17, 2026

To: City Council

From: Eric Zamft, Director of Planning, Neighborhoods & Development; William Hanna, Director of Law

Subject: Landmark Commission Ordinance Update

Purpose Statement: *An ordinance to update the regulations related to the Landmark Commission through adoption of an amended Chapter 143 of the Codified Ordinances of the City of Cleveland Heights, replacing the existing chapter.*

The City of Cleveland Heights was developed at the beginning of the 20th Century and contains many historic buildings, including 13 National Register Historic Districts, 12 individual National Register-listed properties, and 55 local landmarks. Most of the construction occurred in the 1910s and 1920s, with an eclectic mix of architectural styles reflected in the houses, apartments, and commercial districts spread throughout the City.

The historic Landmark Commission was established to preserve, protect, and perpetuate character of the City. The City was designated a Certified Local Government (“CLG”) by the State in 2019 and is committed to supporting historic preservation in balance with other economic development and environmental activities. In 2020, the City was able to secure an Ohio History Connection grant to produce Historic Preservation Design Guidelines. The Guidelines were completed in 2021 and have been a great resource, not only to landmark properties, but to utilize as general best practices for design throughout the City. Review and update of the Landmark Commission Ordinance is the culmination of a historic preservation plan for the City as outlined in the 2017 Master Plan with CLG designation in 2019 along with the enactment of the Guidelines in 2021.

To that end, in 2023, the City was able to secure an Ohio History grant to update the City’s Landmark Commission Ordinance. The City retained Naylor Wellman LLC, a renowned historic preservation firm which previously worked on the Design Guidelines, to assist in the preparation of updates to Chapter 143 of the Codified Ordinances of Cleveland Heights.

Naylor Wellman worked closely with the Landmark Commission over the course of 2023, 2024, 2025, and now 2026 to develop proposed updates that reflected their desire have

a clear and transparent process that aligns better with neighboring communities and standard practices in accordance with the United States Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67.7 (b)) used by the National Park Service and State Historic Preservation.

A number of public meetings were held on the proposed changes, specifically:

- Landmark Commission public meeting on the preliminary draft on December 11, 2023
- Landmark Commission public meeting on a final draft on March 11, 2024
- Presentation to the Planning & Development Committee of Council on April, 28, 2026
- Discussion with the Committee of the Whole on May 11, 2026
- Discussion with the Committee of the Whole on June 15, 2026

In addition, written public comments were received and reviewed.

Each of the Landmark Commission meetings and Committee meetings, along with the project documents, are available on a dedicated webpage: <https://www.clevelandheights.gov/1647/Landmark-Commission-Code-Update>

As a CLG-funded initiative, the proposed Landmark Ordinance update has been reviewed by SHPO.

This legislation are the proposed changes to Chapter 143.

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: X

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

PROPOSED: 08.17.2026

ORDINANCE NO. 155-2026(PD), *First Reading*

By Mayor Petras

An Ordinance amending Chapter 143 “Landmark Commission” of the Codified Ordinances of Cleveland Heights, Ohio, and repealing the prior version.

WHEREAS, the City of Cleveland Heights contains a significant concentration of historic resources, including National Register Historic Districts, individually listed historic properties, and locally designated landmarks that contribute to the City's unique architectural and cultural character; and

WHEREAS, the Landmark Commission was established to preserve, protect, and perpetuate the historic, architectural, and cultural heritage of the City of Cleveland Heights; and

WHEREAS, the City secured grant funding to conduct a comprehensive review and update of Chapter 143 of the Codified Ordinances governing the Landmark Commission; and

WHEREAS, the Landmark Commission, City staff, preservation consultants, and members of the public participated in a multi-year review process to evaluate existing regulations and identify opportunities to improve clarity, transparency, and administrative effectiveness; and

WHEREAS, City Council finds that updating Chapter 143 will promote consistent preservation practices, provide clearer procedures for property owners and applicants, align local regulations more closely with recognized historic preservation standards, and further the public interest in preserving the historic resources of Cleveland Heights.

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

SECTION 1. Chapter 143 “Landmark Commission” of the Codified Ordinances is hereby amended to read as set forth in Exhibit A attached hereto.

SECTION 2. Current Chapter 143 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

ORDINANCE NO. 155-2026(PD)

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.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

CHAPTER 143

Landmark Commission

143.01	Establishment; Composition, Term and Vacancy.
143.015	Powers and Duties of the Commission.
143.02	Purposes.
143.021	Definitions.
143.022	Applicability.
143.03	Qualifications of Members.
143.04	Compensation of Members; Payment of Expenses.
143.05	Interest of Members.
143.06	Meetings and Quorum; Notice.
143.07	Organization and officers.
143.075	Criteria for Designation.
143.08	Procedures for Designation of Landmarks.
143.081	Procedures for Designation of Landmarks Without Owner Consent.
143.085	Procedures for Designation of Historic Districts.
143.09	Record of Landmarks.
143.10	Regulation of Property Change; Certificate of Appropriateness; Demolition; Moving; Minor Changes.
143.105	Economic Hardship.
143.12	Removal of Landmark or Historic District Designation.
143.13	Minimum Maintenance Requirement.
143.14	Standards for Design Review.
143.15	Appeals.
143.16	Severability.
143.17	Schedule of Fees.
143.99	Penalties.

CROSS REFERENCES

Planning Commission - see ZON. Ch. 1109

Architectural Board of Review - see BLDG. Ch. 1313

Additional Regulations Governing Uses – see Ch 1165, 1165.06 Sustainability Guidelines

143.01 ESTABLISHMENT; COMPOSITION, TERM AND VACANCY.

The Cleveland Heights Landmark Commission is hereby established and shall consist of seven (7) members appointed by the City Council for staggered terms of three (3) years each, with each member serving until the appointment of a successor. One (1) alternate member of the Landmark Commission shall be appointed by Council for a three (3) year term, who shall serve whenever one (1) member is unable to hear a particular matter or is unavailable for a particular meeting. Such alternate member shall possess all of the qualifications of a regular member, shall have the same powers and perform the same duties, and shall abide by all of the rules of a regular member.

All vacancies occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment. All vacancies shall be filled within sixty (60) days. An extension of this time limit may be granted by Council. In case of temporary absence or

disability of any member, a member may be appointed and confirmed in the manner provided above to serve during such temporary absence or disability. Such temporary member shall possess all of the qualifications of a regular member, shall have the same powers and perform the same duties, and shall abide by all of the rules of a regular member.

(Ord. 11-2019. Passed 3-4-19; Ord. 153-2021. Passed 12-6-21.)

143.015 POWERS AND DUTIES OF THE COMMISSION.

The Landmark Commission shall have the following powers and duties in addition to those otherwise specified in this Chapter:

(a) The Commission shall conduct, or cause to be conducted, a continuing survey of all properties in the City of Cleveland Heights which the Commission, on the basis of information available or presented to it and in accordance with the guidelines established by the Ohio Historic Preservation Office, has reason to believe are or will be eligible for designation as Landmarks. The collected information shall be recorded on the Ohio Historic Inventory or Ohio Archaeological Inventory forms. This inventory material shall be maintained securely, made available to the Ohio Historic Preservation Office, and open to the public.

(b) The Commission shall nominate properties for local designation and for designation on the National Register of Historic Places, and shall review all such nominations for properties within the City.

(c) The Commission shall designate Landmarks.

(d) The Commission shall either approve, approve with modification, or disapprove an application for a Certificate of Appropriateness in accordance with the review and approval procedures.

(e) The Commission shall work for the continuing education of residents of the City of Cleveland Heights with respect to the historic and architectural heritage of the City and the Landmarks designated under the provisions of this chapter. It shall keep current and public a register of Landmarks in accordance with Section 143.09.

(f) The Commission shall establish and utilize written guidelines to make determinations upon requests for changes to Landmarks in accordance with the United States Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67.7 (b)) and National Park Service Preservation Briefs.

(g) Each Commission member shall, barring extenuating circumstances, attend an educational session at least once a year.

(h) The Commission shall confer recognition upon the owners of Landmarks by means of certificates, plaques, signs, or markers.

(i) The Commission shall promulgate and adopt rules, guidelines, and/or regulations that assist the Commission in the evaluation of applications for Landmark designations and Certificates of Appropriateness that regularly come before the Commission for approval.

(j) The Commission may accept the services on a permanent or part-time basis of technical experts and such other persons as may be required to perform its duties.

(k) The Commission may undertake additional responsibilities upon mutual written agreement between the State Historic Preservation Office and the Commission, subject to the legislative approval of Council.

143.02 PURPOSES.

The purpose of the Landmark Commission is to designate Landmarks and Historic Districts in the City of Cleveland Heights pursuant to the procedures hereinafter described, in order to preserve, protect, and perpetuate districts, sites, buildings, structures, and objects having a special historical, community, or aesthetic interest or value, all for the reasons described in the remainder of this section.

(a) To safeguard the heritage of the City of Cleveland Heights, by preserving properties which reflect elements of the City's cultural, social, economic, political, or architectural history;

(b) To stabilize and improve property values;

(c) To protect and enhance the City of Cleveland Heights' heritage, and attractiveness to residents, tourists, and visitors, and serve as a support and stimulus to businesses;

(d) To enhance the visual and aesthetic character, diversity, and interest of the City of Cleveland Heights;

(e) To foster civic pride in the beauty and notable accomplishments of the past;

(f) To promote the use and preservation of properties for the education and general welfare of the people of the City of Cleveland Heights;

(g) To safeguard the architectural integrity of the City's designated Landmarks and Historic Districts;

(h) To promote environmental sustainability through historic preservation and adaptive reuse of historic properties;

(i) To seek alternatives to demolition or incompatible alterations to Landmark properties and properties within designated Historic Districts before such acts are performed; and

(j) To encourage the development of vacant Landmark properties and vacant Landmark properties located in designated Historic Districts in accordance with the neighborhood character.

143.021 DEFINITIONS.

For the purposes of this chapter, the following words shall have the following meanings:

(a) **Alter or Alteration:** Any material change to the exterior appearance of a Landmark which requires a building permit. Changes to the interior of a Landmark are considered alterations

only to the extent the features proposed to be changed were relevant to the Landmark designation of the property.

(b) **Building:** Any structure having a roof supported by or suspended from columns or walls and which is completely enclosed to serve as a shelter or enclosure for persons, animals, or property of any kind. The term “building” shall be construed as if followed by the words “or any part thereof.”

(c) **Certificate of Appropriateness:** A certificate issued by the Landmark Commission indicating that a proposed change to a Landmark is in accordance with provisions of this ordinance.

(d) **Change:** Any alteration, demolition, moving, removal, or construction to a Landmark.

(e) **Commission:** The City of Cleveland Heights Landmark Commission.

(f) **Commission Secretary:** The Secretary to the Landmark Commission, whom shall be a staff member of the City of Cleveland Heights and shall be provided by the Director of Planning & Development.

(g) **Construction:** The act of building any improvements to any parcel located within or on a Landmark property.

(h) **Contributing Property:** A property located within the boundary of a Landmark District, which contributes to the historic significance of the District as defined by Section 143.021(l).

(i) **Demolition:** The complete or substantial removal or destruction of a property.

(j) **Economically Feasible:** The costs of the necessary repair and rehabilitation of a Landmark, when combined with the market value of the Landmark property, do not exceed the market value of the property after the necessary repair and rehabilitation of the Landmark has been completed. This is based on the reasonable expectations in the marketplace for comparably aged and constructed properties by an amount beyond what a willing and reasonably prudent buyer would agree to pay for a property in the City of Cleveland Heights.

(k) **Exterior Architectural Features:** The architectural style, design, general arrangement, and components of all of the outer surfaces of a property including, the kind and texture of the materials and the type and style of all windows, doors, lights, signs, and other fixtures.

(l) **Historic District or District:** Any area within a boundary which has been designated as a Historic District and subject to the jurisdiction of the Landmark Commission. A Historic District shall consist of contiguous properties within a determined boundary, which may be of a regular or irregular shape. A District possesses a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development .

(m) **Historic Significance:** The attributes of a property that possess integrity of location, design, setting, materials, workmanship, feeling, and association within a period of significance, and that:

- (1) Are associated with events that have made a significant contribution to the broad patterns of the local, state, or national history; or

(2) Are associated with the lives of persons significant in the City of Cleveland Heights' past; or

(3) Embody the distinctive characteristics of a type, period, or method of construction, or represent the work of a master, or possess high artistic value, or represent a significant and distinguishable entity whose components may lack individual distinction; or

(4) Have yielded, or may be likely to yield, information important in prehistory or history.

(n) **Landscaping:** Includes only mature landscaping, such as historic trees, excluding the planting or arrangement of flowers and plants incidental to the enhancement of a property or district. Landscaping may be a part of the Landmark designation if such landscaping is important in the history of the site or district, or was designed by a well-known landscape architect.

(o) **Landmark:** Any property which has historic significance, special character, historical, aesthetic, or architectural value as part of the heritage, development, or cultural characteristics of the City, County, State, or Country and which has been designated as a Landmark pursuant to the provisions of this Chapter. Such designation shall include contributing properties located within a Historic District.

(p) **Maintenance and/or Repair:** The process of conserving and fixing a property over time to prevent deterioration.

(q) **Noncontributing Property:** A property located within the boundary of a Landmark Historic District which does not contribute to the historic significance of the District as defined by Section 143.021(l).

(r) **Object:** The term 'object' is used to distinguish from buildings and structures those constructions which are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment. Objects include, but are not limited to, sculptures, monuments, boundary markers, statuary, and fountains.

(s) **Period of significance:** The period when the historic events associated with a Landmark occurred.

(t) **Property(ies):** Any district, site, building, structure, or object.

(u) **Rehabilitation:** The renovation of a property in its present condition, for continued use, or its adaptation to a new use. To meet the United States Secretary of the Interior's' Standards for Rehabilitation (36 CFR Part 67.7 (b)), the owner must retain the surviving historically significant, character-defining features of the property but is not required to restore it to its original historical appearance or configuration, which may have changed over the years.

(v) **Restoration:** The returning of a historically significant property to its original condition or to its condition at a specifically identified time in its history as it has evolved, based on supporting visual and documentary evidence and physical analysis of the property. The intent of restoration is to accurately restore the character-defining historical elements of the property to their original or selected later-date appearance when it achieved its historical importance.

(w) **Site:** The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing property.

(x) **Structure:** Anything constructed or erected, the use of which requires a fixed location on the ground or is attached to something having a fixed location on the ground, made usually for purposes other than shelter. Structures include signs, fences, backstops for sports fields or courts, pergolas, decks, pools, patios, paved areas, sidewalks, gazebos, bandstands, bridges, tunnels, walls, roads, paved paths, and railroad grades.

(Ord. 11-2019. Passed 3-4-19.)

143.022 APPLICABILITY.

No Landmark in the City of Cleveland Heights shall be changed unless such action complies with the provisions of this Chapter. Applicability of these provisions is limited to Landmark properties and Historic Districts.

143.03 QUALIFICATIONS OF MEMBERS.

Each member of the Landmark Commission shall be a City resident and shall have been a resident for not less than three (3) years prior to the member's appointment to the Commission. Council may waive the residency requirements provided herein. Members of the Landmark Commission shall be persons who have demonstrated special interest, experience, or knowledge in one of the following areas: architecture, history, historic preservation, law, realty, archeology, art history, planning, or related disciplines. At least two (2) members of the Commission shall be professionals in a preservation-related field to the extent such professionals are available and willing to serve. Qualifications of the members shall be kept on file and available for public inspection.

143.04 COMPENSATION OF MEMBERS; PAYMENT OF EXPENSES.

The Council shall fix the compensation which shall be paid to each regular or alternate member of the Landmark Commission for services performed on this Commission.

(Ord. 11-2019. Passed 3-4-19.)

143.05 INTEREST OF MEMBERS.

No member of the Landmark Commission shall participate in the review of any item for discussion before the Commission if such member has any personal or financial interest in the property involved in such discussion.

(Ord. 11-2019. Passed 3-4-19.)

143.06 MEETINGS AND QUORUM; NOTICE.

(a) **Schedule and Quorum.** The Landmark Commission shall hold at least four (4) meetings in each calendar year, approximately on a quarterly basis. The meetings shall be at the regularly scheduled times established by the Landmark Commission at the beginning of each calendar year. Special meetings may be called by the Chair with at least 24 hours' notice to all members. The Chairperson may establish the agenda and may cancel a meeting in the event that there are no agenda items. The presence of four (4) or more members shall constitute a quorum for the transaction of all business and action by the Commission on any matter shall be effected by the concurring votes of at least four (4) members unless a greater number is specifically required in this Chapter.

(b) **Meeting Notice and Owner Notification.** Before conducting a meeting of the Landmark Commission, notice shall be given pursuant to the notice regulations in Section 107.02 of the Codified Ordinances of the City of Cleveland Heights.

(1) Additionally, in requests for designation or removal of designation of a single Landmark property or any properties within a Landmark Historic District, a public hearing shall be required and, at least ten (10) days prior to the meeting, written notice of the meeting shall be mailed to interested parties requesting notifications and all property owners included in the designation or removal of Landmark designation and to adjacent property owners as follows:

(i) Properties on the same side of the street which abut the subject property or properties;

(ii) Properties on the same side of the street next contiguous to the subject property or properties so abutting;

(iii) Properties across the street immediately opposite the subject property or properties; and the premises opposite the abutting and contiguous property or properties referred to in subsections (1) and (2) hereof; and

(iv) All other premises abutting the subject property or properties.

(2) Additionally, in requests for a Certificate of Appropriateness, a public hearing shall be required and, at least ten (10) days prior to the meeting, written notice of the meeting shall be mailed by the Commission Secretary to interested parties requesting notifications and the applicant and to all owners of all properties any part of which abuts the parcel of land upon which the subject property or properties is situated.

The failure of any such person to receive such notice shall not affect the right and power of the Commission to hear such request or to take action in accordance with such public notice.

(c) **Minutes.** The Landmark Commission shall keep minutes of its proceedings and these records shall be of public record and kept by the City. All written reports, cases, decisions, and special project descriptions shall be kept and shall be public records.

(Ord. 11-2019. Passed 3-4-19.)

143.07 ORGANIZATION AND OFFICERS.

The members of the Landmark Commission annually shall choose one (1) of its members to serve as Chairperson for a period of one (1) year or until a successor has been chosen. The Chairperson shall preside over meetings. In the absence of the Chairperson, a temporary Chairperson shall be elected by those present. The Mayor shall appoint a City employee to serve as Secretary of the Commission, who shall:

- (a) Keep, or cause to be kept, a complete record of all meetings of the Commission and a detailed record of all Commission transactions;
- (b) Publish and distribute copies of the minutes, reports, and decisions of the Landmark Commission to Commission members, affected property owners, and other interested parties requesting notifications;
- (c) Give notice as provided herein or by law for all public hearings conducted by the Landmark Commission;
- (d) Advise the Council of vacancies on the Commission and expiring terms;
- (e) Publish a written annual report which shall include Commission activities, cases, decisions, and special projects; and
- (f) At regular meetings, present a staff report updating the Commission on relevant City activities.

In addition, the Secretary shall perform such other functions as the Commission may direct.

(Ord. 11-2019. Passed 3-4-19; Ord. 153-2021. Passed 12-6-21.)

143.075 CRITERIA FOR DESIGNATION.

In determining whether or not to recommend designation of a property as a Landmark or Historic District, the Commission shall consider the following criteria with respect to historic significance:

- (a) Its character, interest, or value as part of the development, heritage, or cultural characteristics of the City of Cleveland Heights, Cuyahoga County, the State of Ohio, or the United States.
- (b) Its location as a site of a significant local, county, state, or national historic event.
- (c) Its identification with a person or persons who significantly contributed to the culture and development of the City of Cleveland Heights, the county, state, or nation.
- (d) Its exemplification of the cultural, economic, social, or historic heritage of the City of Cleveland Heights.
- (e) Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style or building type.

- (f) Its embodiment of distinguishing characteristics of an architectural style or type valuable for the study of a period, building type, method of construction, or use of indigenous materials.
- (g) Its identification as the work of an architect, landscape architect, or master builder whose individual work has influenced the development of the City of Cleveland Heights.
- (h) Its embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural or structural innovation.
- (i) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community, or the City of Cleveland Heights.
- (j) It has yielded or may be likely to yield, information important in the prehistory or history of the City of Cleveland Heights.
- (k) It has other individual characteristics as shall be relevant to its designation as a Landmark or Historic District.

(Ord. 11-2019. Passed 3-4-19.)

143.08 PROCEDURES FOR DESIGNATION OF LANDMARKS.

The Landmark Commission may adopt a resolution designating a site, building, structure, work of art or similar object in the City of Cleveland Heights as a Landmark, by following the procedures set forth in this section. The Landmark Commission may act on its own initiative or pursuant to a request by an individual, group of individuals, or organization.

(a) Owner Notification. Notification shall be in accordance with Section 143.06(b).

(b) Owner Consent. The Landmark Commission shall seek the consent of the owner or owners of all property included in the proposed designation. Except as provided in Section 143.081, no such place, building, work of art, or similar object shall be designated a Landmark without the consent of the owner thereof.

(d) Landmark Commission Report and Recommendation. The Landmark Commission shall prepare or cause to be prepared a report and recommendation as to the property proposed to be designated as a Landmark, including an explanation of the significance of the property or properties in relation to the designation criteria, a history of the property or properties, photographic documentation, and a map or site plan showing the boundaries of the proposed Landmark. If the Landmark Commission recommendation is to decline designation of the Landmark, no further action shall be taken.

(f) Landmark Commission public hearing. Within forty-five (45) days after the Landmark Commission recommendation of, the Landmark Commission shall schedule a public hearing on the proposed designation, providing notice in accordance with Section 143.06(b)(1). The public hearing shall include a summary of the property, the Commission's rationale for designation, and an explanation of the effect of designation. The Landmark Commission shall conduct the public hearing and provide opportunity for all interested parties to express their opinions under such rules as the Landmark Commission may adopt for governing the hearings.

(g) Landmark Commission determination and Landmark. After the required public hearing has been concluded, within sixty (60) days, the Landmark Commission shall then determine whether or not to designate the proposed site(s), building(s), structure(s), work(s) of art or similar object(s) as a Landmark. The designation of a Landmark becomes in full force and effect from the date the Landmark Commission adopts a resolution to designate the individual site, building, structure, work of art or similar object as a Landmark.

(h) Notification of designation. Within ten (10) days after the adoption of a resolution by the Landmark Commission designating a Landmark, the Secretary of the Landmark Commission shall communicate notice of the designation in writing to the owner(s) of such property, other interested parties requesting information, City Council and the City Building Department. A certified copy of the designating resolution together with a notice briefly stating the fact of such designation and a summary of the effects of such designation shall be filed with the Recorder of Deeds of Cuyahoga County and shall be sent to property owners included in the designation.

(j) All Landmarks designated prior to the effective date of this ordinance shall maintain Landmark status and abide by Chapter 143 of the Codified Ordinances.

(Ord. 11-2019. Passed 3-4-19.)

143.081 PROCEDURES FOR DESIGNATION OF LANDMARKS WITHOUT OWNER CONSENT.

(a) In the event the Landmark Commission should determine that a proposed site, building, structure, work of art or similar object should be designated as a Landmark pursuant to Section 143.08 (g) but the consent of the owner has not been provided or obtained, the Landmark Commission may apply to City Council to implement the desired designation without such consent pursuant to a resolution approved by the affirmative vote of at least five (5) members of the Commission.

(b) The Landmark Commission, within 10 days of the Commission's adoption of such resolution, shall:

- i. notify the owner of the action of the Commission; and
- ii. transmit to the owner and to City Council, through the Clerk of Council, copies of the Report and Recommendation of the Commission, the resolution adopted by the Landmark Commission to designate the site, building, structure, work of art or other object as a Landmark, and the resolution of the Commission described in subsection (a) hereof.

(c) City Council, within ninety (90) days after receiving the materials identified in subsection (b)(ii) hereof, may uphold the Landmark designation by ordinance adopted by a vote of at least five (5) members of Council; otherwise, the Landmark designation shall be considered a nullity. In considering whether to uphold the Landmark designation, the Council shall hold at least one hearing on the question of the designation and shall notify the owner of such hearing not less than fourteen (14) days in advance. In the event City Council should uphold the Landmark designation, the Landmark Commission shall be notified promptly and provided with a copy of the Council ordinance, and the Secretary of the Commission shall fulfill the requirements of Section 143.08(h) within ten (10) days of receipt of such copy.

143.085 PROCEDURES FOR DESIGNATION OF HISTORIC DISTRICTS.

The Landmark Commission may adopt a resolution designating any grouping of properties, or combination thereof, as a Historic District, by following the procedures set forth in this section. The Landmark Commission may act on its own initiative or pursuant to a request by an individual, group of individuals, or organization.

(a) Owner Notification. Notification shall be in accordance with Section 143.06(b).

(b) Owner Consent. Greater than fifty percent (50%) of property owners within a proposed Historic District shall constitute consent to designation. Each individual parcel shall have a single owner vote, with consent indicated by the signatures of the owner(s) on a petition or similar consent document which may be signed by the owners of multiple affected parcels so long as the relationship between owners and properties/parcels is clearly indicated.

(c) Landmark Commission Report and Recommendation. The Landmark Commission shall prepare or cause to be prepared a report and recommendation as to the proposed Historic District, including an explanation of the significance of the property or properties in relation to the designation criteria, a description of the property or properties with a list of contributing and non-contributing structures and sites, a history of the property or properties, photographic documentation, and a map or site plan showing the boundaries of the Historic District. If the Landmark Commission recommendation is to decline designation of the Historic District, no further action shall be taken.

(d) Landmark Commission public hearing. Within sixty (60) days after the Landmark Commission recommendation of a Historic District, the Landmark Commission shall schedule a public hearing on the proposed designation, providing notice in accordance with Section 143.06(b)(1). The public hearing shall include a summary of the district's history, the Commission's rationale for designation, and an explanation of the effect of designation. The Landmark Commission shall conduct the public hearing and provide opportunity for all interested parties to express their opinions under such rules as the Landmark Commission may adopt for governing the hearings.

(e) Landmark Commission determination and Historic District designation. Within sixty (60) days, the Landmark Commission shall then determine whether or not to designate the proposed site(s), building(s), structure(s), work(s) of art or similar object(s) as a Historic District. The designation of a Historic District becomes in full force and effect from the date the Landmark Commission adopts a resolution to designate the individual site, building, structure, work of art or similar object as a Landmark.

(f) Notification of designation. Within ten (10) days after the adoption of a resolution by the Landmark Commission designating a Historic District, the Secretary of the Landmark Commission shall communicate notice of the designation in writing to the owner(s) of such property, other interested parties requesting information, City Council and the City Building Department. A certified copy of the designating resolution together with a notice briefly stating the fact of such designation and a summary of the effects of such designation shall be filed with the Recorder of Deeds of Cuyahoga County and shall be sent to property owners included in the designation.

(Ord. 11-2019. Passed 3-4-19.)

143.09 RECORD OF LANDMARKS.

The City shall maintain complete records of all properties and districts designated as Landmarks and Historic Districts .

(Ord. 11-2019. Passed 3-4-19.)

143.10 REGULATION OF PROPERTY CHANGE; CERTIFICATE OF APPROPRIATENESS; DEMOLITION; MOVING; MINOR CHANGES.

No owner, tenant, or occupant (hereafter, for purposes of this Section 143.10, "owner" of any Landmark shall undertake any change to any Landmark or part of a Landmark without the consent of the Landmark Commission. Nothing herein contained shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a Landmark that does not involve a change in design, material, or exterior appearance, nor prohibit immediate repairs necessary to remedy a condition dangerous to life, health, or property.

(a) Application for Certificate of Appropriateness.

(1) When the owner of a Landmark wishes to undertake any change to a Landmark property, the owner shall apply to the Landmark Commission for a Certificate of Appropriateness. Application for review of a change, requiring a Certificate of Appropriateness, shall be made on a form prepared by the Commission Secretary. This application will state in detail the change which the owner wishes to make to such property, together with appropriate drawings, plans, elevations, and other necessary information to explain and evaluate the proposed change.

(2) Within seven (7) days following receipt of a demolition permit application or a building permit application that affects the exterior architectural features or appearance of a Landmark, the Building Department shall forward the application, plans, elevations, and other documentation to the Landmark Commission. The Building Department shall not issue the building or demolition permit for a Landmark until the Certificate of Appropriateness has been issued by the Landmark Commission and the Architectural Board of Review has rendered final approval as required in Section 143.10 (e).

(b) Public Hearing by the Landmark Commission. The Landmark Commission shall hold a public hearing to review any proposed change to any Landmark property within sixty (60) days from the date the application is accepted as complete by the Commission Secretary. Notice shall be provided in accordance with Section 143.06(b). When an application for a property change requires review by both the Landmark Commission and the Architectural Board of Review, the boards may choose to meet jointly.

(c) Action by the Landmark Commission. Utilizing the Standards for Design Review set forth in Section 143.14, the Landmark Commission may approve the request for change submitted by the owner, modify the change requested by the owner, or reject the proposed change, all in accordance with its original criteria for designation of the subject Landmark. The owner shall bear the burden of proving, by a preponderance of the evidence, that the proposed change or new construction is consistent with preservation of the character defining features of the Landmark property. The Landmark Commission shall then determine whether to issue a Certificate of Appropriateness. The applicant shall be given a written notice

of the determination and, if approved, be issued a Certificate of Appropriateness. If the Landmark Commission does not act on the request within ninety (90) days of application, the request will be deemed approved.

(d) **Notice of Landmark Commission decision.** Within ten (10) days after the action by the Landmark Commission, the Commission Secretary shall communicate notice of the action in writing to the owner(s) of such property, other interested parties requesting information, and other City departments.

(e) **Demolition and Moving.**

(1) **Demolition Prohibited; Exceptions.** The demolition of a Landmark shall not be permitted unless one (1) of the following conditions exist:

(i) Demolition has been ordered by the Building Commissioner for public safety because of an unsafe or dangerous condition that constitutes an emergency.

(ii) The owner demonstrates that the Landmark is either not habitable or otherwise not safe; or the repair or rehabilitation of the property is not economically feasible and the property's condition did not result from damage which has been purposefully caused to the property, or allowed to occur due to the neglect of the owner or previous owners with the likely intention of making the repair or rehabilitation of the property not economically feasible. The owner bears the burden of proving, by a preponderance of the evidence, that the demolition is permissible pursuant to this paragraph. No permit to demolish will be permitted under this paragraph unless the owner obtains a Certificate of Appropriateness from the Landmark Commission which may require a salvage plan and a final motion of approval from the Architectural Board of Review for the building or structure which will replace the property to be demolished.

(iii) The owner demonstrates to the satisfaction of the Landmark Commission that denial of the demolition is inconsistent with a legitimate interest in the health, safety, and welfare of the City.

(iv) The demolition request is for an incompatible addition or a portion of a Landmark property that is not historically significant, and, the demolition will not adversely affect the historic significance of the Landmark. (v)

(2) **Pending Landmark Application.** No property may be demolished during the pendency of a Landmark designation application, which commences upon the filing of a complete application.

(3) **Mandatory Stay of Demolition.** No permit to demolish shall be issued by the Building Commissioner for thirty (30) days following the final administrative adjudication by the City. In the event the appellate court(s) reviewing the matter issue a stay, no demolition permit shall be issued pending the final outcome of the appeal, as set forth in Section 143.15.

(4) **Moving.** No Landmark may be moved from its current location unless the Landmark Commission determines by issuance of a Certificate of Appropriateness that the moving of the property will not materially and adversely impact the historic significance of the Landmark.

(f) **Approval of Minor Changes.** The Landmark Commission may delegate to its staff the authority to administratively issue a Certificate of Appropriateness for specified minor changes. The Landmark Commission shall provide to staff written guidelines for issuing Certificates of Appropriateness under this subsection.

(g) Nothing herein shall prevent the City from ordering and/or approving the immediate demolition of such a property if, in the judgment of the Chief Building Official, it may cause a danger to the public health, safety, and/or welfare.

(Ord. 11-2019. Passed 3-4-19.)

143.105 ECONOMIC HARDSHIP.

(a) An applicant who has been denied a Certificate of Appropriateness may, within thirty (30) days of the denial, apply for consideration of economic hardship. Applications shall be made on a form prepared by the Landmark Commission. The Landmark Commission shall hold a public hearing on the hardship application. All of the following criteria shall be considered to determine the existence of economic hardship, provided that the applicant shall have the burden of persuasion by a preponderance of the evidence:

(1) Denial of a certificate will result in a substantial reduction in the economic value of the property;

(2) Denial of a certificate will result in a substantial economic burden on the applicant because the applicant cannot reasonably maintain the property in its current form;

(3) No reasonable alternative exists consistent with the architectural standards and guidelines for the property;

(4) The owner has been unable to sell the property after demonstrating that a good faith effort has been made;

(5) Previous alterations have interfered with the architectural character of the property and the character-defining features to illustrate the style or type are lost, and to return the property to its original character is not reasonable; or

(6) Denial will result in a substantial burden as outlined in the applicant's sworn statement or affidavit in support.

(b) **Certificate Process.** The Landmark Commission may solicit expert testimony or request that the applicant submit evidence concerning property value, cost estimates, income, expenses, and/or any other information that the Landmark Commission deems necessary to determine whether denial of the application constitutes an economic hardship. The level of documentation required may vary as is appropriate to each case.

(c) **Landmark Commission Action on an Application.** The Landmark Commission shall act upon the application within ninety (90) days after receipt of such an application. If no action has been taken by the Landmark Commission within ninety (90) days, the application shall be deemed granted, unless the time is extended by mutual agreement. Upon the denial of an application, the applicant shall be notified by mail.

(d) **Investigation of Measures to Relieve Hardship.** Upon a finding by the Landmark Commission that a denial of the application for a change results in economic hardship, then the application for a Certificate of Appropriateness shall be delayed for a period not to exceed sixty (60) days. During this period the Landmark Commission shall investigate measures to relieve the hardship or otherwise preserve the property. Such plans and recommendations may include financial assistance, Building Code modifications, and/or changes to the Zoning Code, to the extent such actions may be lawful.

(e) **Issuance of Certificate.** If by the end of this ninety (90) day period, the Landmark Commission has found that without approval of the change the hardship cannot be relieved, then the Landmark Commission shall issue a Certificate of Appropriateness permitting the proposed change.

Nothing herein contained shall obviate compliance by the owner of such property with all other applicable ordinances, rules, and regulations of the City.

(Ord. 11-2019. Passed 3-4-19.)

143.12 REMOVAL OF LANDMARK OR HISTORIC DISTRICT DESIGNATION.

The owner(s) of a Landmark or properties within a locally designated Historic District may petition the Landmark Commission to remove Landmark or Historic District status from a property or Historic District that has ceased to meet the criteria for designation and the qualities for which it was originally designated have been lost or destroyed, by submitting a written petition stating as such. In the case of a Historic District, at least a two-thirds majority of property owners, with each individual parcel having a single owner vote, must petition the Landmark Commission for designation removal. The Landmark Commission shall hold a public hearing to determine whether the property shall remain a Landmark or Historic District and shall provide notice of such hearing in accordance with Code section 143.06(b). The Commission shall take into account the reasons for initially designating the property or properties as a Landmark or Historic District, shall review the petition to rescind, and shall render a decision within ninety (90) days of receipt of the property owner(s)' written petition. After a final decision is rendered, the Landmark Commission Secretary shall communicate notice in writing to the owner(s) of such property, and other interested parties requesting information, and the City Building Department. A resolution for removal of Landmark or Historic District designation shall be filed with the Recorder of Deeds of Cuyahoga County and shall be sent to property owners.

143.13 MINIMUM MAINTENANCE REQUIREMENT.

No person, being the owner of a Landmark property or a property located within a Historic District in the City of Cleveland Heights, shall fail to provide sufficient and reasonable care, maintenance, and upkeep to ensure perpetuation of such property as a Landmark or contributing to a Historic District and to prevent its destruction by deterioration.

This provision shall be in addition to all other applicable code provisions and shall be subject to the penalties outlined in Section 143.99 of this ordinance.

(Ord. 11-2019. Passed 3-4-19.)

143.14 STANDARDS FOR DESIGN REVIEW.

Designs shall be reviewed in accordance with the United States Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67.7 (b)) and National Park Service Preservation Briefs, on a case-by-case basis, as further described in the Historic Preservation Design Guidelines for the City of Cleveland Heights, as may be amended from time-to-time.

The following United States Secretary of the Interior's Standards for Rehabilitation (36 CFR Part 67.7 (b)) shall be applied in a reasonable manner, taking into consideration economic and technical feasibility:

- (a) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (b) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (c) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (d) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- (e) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- (f) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- (g) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (h) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (i) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (j) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(Ord. 11-2019. Passed 3-4-19.)

143.15 APPEALS

Any person adversely affected by a final decision of the Landmarks Commission may appeal by filing a notice of appeal with the Board of Zoning Appeals within thirty (30) calendar days of issuance of notice of the decision.

143.16 SEVERABILITY.

If any particular section of this Chapter is declared to be unconstitutional or void, only that particular section is affected, and all other sections of this chapter shall remain in full force and effect.

(Ord. 11-2019. Passed 3-4-19.)

143.17 SCHEDULE OF FEES.

Council shall by ordinance establish a schedule of fees for application for designation, Certificates of Appropriateness, removal of designation, and other procedures after considering the recommendations of the Commission Secretary with respect to actual administrative costs, both direct and indirect. The schedule of fees shall be available on the City's website and may be altered or amended only by Council. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application or administrative procedure.

143.99 PENALTIES.

Any person who undertakes or causes an alteration, construction, demolition, or removal of any designated Landmark or property within a designated Historic District without a Certificate of Appropriateness or otherwise complying with Section 143.10, or who fails to comply with the minimum maintenance requirements under Section 143.13, shall be guilty of a minor misdemeanor and upon conviction thereof shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00) per infraction. Each day such violation shall continue to exist shall constitute a separate violation. The City of Cleveland Heights may institute any appropriate action to enjoin, correct, or abate any violation of this chapter. The property owner shall also pay any Building Department fines as a result of construction or demolition without a building permit.

(Ord. 11-2019. Passed 3-4-19.)



Date: June 24, 2026

To: Addie Balester, Clerk of Council
Chris Heltzel, Assistant Law Director

Cc: Jim Petras, Mayor
William Hanna, Director of Law
Anthony Ferrone, Assistant Director of Public Works

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Purchase of a Loadmaster Elite Body for \$90,459.50.

Purpose Statement: This legislation is for the purchase of a Loadmaster Elite Body. This equipment will be used for daily operation in the Refuse and Recycling Division to assist with the Special Refuse Collection Program.

Is this legislation recurring: Yes: _____ No: X

Is emergency language necessary: Yes: X No: _____

If yes, why? To place the order asap.

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

If yes, why? DPW would like to order this asap to receive delivery before the end of the year

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

416.6203.3004

Proposed: 08.17.2026

RESOLUTION NO. 157-2026(MSES), *First Reading*

By Mayor Petras

A Resolution authorizing the Mayor to enter into agreements with Best Equipment Company and Classic Ford Mentor for the acquisition of a Loadmaster Elite Body for the Refuse and Recycling Division of the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

WHEREAS, Best Equipment Company is an authorized equipment vendor of National Auto Fleet Group (Sourcewell Contract No. 032824-NAF); and

WHEREAS, the Mayor has determined that the Loadmaster Elite Body may be purchased through Best Equipment Company pursuant to Sourcewell Contract No. 032824-NAF, and that it would be in the City's best interests to purchase said equipment by these means.

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 any and all agreements necessary for the purchase of a Loadmaster Elite Body through Best Equipment Company, at a purchase price not to exceed Ninety Thousand, Four Hundred and Fifty-Nine Dollars and Fifty Cents (\$90,459.50), pursuant to Section 171.12 of the Cleveland Heights Codified Ordinances, with all contracts hereunder to 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 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.

RESOLUTION NO. 157-2026(MSES)

SECTION 4. 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 purchase the equipment in a timely manner and to maintain ongoing city 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 Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



EQUIPMENT SALES PROPOSAL

Provided by Best Equipment Company, Inc.
Experts in Municipal and Contractor Environmental Equipment Since 1917
Proudly Serving Indiana, Ohio, Kentucky, and Michigan

Prepared By
Matt Floyd
Northeastern (West) Ohio Sales

Prepared Especially For
Cleveland Heights, OH- City of
Rich Kriefall

Document ID	Prepared For	Prepared On	Pricing Valid Through
25-1107	Cleveland Heights, OH- City of	08-07-2026	14 Days
00005108			

Procurement	Payment Terms	FOB
Sourcewell National Auto Fleet: Sourced Item Available Under Contract #032824 - Issue PO to Best Equipment Company, Inc.	Invoice	Cleveland Heights

Product	Sales Price	Quantity	Total
Loadmaster Elite			
Elite 6 Yd Rear Loader Full Factory Mount New Chassis Polyurethane Enamel Paint Customer Specified - Elite Hot Shift PTO Installed Automatic Transmission Camera System w/ Color 7" Flat Screen RayView Install Single Tipper on Elite w/Loadmaster Hydraulics Perkins D6220	\$93,257.50	1	\$93,257.50

	Subtotal	\$93,257.50
	National Auto Fleet Discounts	\$2,798.00
	Grand Total	\$90,459.50

Agreement
Sign below to accept and agree to this sales proposal and all terms and conditions. Any changes to this agreement must be done so in writing. This agreement is binding. By signing, you agree that you are authorized to execute this contract.

Signature	Title	Date
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Notes

BestCare

Need a plan to take care of your investment? BestCare is Best Equipment Company's preventative maintenance program, offering you customized plans to properly maintain and extend the life of your equipment. Email us at bestcare@bestequipmentco.com to learn more.

Terms and Conditions

Quotation

This document is for quotation purposes only. Do not pay from this quotation. An invoice will be prepared and sent for final total due.

Taxes

Applicable taxes are not included at time of quotation. Tax estimations can be provided upon request. If any tax figures are included, they are deemed reliable but not guaranteed. Exact taxes will be calculated at the time of invoice.

Payment

All payments for the Equipment are due from Buyer on the date of the invoice unless other terms are agreed to in writing between the Seller and Buyer. Contractors are COD.

Delivery

Delivery dates are estimations. Best Equipment Company, Inc. does not guarantee delivery dates. Best Equipment Company, Inc. is not financially responsible for lost time, revenue, or any other losses. Liability of the goods/equipment in this sales quote transfers to the buyer, once the equipment is unloaded /delivered to the buyer, as acknowledged by the signature of this sales quote.

COVID and Supply Chain

Due to the volatile nature of the market and ongoing supply chain constraints, prices and lead times are subject to change without notice.

Financing

If customer is seeking financing, shall be executed and in place in a timely manner. Customer delays due to seeking financing may result in termination of agreement.



Date: August 13, 2026

To: City Council

From: Brian Anderson, Assistant Director of Economic Development

Subject: Legislation Accepting the Recommendations of the Tax Incentive Review Council

Purpose Statement: *This legislation accepts the recommendations of the County's Tax Incentive Review Board to continue the currently active and offered incentive programs in the City.*

In accordance with the ORC, the City has established a Housing Council, held a meeting of the Housing Council on March 26 to review the City's Community Reinvestment Areas, and submitted the required reports to the Ohio Department of Development related to the CRAs and active Tax Increment Finance agreements.

Also in accordance with the ORC, the County held the Tax Incentive Review Council meeting on July 29 at which the participating TIRC members voted to continue all incentives active and offered in Cuyahoga County, including Cleveland Heights.

This legislation accepting the TIRC recommendations is also a required compliance step under the ORC.

Is this legislation recurring: Yes: ☒ No: ☐

Is emergency language necessary: Yes: ☐ No: ☒

If yes, why?

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

If yes, why?

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

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

Proposed: 08.17.2026

RESOLUTION NO. 160-2026(AS), *First Reading*

By Mayor Petras and All City Councilmembers

A Resolution accepting the recommendations of the Tax Incentive Review Council (TIRC) concerning Community Reinvestment Area Tax Exemption Agreements within the City of Cleveland Heights.

WHEREAS, pursuant to Sections 3735.65 through 3735.70 of the Ohio Revised Code, the City of Cleveland Heights has designated certain areas within the corporate limits of the City as Community Reinvestment Areas; and

WHEREAS, pursuant to these statutes, the City of Cleveland Heights has entered into Community Reinvestment Area tax exemption agreements ("CRA Agreements") with various property owners in the Community Reinvestment Area for the abatement of portions of the property owners' commercial or industrial real property taxes as incentives for the businesses to invest in the community; and

WHEREAS, pursuant to Section 5709.85 of the Ohio Revised Code, the City of Cleveland Heights has established a Tax Incentive Review Council for the purpose of annually assessing whether each owner of the property exempted from taxation pursuant to a CRA Agreement has complied with the CRA Agreement; and

WHEREAS, the Tax Incentive Review Council is required to annually submit written recommendations to this Council concerning whether each CRA Agreement subject to its review should be continued, modified, or terminated; and

WHEREAS, this Council has received the recommendations of the Tax Incentive Review Council relative to the City's CRA Agreements in effect in calendar year 2025; and

WHEREAS, R.C. 5709.85 requires the legislative authority of a local government granting Community Reinvestment Area tax exemptions to accept, reject, or modify all or any portion of the recommendations of its Tax Incentive Review Council

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

SECTION 1. This Council hereby accepts the recommendations of the Tax Incentive Review Council to continue all tax exemption incentives, as identified in Ohio Revised Code Section 5709.85, that are currently active and offered in suburban Cuyahoga County, specifically the City of Cleveland Heights.

RESOLUTION NO.160-2026(AS)

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City's Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

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 on the City of Cleveland Heights website.

SECTION 4. This Resolution shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor



Date: 6/11/26

To: City Council

From: Brian Anderson

Subject: Tax Increment Finance Ordinance to support renovation of the Alcazar

Purpose Statement:

Legislation approving a tax increment finance exemption for the Alcazar Hotel Apartment Building to help support the renovation and historical preservation of the property.

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?

NA

Notes:

This ordinance would approve a 30 year non-school TIF exemption for the Alcazar as part of the properties proposed \$15 million renovation and historic preservation. As a non-school TIF, the CH-UH School District would receive the normal amount of funding the property would generate without the TIF in years 11-30 (after the "by-right" CRA exemption the project would qualify for in years 1-10). The project would create 132 updated apartment units and preserve historical features of the architecture and common spaces. The associated draft Development Agreement includes a provision to protect long-term tenants for a three year period to mitigate rent increases post-renovation.

Proposed: 06/15/2026

ORDINANCE NO. 123-2026(F), *First Reading*

By Mayor Petras

An Ordinance declaring improvements to a certain parcel within the City of Cleveland Heights to be a public purpose, exempting the improvements to such parcel from real property taxation for a period of 30 years; requiring the owners of such parcels to make service payments in lieu of taxes; establishing an Urban Redevelopment Tax Increment Equivalent Fund for the deposit of such payments; and approving a Development Agreement with the owner of said parcel; all pursuant to Sections 5709.41, 5709.42 and 5709.43 of the Ohio Revised Code; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, RP Derbyshire LLC (the “Developer”) is the owner of Permanent Parcel Number 68516040, located in the City of Cleveland Heights (the “Property”), as further described on Exhibit A attached hereto; and

WHEREAS, the Developer intends to redevelop the Property by rehabilitating and renovating the existing building situated thereon (the “Project”); and

WHEREAS, Sections 5709.41, 5709.42 and 5709.43 of the Ohio Revised Code authorize this Council (i) to declare 100% of the Improvements to the Property, defined by Section 5709.41 of the Ohio Revised Code as the increase in the assessed value of the Property that would first appear on the tax list and duplicate for the Property after the effective date of this Ordinance were it not for the exemption granted by this Ordinance, resulting from the Developer undertaking the Project, to be exempt from real property taxation for a period of thirty years, (ii) to provide for the making of service payments by the Developer, or other future owners of the Property, in lieu of taxes, which shall be an obligation running with the land, and (iii) to establish an urban redevelopment tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, this Council has determined that it is necessary and appropriate, and in the City’s best interest, to provide for service payments in lieu of the exempted taxes with respect to the Property, pursuant to Section 5709.42 of the Ohio Revised Code (the “Service Payments”), to be utilized as set forth in this Ordinance, a Development Agreement between the Developer and City, as further set forth below, and Section 5709.43 of the Ohio Revised Code; and

WHEREAS, the development of the Project in the City will benefit the City and its residents by creating economic opportunities, increasing local employment opportunities, enlarging the property tax and income tax bases, and stimulating collateral development in the City; and

WHEREAS, the Property is located within the boundaries of the Cleveland Heights-University Heights City School District (the “School District”); and

ORDINANCE NO. 123-2026(F)

WHEREAS, this Council intends to use a portion of the Service Payments paid by the Developer, or other future owners of the Property, to fully compensate the School District in an amount equal to the amount of real property taxes the School District would have received but for the exemption provided by this Ordinance; and

WHEREAS, the City has delivered to the School District the written notification of this Ordinance required by Sections 5709.41, 5709.83 and 5715.27 of the Revised Code.

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

SECTION 1. This Council finds and determines that the Improvements, as defined in Section 5709.41 of the Ohio Revised Code, resulting from the Project to be undertaken by the Developer are declared to be a public purpose for purposes of Section 5709.41 of the Ohio Revised Code.

SECTION 2. Pursuant to and in accordance with the provisions of Section 5709.41 of the Ohio Revised Code, this Council hereby finds and determines that 100% of the increase in the assessed value of the Property that would first appear on the tax list and duplicate of the Property after the effective date of this Ordinance (the "Improvements" as defined in 5709.41 of the Ohio Revised Code Section) is a public purpose, and 100% of said Improvements are hereby exempt from real property taxation a period of 30 years, commencing for each parcel with the first tax year that begins after the effective date of this Ordinance in which Improvements resulting from the Project parcel first appears on that parcel, and ending on the date such Improvements have been exempted from taxation for a period of 30 years (the "Exemption Period").

SECTION 3. As provided in Ohio Revised Code Section 5709.42, the Developer, or other future owners of the Property, are hereby required to, and shall make, semi-annual Service Payments to the Cuyahoga County Fiscal Officer (the "County Fiscal Officer ") on or before the final dates for payment of real property taxes due and payable with respect to the Improvements. The Service Payments, when distributed to the City by the County Fiscal Officer, shall be deposited in the Urban Redevelopment Tax Increment Equivalent Fund (the "Fund") established in Section 4 hereof. This Council hereby authorizes the Mayor, the Director of Finance, City Law Director, and other appropriate officers of the City to provide such information and certifications and to execute and deliver or accept delivery of such instruments as are necessary and incidental to collection of those Service Payments, and to make such arrangements as are necessary and proper for collection of those Service Payments.

SECTION 4. This Council hereby establishes, pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.43, the Fund, into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvements, by or on behalf of the County Fiscal Officer as provided in Section 5709.42 of the Ohio Revised Code, and hereby provides that the moneys deposited into the Fund shall be paid by the City to the School District and Developer in accordance with the terms of this Ordinance, the Development Agreement and Ohio law.

Specifically, the Service Payments shall be used as follows:

- (i) first, to the School District, a portion of the Service Payments received by the City equal to the amount of the real property taxes that would have been payable to the School District if the Improvements had not been exempted from real property taxation by this Ordinance (the "School District Payments");
- (ii) second, the balance in the Fund shall be paid to the Developer in accordance with, and for the purposes set forth in, the Development Agreement.

The Fund shall remain in existence so long as Service Payments are collected and used for the purposes set forth herein, after which time the Fund shall be dissolved in accordance with Section 5709.43 of the Ohio Revised Code and any moneys remaining therein shall be paid to the City.

SECTION 5. Pursuant to Ohio Revised Code Section 5709.41(E), 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 (15) days after its passage. On or before March 31st of each year that the exemption set forth in Section 2 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit to the Director of the Development Services Agency of the State of Ohio the status report required under Section 5709.40(I) of the Ohio Revised Code.

SECTION 6. In accordance with Ohio Revised Code Section 5709.832, this Council hereby determines that the Developer, its successors or assigns in interest to the property tax exemption authorized herein, shall not deny employment to any individual based solely on race, religion, sex, disability, color, national origin, or ancestry, and the Developer shall abide by any related terms of the Development Agreement.

SECTION 7. This Council hereby designates the City's tax incentive review council ("TIRC") previously established by this Council as the TIRC that shall annually review the exemptions provided pursuant to this Ordinance as required by Ohio Revised Code Section 5709.85.

SECTION 8. This Council hereby authorizes the Mayor to execute a Development Agreement with the Developer and to sign any other related documents concerning the undertaking of the Project. The Development Agreement shall be substantially in accordance with the Development Agreement attached hereto as Exhibit B.

SECTION 9. This Council determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of 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. 123-2026(F)

SECTION 10. 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 legislation to the city of Cleveland Heights website.

SECTION 11. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and its inhabitants, the emergency being the need to facilitate the redevelopment of the Property at the earliest possible time. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

EXHIBIT A

DESCRIPTION OF THE PROPERTY

Situated on the City of Cleveland Heights, County of Cuyahoga, and State of Ohio, and being known as Sub Lots Nos. 500, 501, 502, 503, and 504, in a Subdivision of part of Original One Hundred Acre Lots nos. 405 and 406, and in compliance with the Decree of the Court of Common Pleas recorded in Journal Volume 194, Page 427 of Cuyahoga County records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of Surrey Road, at the Southwesterly corner of said Sub Lot No. 504; thence Northerly along the Easterly line of Surrey Road, 294.82 feet to the Southerly end of the curved turnout between said Easterly line and the Southwesterly line of Derbyshire Road; thence Easterly along said curved turnout, 12.54 feet to the Southwesterly line of Derbyshire Road; thence Southeasterly along the Southwesterly line of Derbyshire Road, 270.15 feet to the Northeasterly corner of said Sub Lot 500; thence Southerly along the Easterly line of said Sub Lot No. 500, 185.80 feet to the Southeasterly corner thereof; thence Westerly along the Southerly line of said Sub Lots Nos. 500 and 504, 211.62 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Property Address: 2450 Derbyshire Road, Cleveland Heights OH 44106
Permanent Parcel No. 685-16-040

EXHIBIT B

DEVELOPMENT AGREEMENT

See attached.

DEVELOPMENT AND TAX INCREMENT FINANCING AGREEMENT

This Development and Tax Increment Financing Agreement (this “Agreement”) is made and entered into as of _____, 2026 (the “Effective Date”) by and between THE CITY OF CLEVELAND HEIGHTS, OHIO (the “City”), an Ohio municipal corporation and political subdivision organized under the laws of the State of Ohio and its Charter, and RP DERBYSHIRE LLC, an Ohio limited liability company, its affiliates, successors and assigns (collectively, the “Developer”).

RECITALS:

- A. Developer is the owner of certain real property located at 2450 Derbyshire Road, Cleveland Heights, Ohio 44106, and identified in the Cuyahoga County records as Permanent Parcel Number 685-16-040, which consists of ____ acres of land and a ____-unit apartment building more commonly known as the Alcazar Hotel (the “Property”). The Property is described on **Exhibit A**, attached hereto and incorporated herein.
- B. The Developer intends to design, construct and undertake renovations to the apartment building located upon the Property given the age and obsolescence of said building, as set forth in more detail on **Exhibit B**, attached hereto and incorporated herein (the “Development”).
- C. To facilitate the Development and the broader revitalization of the neighborhood surrounding the Property, and for the further creation of employment opportunities and residential opportunities in the City, the City will adopt an Ordinance in the form attached hereto as **Exhibit C** (the “TIF Ordinance”), wherein it will declare that the increase in value of the Property resulting from the Development (the “Improvement”) shall be a public purpose, and 100% of the Improvement shall be exempt from real property taxation for 30 years pursuant to Section 5709.41 of the Ohio Revised Code (the “TIF Exemption”); and
- D. The TIF Ordinance requires the Developer and all future owners of the Property (each individually an “Owner” and collectively the “Owners”) to make annual service payments in lieu of real property taxes equal to the amount of real property taxes that would have been payable had the Improvement not been exempt from real property taxation under the TIF Ordinance, together with any penalties and interest at the then-current rate established under Sections 323.121 and 5703.47 of the Ohio Revised Code and other payments with respect to each Improvement that are received by the Cuyahoga County Fiscal Officer (the “County Fiscal Officer”) in connection with the reduction required by Sections 319.302, 321.24, 323.152 and 323.156 of the Ohio Revised Code, as the same may be amended from time to time, or any successor provisions, as the same may be amended from time to time (collectively, the “Service Payments”).
- E. Pursuant to a certain Transfer and Indemnity Agreement between the City and Developer dated _____, 2026 the Developer previously transferred the Property to the City and the City subsequently transferred the Property to the Developer, thereby satisfying the

requirement in Section 5709.41 that the City be in the chain of title of the Property prior to the adoption of the TIF Ordinance.

- F. The TIF Ordinance also authorizes the Service Payments to be used to make certain payments to the Cleveland Heights-University Heights City School District (“School District”) in the amount that the School District otherwise would have received by for the City’s adoption of the TIF Ordinance.
- G. The TIF Ordinance also authorizes the Service Payments to be used by the City as part of its urban redevelopment activities to reimburse the Developer for any and all costs associated with the Development pursuant to Sections 5709.41, 5709.42 and 5709.43 of the Ohio Revised Code, as the same are more fully defined in the TIF Ordinance and this Agreement.
- H. The City and Developer desire to enter into this Development Agreement to provide for above assistance to the Developer for the benefit of the Development and the City’s urban redevelopment activities.

Now, therefore, in consideration of the promises and covenants contained in this Agreement, to induce the Developer to proceed with the construction of the Development, and to create jobs and residential opportunities, and to revitalize the neighborhood surrounding the Property, the Developer and the City agree as follows:

Section 1. Incorporation of Recitals.

The recitals to this Agreement are incorporated herein by reference and made a part of this Agreement.

Section 2. Construction of Development.

A. Construction of the Development. Upon acquisition of the Property, the Developer shall undertake the construction of the Development on the Property generally consistent with the drawings set forth in **Exhibit B**, attached hereto and incorporated herein by reference. The Developer shall prepare all plans, drawings, surveys, etc. necessary for the Development, shall use commercially reasonable means and methods to construct and complete the Development, shall ensure the same is constructed in a workmanlike manner, shall hire contractors and subcontractors that are qualified and licensed to undertake such work, and shall acquire all requisite permits and approvals prior to the commencement of the construction from the City or other applicable authority to the extent such additional permits and approvals are necessary.

The Developer shall commence construction of the Development no later than January 1, 2027 and shall complete construction no later than two (2) years following commencement of construction. For purposes of this paragraph, commence construction shall mean that the Developer has hired the general contractor, all permits and approvals necessary for the commencement of construction have been obtained by the Developer, and the actual construction towards the renovation of the Property has commenced. For purposes of this paragraph,

construction shall include site work, interior demolition, and environmental remediation activities. For purposes of this paragraph, complete shall mean that Development is substantially complete and that Developer has applied in good faith for final certificates of occupancy from the City's Building Department.

In the event the Developer does not commence construction as set forth in this Section by January 1, 2027 or does not complete construction as set forth in this Section within two (2) years after commencement of construction, then the City may terminate this Agreement immediately, and terminate the exemption granted under the TIF Ordinance.

B. Planning and Zoning Approvals. The Development shall be constructed in accordance with all planning, zoning and building codes and ordinances of the City and any other applicable governmental authority, as well as the architectural/design criteria approved by the City's Architectural Board of Review. To the extent required by the City's planning and zoning codes, Developer shall apply for and obtain any further approvals and permits not obtained by Developer as of the execution of this Agreement, and shall abide by the terms and conditions of the same.

C. Rent Moderation. Developer agrees that, as a condition of receipt of a portion of the Service Payments provided for herein, commencing with the Effective Date, and continuing until the end of the third-year anniversary of the completion of construction, the Developer shall not increase the monthly rent amount for any existing tenant residing at the Property as of the Effective Date year over year by more than 5% in the first year of that timeframe, 7.5% in the second year of that timeframe, and 10% in the third year of that timeframe, provided that such tenant was also residing at the Property on July 22, 2022. Any breach of this condition by the Developer shall constitute a default of this Agreement and the City shall be entitled to terminate the payment of any future Service Payments to Developer hereunder. In the event of termination, the City may continue to use the Service Payments not paid to the Developer for the purposes provided herein. Developer shall provide the City, upon reasonable request by the City, documentation, including, but not limited to rent rolls for the years at issue, evidencing the rental rates charged to Developer's tenants residing at the Property.

Section 3. TIF Exemption.

A. The City has adopted, or shall adopt, pursuant to Section 5709.41 of the Ohio Revised Code, the TIF Ordinance, and through the TIF Ordinance, has granted, or shall grant, among other things, with respect to the Improvement, a 100% exemption from real property taxation, commencing on the first day of the first tax year following the adoption of the TIF Ordinance in which the Improvement attributable to the construction of the Development would have first appeared on the tax list and duplicate of real and public utility property had the exemption not been provided under the TIF Ordinance, and ending 30 years after such date.

B. In accordance with Sections 5715.27 and 5709.911 of the Ohio Revised Code, the City shall file or cause to be filed a completed application for an exemption from real property taxation (Ohio Department of Taxation DTE Form 24 or its successor form) with the Cuyahoga County Fiscal Officer for the Improvement to the Property. The City and the Developer agree to cooperate with each other for this purpose, and to cooperate with the Cuyahoga County Fiscal

Officer, the Ohio Department of Taxation, and other public officials and governmental agencies in the performance by the public officials and governmental agencies of their duties in connection with the TIF Ordinance and this Agreement. The Developer agrees to provide the City, upon request from the City, an executed Ohio Department of Taxation DTE Form 24P or its successor form consenting to the City's filing of the DTE Form 24 or its successor form.

Section 4. Service Payments.

As provided in Section 5709.42 of the Ohio Revised Code, the Owners are required under this Agreement and under the TIF Ordinance to make annual service payments in lieu of taxes to the Cuyahoga County Fiscal Officer on or before the final dates for payment of real property taxes. Each such payment (including any interest and penalties) shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from real property taxation. Any late payments shall be subject to penalty and bear interest at the then-current rates established under Sections 323.121 and 5703.47 of the Ohio Revised Code, as may be amended from time to time, or any successor provisions, as the same may be amended from time to time. No Owner shall, under any circumstances, be required with respect to any tax year both to pay Service Payments with respect to an Improvement and to reimburse local taxing authorities for the amount of real property taxes that would have been payable had the Improvement not been exempted from taxation pursuant to the TIF Ordinance.

Section 5. Municipal Urban Redevelopment Tax Increment Equivalent Fund.

Under the TIF Ordinance, the City has established the municipal urban redevelopment tax increment equivalent fund under Section 5709.43 of the Ohio Revised Code ("TIF Fund"). The TIF Fund shall be maintained in the custody of the City. The TIF Fund shall receive all Service Payments distributed by the Cuyahoga County Fiscal Officer to the City pursuant to Section 5709.43 of the Ohio Revised Code.

The TIF Fund shall remain in existence so long as Service Payments are collected and used for the purposes described in this Agreement and the TIF Ordinance. Then, the TIF Fund shall be dissolved in accordance with Section 5709.43 of the Ohio Revised Code. Further, except as otherwise provided in this Agreement or the TIF Ordinance, moneys deposited in the TIF Funds shall be used as described in Section 10 of this Agreement.

Section 6. Use of Service Payments Deposited Into the TIF Fund.

Under the TIF Ordinance, and in accordance with Section 5709.43 of the Ohio Revised Code, the Service Payments collected in the TIF Fund shall be paid by the City to the School District and Developer, as set forth below in this Section, subject to the terms and conditions of this Agreement, provided that all such payments to Developer shall be used solely to pay or reimburse the Costs of the Development as defined herein, including the principal and interest on the advancement of such costs by Developer or any loan or other financing acquired by Developer in connection with the Development, and further provided that such payments to the Developer shall not exceed the amount actually expended by the Developer to construct the Development.

Service Payments in the TIF Fund shall be allocated as follows, and shall be paid to the School District semi-annually upon the deposit of the Service Payments into the TIF Fund, and to the Developer in accordance with the timing set forth below:

- (i) First, to the School District, a portion of the Service Payments received by the City equal to the amount of the real property taxes that would have been payable to the School District if the Improvements had not been exempted from real property taxation by the TIF Ordinance;
- (ii) Second, to the Developer to reimburse the Developer for the costs of designing and constructing the Development (the "Costs of the Development"). The Costs of the Development shall include any and all costs Developer incurred in order to construct the Development, including but not limited to:
 - (a) Payment of all costs associated with the design and construction of the Development, including review, permitting and inspection fees incurred in order to design and construct the Development, and professional fees; management, construction management and supervisory fees related to the undertaking of the Development.
 - (b) Construction, operation and maintenance of public improvements and publicly owned facilities on the Property, 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, wayfinding signage, 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;
 - (c) Land and building acquisition, demolition, site assessment, remediation, preparation and other preparatory or logistic expenses related to the Development;
 - (d) Any other expenditures made with respect to the Property in accordance with this Development Agreement or other agreements entered into in connection with the development of the Property provided such expenditures are otherwise permitted by law; and
 - (e) Interest on the unpaid portion of the Costs of Development set forth in subsections (a) to (d), above, or any part thereof, which will accrue at the Interest Rate from the date the expense is incurred by the Developer. Any interest on any Developer Cost that remains unpaid on the day following each Payment Date, as the same is defined below, will itself accrue interest in the same manner as the Costs of Development. As used in

this Agreement, “Interest Rate” means a rate equal to 7.0% per annum, calculated on the basis of a 360-day year consisting of twelve 30-day months.

- (iii) Third, in the event the Costs of the Development are paid in full using the Service Payments prior to the termination of the exemption provided for in the TIF Ordinance, the remaining Service Payments shall be allocated and paid to the City for to pay for the City’s costs incurred for urban redevelopment activities in the City.

The City and Developer understand and agree that the actual Costs of the Development may exceed the amount of Service Payments collected during the term of the exemption, but expressly desire to limit the amount of reimbursement of the Costs of the Development to be reimbursed by the Service Payments to no more than the total of the actual Service Payments collected by the City and paid to Developer pursuant to this Section. Should the Developer opt to use the Service Payments allocable to it to finance any of the Costs of Development or to reimburse itself for the advancement of such costs, the City shall cooperate with the Developer in procuring any such financing, including executing any agreements or other documents associated with such financing, including (without limitation) the assignment of the right to receive the Service Payments, and the entry of direct-payment arrangements for the City to make debt service payments directly out of the TIF Fund to a trustee or lender. In addition to the debt service payments, the Developer may use the Service Payments allocable to it to pay the costs of any financing.

Upon Developer substantially completing the Development, Developer shall provide a certified statement to the City setting forth and providing reasonable evidence concerning the Costs of the Development substantially in the form attached hereto as **Exhibit D** (each a “Certified Statement,” and collectively, the “Certified Statements”).

By December 31st of each calendar year that Service Payments are deposited into the TIF Fund, the City shall pay to School District and Developer the amounts set forth in this Section. The City is only obligated to make such payments to the extent that funds are actually available in the TIF Fund. In no event shall the City be liable to Developer in any manner for any unpaid or reduced payments, or unpaid Costs of the Development, that are unpaid or reduced as a result of insufficient funds in the TIF Fund.

Section 7. Recording; Priority of Lien.

The Developer may cause this Agreement to be recorded in the Cuyahoga County records, it being understood and agreed that the lien of this Agreement shall, in accordance with O.R.C. Sections 323.11 and 5709.91, be prior to any mortgage, assignment, lease or other conveyance of any part of or interest in the Property, and prior to any security instrument encumbering all or any part of or interest in the Property.

Section 8. Representations of the Parties.

The Developer hereby represents that it has full power and authority to enter into this Agreement and carry out its terms, that the persons whose names appear on this Agreement are duly authorized and empowered to make and execute this Agreement on behalf of the Developer, and that this Agreement is supported by consideration. The City hereby represents that this Agreement is authorized by Ordinance No. _____, adopted _____, 2026, that the City has full power and authority to enter into this Agreement, to carry out its terms and to perform its obligations under this Agreement and under the TIF Ordinance, that the persons whose names appear on this Agreement are duly authorized and empowered to make and execute this Agreement on behalf of the City, that this Agreement is supported by consideration, that the City will not amend, modify, or repeal the TIF Ordinance in any way that would affect the amount of Service Payments payable to the City except as approved by the Developer or required by law, and that the City will not transfer, encumber, spend, or use any Service Payments other than as provided in the TIF Ordinance and in this Agreement.

Section 9. Breach and Remedy.

In addition to any specific remedy provided for herein, 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 ninety (90) 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 ninety (90) day period, or if such cure or remedy cannot be reasonably completed within such ninety (90) 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.

Section 10. Miscellaneous.

A. Agreement Binding on Parties; No Personal Liability. All covenants, obligations, and agreements of the City and the Developer contained in this Agreement shall be effective to the extent authorized and permitted by applicable law. No such covenant, obligation, or agreement shall be deemed to be a covenant, obligation, or agreement of any present or future member, official, officer, agent, or employee of the City in other than their official capacity or of any individual person who is a partner, shareholder, director, member, manager, employee, officer, or agent of the Developer other than in their capacity as a partner, shareholder, director, member, manager, employee, officer, or agent, and neither the members of City Council nor any City official executing this Agreement, or any individual person executing this Agreement on behalf of the Developer, shall be liable personally by reason of the covenants, obligations, or agreements of the City or the Developer contained in this Agreement. The City is a political subdivision of the State of Ohio and is entitled to all of the immunities and defenses provided by law.

B. Entire Agreement. This Agreement and the agreements attached hereto represent 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 City and Developer.

D. 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.

E. Notices. Any notice, request, consent, approval or demand (collectively, a "Notice") given or made under this Agreement shall be in writing and shall be given in the following manner: (a) by personal delivery of such Notice; (b) by mailing of such Notice by certified mail, return receipt requested; or (c) by nationally recognized commercial overnight delivery of such Notice for next business day delivery. All Notices shall be delivered to the addresses set forth in this Section. Notice served by certified mail shall be effective on the fifth business day after the date of mailing. Notice served by commercial overnight delivery shall be effective on the next business day following deposit with the overnight delivery company.

If to Developer: RP DERBYSHIRE LLC

Attn: _____

with a copy to:

Attn: _____

If to City: City of Cleveland Heights
40 Severance Circle
Cleveland Heights, OH 44118
Attn: Mayor

with a copy to: City of Cleveland Heights
40 Severance Circle
Cleveland Heights, OH 44118
Attn: Law Director

Roetzel & Andress, LPA
222 S. Main St.
Suite 400
Akron, OH 44308
Attn: Jason D. Dodson, Esq.

Any party may change its address for the service of notice by giving written notice of such change to the other party, in any manner above specified.

F. Applicable Laws. Developer shall obtain and maintain all necessary City and other governmental permits, licenses and other approvals and shall comply with all applicable federal, state and local laws, codes, ordinances and other governmental requirements relating to development of the Project. By executing this Agreement, the City makes no representations or other assurances to Developer that Developer will be able to obtain whatever variances, permits and other approvals from the City's Department of Planning, the City's Department of Public Works, the City's Planning Commission, Architectural Board of Review or any other City board or commission, that may be required in connection with the Project. Developer agrees that it will comply with all applicable federal, state and local laws with regard to housing opportunities and fair employment practices and will not discriminate on the basis of the protected classes identified in Section 749.01 of the Cleveland Heights Codified Ordinances (including age, race, color, religion, sex, familial status, national origin, disability, sexual orientation, or gender identity or expression) in connection with the Development or any related activities pursuant to this Development Agreement.

G. Dispute Resolution. In event of any dispute between the parties concerning this Agreement: (i) the designated representatives of each party will first negotiate in good faith to resolve the dispute; (ii) if the parties are unable to resolve the dispute within sixty (60) days, the parties will have the right to initiate voluntary, non-binding mediation conducted by mutually agreed-upon mediator; and (iii) if the parties are unable to resolve the dispute within sixty (60) days after initiating mediation, any party will have the right to submit the dispute to litigation (or, if the parties so elect, binding arbitration). Any party will retain the right to seek injunctive relief in a court of competent jurisdiction if necessary to protect its rights in its confidential information. Each party will bear its own fees and expenses in resolving any dispute.

H. 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.

I. 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.

J. No Continuing Waiver. The waiver by any part of any breach of this Agreement shall not operate or be construed to be a waiver of any subsequent breach.

K. Force Majeure. Neither Party will be considered in default in its obligations, if the delay in performance is due to causes beyond its reasonable control and without its fault or negligence. Such causes include, without limitation, acts of God or of the public enemy, acts of terrorism, acts of the federal or state government, acts or delays of the other party, fires, floods or other casualty, weather, epidemics, freight embargoes, unavailability of materials, strikes or delays of contractors, subcontractors or materialmen due to any of those causes. It is the intent of the

Parties that in the event of the occurrence of any force majeure event, the time or times for performance will be extended based on the delay caused by such force majeure event.

L. Exhibits. All of the exhibits attached to this Agreement are expressly incorporated herein and made a part hereof. If the Parties, after the execution of this Agreement, mutually agree to amend or modify any of the exhibits attached hereto, then the applicable exhibit attached hereto shall be removed and replaced by the mutually approved amended or modified version of such exhibit.

M. Execution and Counterparts. 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.

N. City Fees and Expenses. Developer agrees to reimburse the City up to \$5,000.00 towards the City's attorney fees incurred in connection with the preparation of this Agreement, the TIF Ordinance and any other agreement or documents contemplated hereby or giving rise to this Agreement. The City shall invoice the Developer for the same through one or more invoices, and the Developer shall pay the same within thirty (30) days of receipt of said invoice(s).

[Balance of Page Left Intentionally Blank. Signature Page(s) to Follow]

As evidence of their intent to be bound by this Agreement, the authorized representatives of each of the City and the Developer have executed this Agreement for and on behalf of the City and the Developer as of the date first set forth above.

CITY OF CLEVELAND HEIGHTS,
CUYAHOGA COUNTY, OHIO,
as City

By: _____

Name: _____

Title: _____

Approved as to legal form.

William R. Hanna, Law Director

Dated: _____

RP DERBYSHIRE LLC
as Developer

By: _____

Name: _____

Title: _____

List of Exhibits

Exhibit A – Legal Description of the Property

Exhibit B – Drawings Depicting Development

Exhibit C – TIF Ordinance

Exhibit D – Certified Statement

EXHIBIT A

Legal Description of the Property

Situated on the City of Cleveland Heights, County of Cuyahoga, and State of Ohio, and being known as Sub Lots Nos. 500, 501, 502, 503, and 504, in a Subdivision of part of Original One Hundred Acre Lots nos. 405 and 406, and in compliance with the Decree of the Court of Common Pleas recorded in Journal Volume 194, Page 427 of Cuyahoga County records, and together forming a parcel of land bounded and described as follows:

Beginning on the Easterly line of Surrey Road, at the Southwesterly corner of said Sub Lot No. 504; thence Northerly along the Easterly line of Surrey Road, 294.82 feet to the Southerly end of the curved turnout between said Easterly line and the Southwesterly line of Derbyshire Road; thence Easterly along said curved turnout, 12.54 feet to the Southwesterly line of Derbyshire Road; thence Southeasterly along the Southwesterly line of Derbyshire Road, 270.15 feet to the Northeasterly corner of said Sub Lot 500; thence Southerly along the Easterly line of said Sub Lot No. 500, 185.80 feet to the Southeasterly corner thereof; thence Westerly along the Southerly line of said Sub Lots Nos. 500 and 504, 211.62 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Property Address: 2450 Derbyshire Road, Cleveland Heights OH 44106
Permanent Parcel No. 685-16-040

EXHIBIT B

Drawings Depicting Development

See attached.

EXHIBIT C
TIF Ordinance

See attached.

EXHIBIT D

Certified Statement

RP Derbyshire LLC (the “Developer”) hereby certifies that the Development, as such term is defined in the Development and Tax Increment Financing Agreement (“Development Agreement”) entered into by and between the Developer and the City of Cleveland Heights, Ohio dated as of _____, 2026 has been completed at 2450 Derbyshire Road, Cleveland Heights, Ohio 44106 (the “Property”) in compliance with terms of the Development Agreement.

Note: Capitalized terms used but not defined in this Certified Statement have the meaning assigned to them in the Development Agreement to which this Certified Statement is attached and of which it forms a part.

THE DEVELOPER HEREBY CERTIFIES:

1. As of _____, the Developer has completed the Development in accordance with the terms of the Development Agreement. Such date is hereby established as the completion date for the Development under the Development Agreement.
2. The Development has been completed in all material respects in accordance with Exhibit C to the Development Agreement.
3. The Developer has complied, and will continue to comply with, all applicable statutes, regulations and ordinances in connection with the Property and construction of the Development.
4. The Developer holds fee ownership in the Property on which the Development was completed.
5. Attached hereto as Schedule 1 is an itemization of the Costs of the Development, which are supported by the further documentation and evidence provided with this Certificate.

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NOTICE: DO NOT SIGN THIS COMPLETION CERTIFICATE UNLESS YOU AGREE TO EACH OF THE ABOVE STATEMENTS.

RP DERBYSHIRE LLC

By: _____

Name: _____

Title: _____

Proposed: 08.17.2026

RESOLUTION NO. 158-2026(COTW), *First Reading*

By All City Councilmembers and Mayor Petras

A Resolution joining communities throughout the nation in proclaiming September 2026, *Prostate Cancer Awareness Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, prostate cancer is the most commonly diagnosed form of cancer and the second leading cause of cancer-related deaths among men; and

WHEREAS, in 2026, approximately 333,830 men will be diagnosed with prostate cancer in the United States and roughly 36,320 men will die this year from the disease; and

WHEREAS, 1-in-8 men will be diagnosed with prostate cancer during their lifetime; and

WHEREAS, African American men are at the highest risk for the disease with a rate of 1-in-6 men and are more than twice as likely to die from prostate cancer; and

WHEREAS, prostate cancer can be a serious disease, but most men diagnosed with prostate cancer do not die from it; and

WHEREAS, more than 3.5 million men in the United States who have been diagnosed with prostate cancer at some time are still alive today; and

WHEREAS, early detection offers the best hope for living cancer free for a long time; if caught early, prostate cancer has a five-year survival rate of nearly 100%; and

WHEREAS, all men are at risk for prostate cancer; and

WHEREAS, this Council encourages all the residents of Cleveland Heights to help increase awareness of the importance of prostate screenings.

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

SECTION 1. This Council hereby proclaims September 2026 *Prostate Cancer Awareness Month* and urges the community to join in activities to increase the awareness and prevention of prostate cancer.

SECTION 2. It is found and determined that all formal actions and deliberations

RESOLUTION NO. 158-2026(COTW)

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.

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 pass this Resolution on a timely basis. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force and after the earliest time allowed by law.

TONY CUDA
President of Council

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor

Proposed: 08.17.2026

RESOLUTION NO. 159-2026(COTW), *First Reading*

By All City Councilmembers and Mayor Petras

A Resolution recognizing September 2026 as *Suicide Prevention Month*; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

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

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

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

WHEREAS, Suicide is the second leading cause of death among people aged 10-14, the third leading cause of death among those aged 15-24, and the twelfth leading cause of death overall in the U.S.; and

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

WHEREAS, emergency resources may be available to individuals experiencing a mental health crisis through the Suicide & Crisis Lifeline by calling or texting **988** immediately, or for individuals uncomfortable talking on the phone, chatting the Suicide & Crisis Lifeline at **988lifeline.org**; and

WHEREAS, this Council encourages all residents of Cleveland Heights to know the risk factors of suicide, which may include 1) a family history of suicide, 2) substance use (drugs can create mental highs and lows that worsen suicidal thoughts) 3) intoxication (analysis from the CDC indicates around 1-in-5 people who die by suicide had alcohol in their system at the time of death), 4) access to firearms, 5) a serious or chronic medical illness, 6) a history of trauma or abuse, 7) prolonged stress, and 8) a recent tragedy or loss; and

WHEREAS, this Council encourages all residents of Cleveland Heights to know the warning signs including 1) increased alcohol and drug use, 2) aggressive behavior,

RESOLUTION NO. 159-2026(COTW)

3) withdrawal from friends, family, and community, 4) dramatic mood swings, 5) impulsive or reckless behavior; and

WHEREAS, this Council recommends all residents learn how to approach a suicide related crisis by 1) talking openly and honestly; don't be afraid to ask questions, like "Do you have a plan for how you would kill yourself?", 2) remove means such as guns, knives, or stockpiled pills, 3) calmly ask simple and direct questions, like "Can I help you call your psychiatrist?", 4) if there are multiple people around, have one person speak at a time, 5) express support and concern, 6) don't argue, threaten, or raise your voice, 7) don't debate whether suicide is right or wrong, 8) if you're nervous, try not to fidget or pace, 9) be patient.

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

SECTION 1. This Council hereby proclaims September 2026 *Suicide Prevention Month* and urges the community to participate in raising awareness and to discuss this highly stigmatized topic with the goal of spreading vital information and hope to individuals, friends, and families that are impacted by suicide.

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

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

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

TONY CUDA
President of Council

RESOLUTION NO. 159-2026(COTW)

ADDIE BALESTER
Clerk of Council

Passed by Council:
Presented to the Mayor:
Approved by Mayor:

JIM PETRAS
Mayor