



August 5, 2024  
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) **Approval of minutes from previous meeting(s)**
  - a. May 23, 2024
  - b. June 3, 2024
  - c. June 17, 2024
  - d. June 24, 2024
  - e. July 2, 2024
- 5) **Communications from the Mayor**
  - a. Request authorization to advertise and competitively bid for a contract to resurface the Dennison Park pickleball courts.  
  
Move to Authorize
- 6) **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).
- 7) **New Business**
  - a. Reconsideration of **ORDINANCE NO. 102-2024(AS)**: An Ordinance amending Section 140.02, "Members," of Chapter 140, "Cleveland Heights Climate and Environmental Sustainability Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this

legislation become immediately effective as an emergency measure. *(Adopted by Council June 24, 2024; Vetoed by Mayor Seren July 4, 2024).*

Introduced by Councilmember Larson  
Move to Reconsider

- b. Reconsideration of **ORDINANCE NO. 103-2024(AS)**: An Ordinance amending Section 150.02, "Members," of Chapter 150, "Transportation and Mobility Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure. *(Adopted by Council June 24, 2024; Vetoed by Mayor Seren July 4, 2024).*

Introduced by Councilmember Larson  
Move to Reconsider

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

**9) City Administrator's Report**

**10) Departmental Report(s)**

**11) Report of the Clerk of Council**

- a. Notify Council that an application has been received from the Ohio Division of Liquor for the transfer of a D1/D2/D3 liquor permit from Pacific East Mayfield Inc dba Pacific East Japanese Restaurant, located at 1761-63 Coventry Rd. to MJ Joy Restaurant Group LLC dba Pacific East Japanese Restaurant, located at the same address.
- b. Notify Council that an application has been received from the Ohio Division of Liquor Control for a new C1/C2 liquor permit for Qadesh Mini Mart LLC located at 2213 N. Taylor Rd.
- c. Notify Council that all Class C and D retail permits to sell alcoholic beverages in the City of Cleveland Heights will expire on **October 1, 2024**. Every permit holder must file a timely online renewal application with the Division of Liquor Control to maintain privileges. Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a liquor permit premises and request a hearing. The legislative authority must pass a resolution that specifies the problems at the liquor permit premises and the legal grounds for the objection. The Chief Legal Officer must also submit a statement with the resolution that, in their opinion, the objection is based on substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.29(A); both must be postmarked no later than September 3, 2024.

**12) Public Comment - General**

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

**13) LEGISLATION**

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

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

**RESOLUTION NO. 121-2024(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Old Dominion Brush Company (“ODB”) for the acquisition of a leaf vac for the Streets Division of the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 122-2024(MSES): First Reading.** A Resolution authorizing an agreement with Lavery Automotive Sales & Service, LLC for the purchase of two (2) Chevy Bolt EV’s; waiving competitive bidding; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 123-2024(PD): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Parkland Contracting LLC, to install the Compton Road Neighborhood Traffic Circles through the use of ARPA Funds; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 124-2024(PD): First Reading.** A Resolution declaring the necessity of implementing a public services plan for the Cedar-Lee

Special Improvement District, Inc.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**ORDINANCE NO. 125-2024(PD): First Reading.** An Ordinance to accept the fact-finding recommendations in the matter of the City of Cleveland Heights and the Cleveland Heights Fire Fighters Association, Local No. 402/International Association of Fire Fighters, AFL-CIO (“Union”), SERB Case No. 2024-MED-01-0022; granting final approval of the compensation rates and benefits proposed by the tentative labor agreement with the Union for the period commencing April 1, 2024 through March 31, 2027; giving the Mayor authority to sign said agreement; amending Section 3 of Ordinance No. 38-2023, “Wage and Salary Ordinance,” to incorporate the labor agreement, and declaring an emergency.

Introduced by Mayor Seren  
Move for Adoption

**ORDINANCE NO. 137-2024(AS): First Reading.** An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by  
Move for Adoption

**ORDINANCE NO. 138-2024(F): First Reading.** An Ordinance accepting and ratifying the material terms of the Kroger Co. Settlement according to the OneOhio Memorandum of Understanding consistent with the terms of the July 21, 2021, National Opioid Settlement Agreement; and declaring an emergency.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 139-2024(PD): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with The Heart Design Group, LLC (“HDG”) for field verification, schematic design, construction documentation, permitting, bidding assistance, construction contract administration, and related services for the public improvement of renovating the Cain Park administration and dressing room buildings; providing compensation therefor; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 140-2024(): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with TEMA Roofing Services, LLC (“TEMA”) for design and construction services for the public improvement of replacing the roof of the Cain Park Amphitheater; providing compensation therefor; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**b. First Readings Only**

**ORDINANCE NO. 127-2024(F): First Reading.** An Ordinance establishing salary schedules, position classifications and other compensation, and benefits for officers and employees of the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**RESOLUTION NO. 128-2024(MSES): First Reading.** A Resolution authorizing the Mayor to submit, accept, and enter into any agreements with the United States Department of Transportation for a grant under the Safe Streets and Roadways for All (“SS4A”) Planning and Demonstration Grant Program to fund a Cleveland Heights Comprehensive & Equitable Safety Demonstration project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**RESOLUTION NO. 129-2024(MSES): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with GPD Group for utility engineering services associated with the replacement and rehabilitation of water lines on Altamont Road; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**ORDINANCE NO. 130-2024(AS): First Reading.** An Ordinance amending Chapter 525, “Law Enforcement and Public Office” of Part Five, *General Offenses Code*, of the Codified Ordinances of the City of Cleveland Heights, by adding a new Section 525.11 “Conflicts of Interest” and a new Section 525.12 “Secondary Employment and Business Activity” and renumbering subsequent sections of Chapter 525.

Introduced by Mayor Seren

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

Introduced by Mayor Seren

**RESOLUTION NO. 132-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Drew Herzig as a member of the Arts Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**RESOLUTION NO. 133-2024(AS):** A Resolution confirming the Mayor's appointment of Deidre McPherson as a member of the Arts Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**RESOLUTION NO. 134-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Nathan Motta as a member of the Arts Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**RESOLUTION NO. 135-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Fern Haught 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 Mayor Seren

**RESOLUTION NO. 136-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Gayle Lewin 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 Mayor Seren

c. **Second Readings**

**RESOLUTION NO. 110-2024(AS): Second Reading.** A Resolution confirming the Mayor's appointment of Sam Bell 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 Mayor Seren  
Move for Adoption

**RESOLUTION NO. 111-2024(AS): Second Reading.** A Resolution confirming the Mayor's appointment of Carly Beck as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 112-2024(AS): Second Reading.** A Resolution confirming the Mayor's appointment of Mohammad Irfan as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**RESOLUTION NO. 113-2024(AS): Second Reading.** A Resolution confirming the Mayor's appointment of Sean Terry as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren  
Move for Adoption

**14) Committee Reports**

**15) Old Business**

**16) Council Member Comments**

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

**17) Council President's Report**

**18) Adjournment**

**NEXT MEETING OF COUNCIL: AUGUST 19, 2024**



May 23, 2024  
Special Meeting  
6:30 PM

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

### MEETING MINUTES

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

Start: 6:34pm

#### 2) Roll Call of Council Members

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

**Excused:** Davida Russell

**Absent:** None

#### 3) Excuse absent members

Davida Russell excused

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

#### 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.*

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

**ORDINANCE NO. 091-2024(F): First Reading.** An Ordinance amending Section 1 of Ordinance No. 038-2023, "Wage and Salary Ordinance," to adjust the pay scales and modify job titles of certain seasonal positions within the Department of Parks and Recreation; and declaring the necessity that this

1 legislation become immediately effective as an emergency measure.

2  
3 Introduced by Mayor Seren

4 **Motion to adopt:** Gail Larson

5 **Seconded:** Anthony Mattox Jr.

6  
7 **Discussion:** Director Ledbetter explained the need to bring our Lifeguards pay  
8 up to current standards within the area. Councilmember Larson asked if they  
9 were related to the salary survey results; Director Ledbetter said no, he looked  
10 into what other cities were paying and set these rates based on those  
11 comparable. Councilmember Cobb asked if this would fall within the current  
12 budget, or whether a budget adjustment would be needed; Director Ledbetter  
13 said these would fall within the budget and Acting Finance Director Schuster  
14 agreed. Councilmember Posch supports this, but must recuse himself because  
15 his wife is one of the deep-water aerobics instructors which is listed as one of  
16 the jobs listed in the legislation. Director Hanna mentioned that in addition to  
17 the changes of recategorizing certain functions from 1099 vendors to seasonal  
18 employees, there are some other compensation adjustments within the Cain  
19 park bracket.

20  
21 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras

22 **No:** None

23 **Recused:** Jim Posch

24 **LEGISLATION PASSED**

25 **RESOLUTION NO. 092-2024(MSES): First Reading.** A Resolution  
26 authorizing an agreement with Ron Marhofer Chevrolet, Inc. for the purchase  
27 of four (4) used 2023 Chevrolet Bolt EVs for the Department of Planning and  
28 Development; waiving competitive bidding; and declaring the necessity that  
29 this legislation become immediately effective as an emergency measure.

30  
31 Introduced by Mayor Seren

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

33 **Seconded:** Craig Cobb

34  
35 **Discussion:** Councilmember Larson asked if the \$175k budget item under the  
36 capital departmental requests from the Planning department and wants to  
37 confirm that that budget item is what this legislation is referring to; this was  
38 confirmed by Acting Director Schuster. President Cuda said his understanding  
39 as there was a previous plan to purchase these vehicles and asked to be  
40 reminded of that plan; the Mayor explained that the model was discontinued  
41 but then reintroduced. Since this was a car we had experience with and liked  
42 previously, and they were able to source this again, they chose to purchase  
43 them; the time frame of when these cars are available can be troublesome so  
44 when they become available they want to jump on them. In total the  
45 department is hoping to get more than these four, but since these are currently

1 available they wanted to go ahead and get these purchased. Councilman  
2 Mattox commended the staff for finding these vehicles.

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

6 **No:** None  
7

**LEGISLATION PASSED**

8 **RESOLUTION NO. 093-2024(MSES): First Reading.** A Resolution  
9 authorizing an agreement with Lavery Automotive Sales & Service, LLC for  
10 the purchase of two (2) used 2023 Chevrolet Bolt EVs for the Department of  
11 Planning and Development; waiving competitive bidding; and declaring the  
12 necessity that this legislation become immediately effective as an emergency  
13 measure.  
14

15 Introduced by Mayor Seren

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

17 **Seconded:** Gail Larson  
18

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

21 **No:** None  
22

**LEGISLATION PASSED**

23 **6) Adjournment**  
24

25 End: 6:42 p.m.  
26

27 **NEXT MEETING OF COUNCIL: JUNE 3, 2024**



June 3, 2024  
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: 7:41 p.m.

**2) Roll Call of Council Members**

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

**Excused:** None

**Absent:** None

**3) Excuse absent members**

None

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

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

a. May 6, 2024

**APPROVED**

**6) Communications from the Mayor**

Wished everybody a happy Pride Month to everybody, but especially to the  
LGBTQA+ community here in Cleveland Heights. Pride in the Park will be June  
29th.

The City's Juneteenth celebration will be held on June 15 at Forest Hill Park; City  
Hall will be closed on June 19th.

**7) City Administrator's Report**

Nothing to report

**8) Departmental Report(s)**

Todd Walburn - Mayor's Action Coordinator - introduced himself and gave an update on AccessClevelandHeights App and the work he has been doing in his first few months on the job.

**9) Report of the Clerk of Council**

Nothing to report

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

(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**

|                     |         |                                                                                                                      |
|---------------------|---------|----------------------------------------------------------------------------------------------------------------------|
| <b>Susan Eisler</b> | Citizen | Not in favor of the proposed DORA in the Cedar-Lee District                                                          |
| <b>Brent Ryan</b>   | Citizen | Is in favor of ORD 087-2024 regarding the expansion of adult use medical marijuana licenses to recreational licenses |

**11) 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**

|                        |         |                                                                                                                                                                   |
|------------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Maurice Rhoades</b> | Citizen | Spoke about the lack of wheel chair ramps and fair housing, safety code, fire codes, etc. being violations at 25 Severance Cir. Apartments which are CMHA housing |
| <b>Guy Thellian</b>    | Citizen | Spoke about his experience on the 2023/2024 Charter Review Commission                                                                                             |
| <b>Fern Haught</b>     | Citizen | Spoke in favor of the Coventry Peace Campus                                                                                                                       |

|                         |         |                                                                                                                                                                              |
|-------------------------|---------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                         |         | non-profits                                                                                                                                                                  |
| <b>Lee Chilcote</b>     | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Deidre McPherson</b> | Citizen | Spoke in favor of the Coventry Peace Campus and the non-profits and to serve as an advocate and advisor to facilitate dialogue between the non-profits and the library board |
| <b>Robin Van Lear</b>   | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Rachel Bernstein</b> | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Krista Hawthorne</b> | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Jacqui Brown</b>     | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Neal Martin</b>      | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Donna Marchetti</b>  | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Brady Dindia</b>     | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Cynthia Larsen</b>   | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Judith Ryder</b>     | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                                                                                      |
| <b>Barbara French</b>   | Citizen | Spoke in favor of the Coventry Peace Campus                                                                                                                                  |

|                         |         |                                                                                                                    |
|-------------------------|---------|--------------------------------------------------------------------------------------------------------------------|
|                         |         | non-profits                                                                                                        |
| <b>Vikas Turakhia</b>   | Citizen | Spoke on behalf of the Cleveland Heights University Heights Library board of trustees                              |
| <b>Annette Iwamoto</b>  | Citizen | Spoke on behalf of the Cleveland Heights University Heights Library board of trustees                              |
| <b>Deborah Herrmann</b> | Citizen | Spoke on behalf of the Cleveland Heights University Heights Library board as the financial officer for the library |
| <b>Jennifer Wintner</b> | Citizen | Spoke in favor of the Coventry Peace Campus non-profits                                                            |

## 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. 094-2024(AS): First Reading.** A Resolution appointing Kemp Jaycox 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 Councilmember Cobb

**Motion to adopt:** Gail Larson

**Seconded:** Jim Petras

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 095-2024(COTW): *First Reading.*** A Resolution expressing appreciation to the Charter Review Commission for their hard work, accepting their final report of recommendations, and concluding their commission; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda

**Motion to adopt:** Davida Russell

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**b. *First Readings Only***

**RESOLUTION NO. 096-2024(F): *First Reading.*** A Resolution approving the adoption of the 2025 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**c. *Second Readings***

**RESOLUTION NO. 086-2024(COTW), *Second Reading.*** A Resolution establishing July 2024 as a month of recess for City Council and canceling the July 1, 2024, and July 15, 2024, regular council meetings of the City Council of the City of Cleveland Heights, Ohio; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by President Cuda and Vice President Russell

**Motion to adopt:** Davida Russell

**Seconded:** Gail Larson

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

**No:** Anthony Mattox Jr.

**LEGISLATION PASSED**

**ORDINANCE NO. 087-2024(PD): *Second Reading.*** An Ordinance amending Chapter 711, "Medical Marijuana," of the Codified Ordinances of the City of Cleveland Heights, Ohio to provide for the licensing of adult-use marijuana businesses within the City in addition to medical marijuana businesses.

Introduced by Mayor Seren

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

**Seconded:** Gail Larson

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 090-2024(AS): Second Reading.** An Ordinance amending Section 111.10 of Chapter 111 of Title Three of the Administrative Code of the Codified Ordinances of the City of Cleveland Heights.

Introduced by Councilmember Petras

**Motion to adopt:** Gail Larson

**Seconded:** Davida Russell

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

**No:** None

**LEGISLATION PASSED**

**d. Third Readings**

**ORDINANCE NO. 077-2024(CRR): Third Reading.** An Ordinance approving the application filed by the Mayor and authorizing the establishment of a Designated Outdoor Refreshment Area ("DORA").

Introduced by Councilmember Mattox

**NO VOTE TAKEN**

**RESOLUTION NO. 082-2024(COTW): Third Reading.** A Resolution establishing supplemental processes and procedures for City Council development of legislation.

Introduced by President Cuda

**Motion to adopt:** Jim Petras

**Seconded:** Davida Russell

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

**No:** None

**LEGISLATION PASSED**

1     **13) Committee Reports**

2     **HB:** The committee will meet on the second Tuesday of this month, but will be  
3     starting at 4:30 pm instead of 5 pm.

4  
5     **MSES:** Council will be voting next week to amend the legislation regarding  
6     appointments to Chapters 140 and 150.

7  
8     **F:** Meetings to discuss the upcoming budget process will be scheduled soon.

9  
10    **PD:** A second public hearing for the dog park will be scheduled for some time  
11    during the week of August 5. There will also be a committee meeting for training.

12  
13    **CRR:** Pool season has started successfully this year, and thanked the city staff  
14    for their work on making that happen.

15  
16    **14) Old Business**

17    None

18    **15) New Business**

19    None

20    **16) Council Member Comments**

21    **(Note:** Council comments should directly relate to the business of the City of  
22    Cleveland Heights, rather than personal reflection or commentary. A maximum  
23    3-minute time limit applies, but the Council President may reduce time limit based  
24    on the volume of business on the agenda, the time of evening, or other similar  
25    factors.)

26    **Larson:** Spoke about the grand opening of the new Noble Rd Library Branch and  
27    thanked Heights Libraries for making it happen.

28  
29    **Petras:** Raised concerns about the distribution of ARPA funds, specifically with  
30    the consultant group, Guidehouse. He will oppose any extension of that contract  
31    unless Guidehouse can demonstrate an ability to set and meet timelines.

32  
33    **Posch:** Is also concerned about the progress of ARPA funds and the  
34    Guidehouse consultants; he would like Council Leadership and the Mayor to  
35    meet to discuss the problem that is so critical right now.

36  
37    **Russell:** June 29 at 10am at the new Noble Library there will be another  
38    tenant/landlord series with Judge Costello and lawyers from legal-aid.

39    **17) Council President's Report**

40    The Noble Library grand opening event was a great event and there is something  
41    for every age group.

1     **18)   Adjournment**

2             End: 9:45 p.m

3

4     **NEXT MEETING OF COUNCIL: JUNE 17, 2024**

DRAFT



June 17, 2024  
Regular Meeting  
7:30 PM

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

### MEETING MINUTES

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

Start: 8:09 p.m.

**2) Roll Call of Council Members**

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

**Excused:** Davida Russell

**Absent:** None

**3) Excuse absent members**

Davida Russell Excused

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

**Motion to amend the agenda to add RESOLUTIONS 110-2024, 111-2024, 112-2024, and 113-2024 to First Readings Only:** Anthony Mattox Jr.

**Seconded:** Craig Cobb

**Yes:** Craig Cobb, Anthony Mattox Jr., Jim Posch

**No:** Tony Cuda, Gail Larson, Jim Petras

### MOTION FAILED

**Motion to amend the agenda to add RESOLUTION 108-2024 and 109-2024 to First Readings Only:** Jim Petras

**Seconded:**

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

**No:** None

### MOTION PASSED

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

None

**6) Communications from the Mayor**

- Notified Council that sealed bids were received on June 14<sup>th</sup>, for project #24-03 – Surrey Garage Rehabilitation Project. Three companies submitted bids for this project. GPD has reviewed the Bids and determined JADCO has submitted a good bid. Therefore, we find that JADCO Construction is the lowest and best responsible bid at \$408,900.00
- Requested Council's permission to bid the following projects:
  - 24-05 – Yellowstone Road Sewer and Water Rehabilitation Project
  - 24-06 – SSO Control of CH-36 and CH-37 (North Park Blvd)
  - 24-07 – SSO Control of CH-13 and CH-61 (Hampshire Rd)

**Motion to adopt:** Craig Cobb

**Seconded:** Gail Larson

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

**No:** None

**MOTION PASSED**

- Thanked everybody who attended the City's Juneteenth Celebration.
- He addressed the motion that did not pass to add his legislation to the agenda for appointments to the Climate and Environmental Sustainability Committee and the Transportation and Mobility Committee. He was disappointed because he hoped to collaborate with the Council on this matter.
- Wished his son a happy 25th birthday.

**7) City Administrator's Report**

- Administrator Williams gave an update and presentation to Council; the full mid- year report was sent to Council. He highlighted certain parts of his report during his presentation and summarized the key achievements of the Planning and Development Department, the Information Technology Department, the Parks and Recreation Department, the Finance Department, the Public Safety Department, the Public Works Department, and the Communications and Public Engagement Department.

**8) Departmental Report(s)**

- Assistant Director Brian Anderson spoke about a couple of pieces of legislation on the agenda tonight that involve the former Dave's Market

1 grocery store and the adjacent parking lot.

2 **9) Report of the Clerk of Council**

- 3 • Notify Council that an application has been received from the Ohio Division  
4 of Liquor Control for a new D1/D2/D3 permit from the City of Cleveland  
5 Heights DBA Cain Park. This matter has been referred to the Mayor and  
6 Chief of Police.

7  
8 **10) Public Comment - Legislative Agenda Items only**

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

12 **Speakers**

|                          |                |                                                                                      |
|--------------------------|----------------|--------------------------------------------------------------------------------------|
| <b>Richard Bozic</b>     | <b>Citizen</b> | Spoke against the proposed project on Edgehill Rd.                                   |
| <b>Melody Joy Hart</b>   | <b>Citizen</b> | Spoke in favor of the Cedar-Lee DORA                                                 |
| <b>Sal Russo</b>         | <b>Other</b>   | Spoke in favor of Grocery Outlet                                                     |
| <b>Lee Chilcote</b>      | <b>Citizen</b> | Spoke in favor of Grocery Outlet                                                     |
| <b>Lou Radivoyevitch</b> | <b>Citizen</b> | Spoke in favor of the Cedar-Lee DORA                                                 |
| <b>Herb Brosnan</b>      | <b>Citizen</b> | Not in favor of Grocery Outlet and subsidizing of Grandview grocery store in general |
| <b>Wendy Rosett</b>      | <b>Citizen</b> | Not in favor of Grocery Outlet and subsidizing of Grandview grocery store in general |

13  
14 **11) Public Comment - General**

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

18 **Speakers**

|                     |                |                                                                   |
|---------------------|----------------|-------------------------------------------------------------------|
| <b>Angel Fasolo</b> | <b>Citizen</b> | Spoke about the federal lawsuits against the CHUH School District |
|---------------------|----------------|-------------------------------------------------------------------|

|                        |                |                                                                                                                                                                                               |
|------------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Zak Burkons</b>     | <b>Citizen</b> | Spoke about the Lead Safe Program and about how contractors like himself have not been paid                                                                                                   |
| <b>Danialle Benham</b> | <b>Citizen</b> | Spoke about the lack of return calls from City Hall about her landlord not fixing the property she lives in and the many police calls and US Marshalls service coming to her neighbor's house |
| <b>Amber Gibbs</b>     | <b>Other</b>   | Introduced the Cuyahoga County Board of Developmental Disabilities and how they can support residents of Cleveland Heights                                                                    |

## 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. 097-2024(F): First Reading.** An Ordinance to amend certain subparagraphs of Ordinance No. 198-2023, relating to appropriations and other expenditures of the City of Cleveland Heights, Ohio for the fiscal year ending December 31, 2024, repeal the prior version of Ordinance No. 198-2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Motion to adopt:** Gail Larson

**Seconded:** Jim Petras

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

No: None

**LEGISLATION PASSED**

**RESOLUTION NO. 098-2024(CRR): First Reading.** A Resolution proclaiming July 2024 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 Seren

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

**Seconded:** Gail Larson

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

**No:** None

**LEGISLATION PASSED**

**b. First Readings Only**

**ORDINANCE NO. 100-2024(PD): First Reading.** An Ordinance authorizing the Mayor to execute an agreement for the sale of certain City-owned real property located on Edgehill Road, Permanent Parcel No.685-03-001; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**ORDINANCE NO. 101-2024(PD): First Reading.** An Ordinance authorizing the Mayor to execute an agreement with Cedar-Grandview Company for a commercial development loan in the sum of Three Hundred Forty Thousand Dollars (\$340,000.00), to be secured by a mortgage on real property located at 12426-12438 Cedar Road, Permanent Parcel No. 685-26-004; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**ORDINANCE NO. 107-2024(PD): First Reading.** An Ordinance authorizing the Mayor to execute an agreement for the purchase of certain real property located at 2172 Grandview Avenue, Permanent Parcel No. 685-26-083 and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**ORDINANCE NO. 102-2024(AS): First Reading.** An Ordinance amending Section 140.02, "Members," of Chapter 140, "Cleveland Heights Climate and Environmental Sustainability Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Larson

**READ INTO THE RECORD**

**ORDINANCE NO. 103-2024(AS): First Reading.** An Ordinance amending Section 150.02, "Members," of Chapter 150, "Transportation and Mobility Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Larson

**READ INTO THE RECORD**

**RESOLUTION NO. 104-2024(PD): 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 Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 105-2024(PD): 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 Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 106-2024(COTW): First Reading.** A Resolution allocating Seven Thousand Five Hundred Dollars (\$7,500.00) to Future Heights by City Council to serve as a co-sponsor of the 2024 Heights Music Hop; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

**READ INTO THE RECORD**

**RESOLUTION NO. 108-2024(PD): First Reading.** A Resolution authorizing the Mayor to enter into an agreement with Protect-A-Cote, Inc, to make the public improvement of the Compton Road Pocket Park Pathway through the use of ARPA Funds; and declaring the necessity that this legislation be effective immediately as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 109-2024(COTW): First Reading.** A Resolution authorizing the Mayor to enter into agreements with various nonprofit entities for the purpose of awarding ARPA Funds in accordance with Ordinance No. 179-2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**c. Second Readings**

**RESOLUTION NO. 096-2024(F): Second Reading.** A Resolution approving the adoption of the 2025 Tax Budget; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Motion to adopt:** Gail Larson

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**d. Fourth Reading**

**ORDINANCE NO. 077-2024(CRR): Fourth Reading As Amended.** An Ordinance approving the application filed by the Mayor and authorizing the establishment of a Designated Outdoor Refreshment Area ("DORA").

Introduced by Councilmember Mattox

**NO VOTE TAKEN**

**13) Committee Reports**

- **HB:** Update from the last Housing and Building Committee Meeting;

the next meeting will be Tuesday, June 25<sup>th</sup> at 5pm.

- **F:** The Finance Committee will meet August 15<sup>th</sup> at 5:30pm.
- **MSES:** The MSES Committee will meet August 19<sup>th</sup> at 10am.
- **PSH:** The PSH Committee will be meeting on June 25<sup>th</sup> at 4pm.

**14) Old Business**

- None

**15) New Business**

- Councilman Petras spoke about the DORA and the safety plan.

**16) Council Member Comments**

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

- **Mattox:** Welcomed our community members that are watching the live-stream from our new Facebook group. Addressed the motion that failed at the beginning of this meeting, the dangerous precedent that set and the lack of transparency. Council voted tonight to not even let you see or hear the Mayor's selections for these committees and denied even a discussion of them. Council leadership has made a decision that since we may revoke his power in the future, we will deny any movement on his request tonight. How dangerous of a precedent does it set that we are not going to follow existing law because we may decide – or apparently already decided –to take away his appointment power.
- **Petras:** Responded to Councilmember Mattox's comments and the Mayor's appointment authority. Yes, we discussed reassigning some of the appointments to Council for two of the Committees but the reality is there are a lot of different bodies that are affected. The mayor opposed having any council appointments on the CIC and Arts Commission. He has tried asking the Mayor several times about appointments and also about getting an update on the CIC at his Housing Committee Meeting, that request was denied. He also expressed his frustration with Guidehouse, the consultants working with the City on ARPA; non-profits have been telling him that there is a lack of communication, which he says he has experienced as well.
- **Larson:** Responded to Councilmember Mattox stating she relies on

1 leadership when they meet with the mayor to bring up topics. These  
2 amendments were written out of a deep commitment of wanting to see  
3 these committees fully staffed.

4 **17) Council President's Report**

- 5 • He addressed the issue brought up tonight on staffing of resident  
6 committees and the history of frustration from committee members for the  
7 lack of collaboration with the City administration. As a new form of  
8 government, we are trying to figure out our way. Frustration is an absolute  
9 understatement. He has said before that Council should staff committees;  
10 this is what we [Council] do very very well. He stands by that statement  
11 now.

12 **18) Adjournment**

13 End: 9:47 p.m.

14  
15 **NEXT REGULAR MEETING OF COUNCIL: AUGUST 5, 2024**



June 24, 2024  
Special Meeting  
7:00 PM

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

### MEETING MINUTES

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

Start: 7:22 p.m.

**2) Roll Call of Council Members**

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

**Excused:** Davida Russell

**Absent:** None

**3) Excuse absent members**

- Vice President Russell excused

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

- None

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

(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**

|                      |         |                                                                   |
|----------------------|---------|-------------------------------------------------------------------|
| <b>Karin Lash</b>    | Citizen | Not in favor of the Russo's deal and Grocery Outlet               |
| <b>Destiny Burns</b> | Citizen | In favor of the DORA in the Cedar-Lee district                    |
| <b>Jack Valancy</b>  | Citizen | In favor of the Russo's deal and Grocery Outlet                   |
| <b>Drew Herzig</b>   | Citizen | Not in favor of Council taking away Mayoral picks on CESC and TAM |
| <b>Brooks Jones</b>  | Citizen | In favor of the Russo's                                           |

|                        |         |                                                                                                                        |
|------------------------|---------|------------------------------------------------------------------------------------------------------------------------|
|                        |         | deal and Grocery Outlet                                                                                                |
| <b>Kari Moore</b>      | Citizen | Not in favor of the Russo's deal and Grocery Outlet                                                                    |
| <b>Paul Schambs</b>    | Citizen | Not in favor of the Russo's deal and Grocery Outlet                                                                    |
| <b>Adam Fleischer</b>  | Citizen | In favor of the DORA in the Cedar-Lee district                                                                         |
| <b>Sal Russo</b>       | Citizen | In favor of the Russo's deal and Grocery Outlet (read a statement on behalf of Bridget Thibeault owner of Luna Bakery) |
| <b>Lee Chilcote</b>    | Citizen | In favor of the Russo's deal and Grocery Outlet                                                                        |
| <b>Melody Joy Hart</b> | Citizen | In favor of the DORA in the Cedar-Lee district                                                                         |
| <b>Jacob Orosz</b>     | Citizen | In favor of the Russo's deal and Grocery Outlet, and the DORA in the Cedar-Lee district                                |

## 6) 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. 114-2024(MSES): First Reading.** A Resolution authorizing an agreement with Motorola Solutions, for the purchase of nineteen (19) Dash Cam Video Systems for the Police Department; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

**Seconded:** Gail Larson

**Discussion:** Mattox thanked the police department and administration for making this happen.

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

**No:** None

### **LEGISLATION PASSED**

**ORDINANCE NO. 115-2024(F): First Reading.** An Ordinance authorizing the inclusion of City-owned parcels 687-06-160 and 687-08-001 in the Cedar Lee Special Improvement District; and further authorizing the Mayor to execute a Memorandum of Understanding with the Cedar Lee Special Improvement District ("Cedar Lee SID") and F & C Development, Inc. or the appropriate affiliated entity with respect to assessments to be paid to the Cedar Lee SID on the aforementioned parcels; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

**Seconded:** Gail Larson

**Discussion:**

- Larson said the memo received from Brian Anderson and Laure Wagner states that F & C will be paying those assessment fees.
- Cobb spoke about how vital these Special Improvement Districts are for healthy business districts, and gave a special thanks to Melody Joy Hart who helped get all the signatures collected for the Cedar-Lee SID
- Mattox seconded the thanks for their former colleague.
- Cuda also thanked Melody Joy Hart for her work with the SID as these healthy business districts bring people into the city.

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

**No:** None

### **LEGISLATION PASSED**

**RESOLUTION NO. 116-2024(F): First Reading.** A Resolution approving a petition for the adoption of a public services and improvements plan for the Cedar Lee Special Improvement District, Inc.

Introduced by Mayor Seren

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

**Seconded:** Gail Larson

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 117-2024(PD): First Reading.** A Resolution memorializing Council's approval of a use variance concerning the property at 1774 Lee Rd., pursuant to Chapter 1115.07(i) of the Codified Ordinances of the City of Cleveland Heights, as described in BZA Cal. No. 3582; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**b. First Readings Only**

**RESOLUTION NO. 110-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Sam Bell 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 Mayor Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 111-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Carly Beck as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 112-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Mohammad Irfan as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective

as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 113-2024(AS): First Reading.** A Resolution confirming the Mayor's appointment of Sean Terry as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**c. Second Readings**

**ORDINANCE NO. 101-2024(PD): Second Reading.** An Ordinance authorizing the Mayor to execute an agreement with Cedar-Grandview Company for a commercial development loan in the sum of Three Hundred Forty Thousand Dollars (\$340,000.00), to be secured by a mortgage on real property located at 12426-12438 Cedar Road, Permanent Parcel No. 685-26-004; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**Motion to amend:** Jim Petras

**Seconded:** Anthony Mattox Jr.

**Discussion:** Petras explained the amendment removed the tax credit and changed the interest rate from 3% to 2% costing the city nearly \$200,000 less than the previous version of the deal.

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

**No:** None

**MOTION PASSED**

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

**Seconded:** Gail Larson

**Discussion:**

- Assistant Director for Economic Development, Brian Anderson, further explained some of the changes put forward tonight, a deal that is more cash positive to the city, while still allowing for the project to proceed.
- Posch will be voting for this deal; his oldest daughter lives in San Francisco

1 and loves Grocery Outlet; he realizes there is legitimate community worry  
2 about the words discount and outlet in their brand name and that it might  
3 devalue the Cedar-Fairmount neighborhood. For him the bigger worry is the  
4 vacant real estate; it will take a large investment to transform that space  
5 into something viable and after a lot of due diligence, we have one  
6 organization left standing that has the vision for the space. The city will gain  
7 economic development opportunity by purchasing the parking lot and in the  
8 short term have the benefit of a much-needed parking lot. The other piece  
9 is the loan; the second mortgage on the building will give us additional  
10 control and protection. It is revenue generating for the city and protects the  
11 historic building.

- 12 • Cobb said that majority of the emails he received were objecting to loaning  
13 a successful business owner or real estate firm, but it has not been  
14 uncommon for this city to assist businesses and property owners  
15 historically.
- 16 • Petras wasn't always a fan of the process for this particular request, but all  
17 things he considered he thinks this is a good deal. He recently visited  
18 Grocery Outlet in Boardman and was really impressed by the variety of  
19 products there; he spoke with people shopping there and they all had  
20 positive opinions. The parking lot is an appreciating asset and could be  
21 used for development at a later date. The terms have also greatly improved  
22 in his opinion with the amended terms.
- 23 • Cuda says this was by no means a slam dunk but these are much  
24 improved terms and he appreciates all of the staff that worked to get this  
25 done. The market for grocery stores just isn't great now; he doesn't want  
26 this to be another empty grocery store location.

27  
28 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras,  
29 Jim Posch

30 **No:** None

### 31 **LEGISLATION PASSED**

32 **ORDINANCE NO. 107-2024(PD): Second Reading.** An Ordinance  
33 authorizing the Mayor to execute an agreement for the purchase of certain  
34 real property located at 2172 Grandview Avenue, Permanent Parcel No. 685-  
35 26-083 and declaring the necessity that this legislation become immediately  
36 effective as an emergency measure.

37  
38 Introduced by Mayor Seren

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

40 **Seconded:** Gail Larson

41  
42 **Discussion:** We can do this to support economic development in the  
43 Fairmount district, and we can do Noble as well; they have not forgotten.

44  
45 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras,  
46 Jim Posch

No: None

## **LEGISLATION PASSED**

**ORDINANCE NO. 102-2024(AS): Second Reading.** An Ordinance amending Section 140.02, "Members," of Chapter 140, "Cleveland Heights Climate and Environmental Sustainability Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Larson

**Motion to adopt:** Gail Larson

**Seconded:** Jim Petras

### **Discussion:**

- Mattox said he is disappointed with these pieces of legislation and he believes they are problematic and dangerous; he believes it is punitive, a power move, and lacks transparency. Only a couple of months ago we all approved to go ahead and have our mayor be able to make these selections and for some reason now we decided it is an emergency to reverse it. Council didn't set a timeline for these appointments, and Council hasn't filled appointments they were supposed to make as well. He is getting a lot of messages from members of the public who agree with him. This takes us backwards and away from collaboration and puts power squarely directly back into this councils' hands. How this legislation was produced and the discussions around it were problematic. He hopes the Mayor vetoes this legislation and we continue this conversation.
- Larson is proposing the amendments in order to get them fully staffed in a timely manner. Members of the TESC Committee waited 2 years for the legislation that created two separate committees, and were frustrated while meeting without staff, to the point members left. Council finally passed the legislation January 16, 2024 and it was written in good faith that the mayor would pick his three appointees for each committee in the spirit of building a collaborative relationship to do the work these committees are charged to do. Council appointed four qualified and diverse members on April 1, 2024. As of two weeks ago we are still waiting; that is why she has introduced these amendments. The citizens who committed to work on these committees deserve an efficient process for selecting members. Mayor Seren's qualified appointments will be seriously considered.
- Cobb said the legislation that is pending tonight is to amend legislation that he worked with the mayor on last year to come up with what he believes is a workable solution. Gave a brief history of these committees and the split of the Transportation and Environmental Sustainability Committee into the two new committees. As part of the new legislation, there would be a commitment by the mayor to have his sustainability person as a co-chair and the city administrator as the co-chair on the other; the quid pro quo for that was that the Mayor was given 3 appointments subject to confirmation

1 by Council. Unfortunately, the mayor didn't make any of the appointments  
2 and he believes that is why Council is now saying they want to take back  
3 that appointment power. He thinks it now appears somewhat spiteful that  
4 we are undoing legislation that is only 6 months old. He does not believe  
5 that this helps in terms of being collaborative. He believes Council should  
6 have given a drop dead date of when he needed to make these  
7 appointments.

- 8 • Petras would like to note that while this legislation passed in January, at the  
9 end of the year there was legislation passed regarding the CIC and Arts  
10 Commission and the Mayor has all of the picks on those committees; and  
11 the Mayor has not made any appointments to those either. This is more  
12 general issue than just specific to these two committees. He is concerned  
13 that these appointments aren't being made and that these amendments  
14 need to be made so that the business of the City doesn't continue to be  
15 hobbled.
- 16 • Cuda said that when VP Davida Russell and he became the new council  
17 leadership, there were things they disagreed with the previous leadership.  
18 The day he was sworn in, he said we need to create a strong independent  
19 council to be both a partner and a check and balance on the Mayoral  
20 power. He said that 5 years ago when he was running the campaign for an  
21 elected mayor. One of the biggest pushbacks he got was "do we really,  
22 after having a professional city manager for over 100 years, do we really  
23 want to give the power to one person?" His answer was always that we  
24 aren't doing that, we are going to have co-equal branches of government;  
25 fully empowered to do their job. And this is part of that discussion; we just  
26 have a policy difference here. Council relies on the community to advise  
27 them; and we have a lot of expertise in the community. Council having  
28 these appointments to these committees is the same as how Council has  
29 the appointment power for the Planning Commission and ABR etc. The City  
30 Administrator has assured him that there is no problem with administrative  
31 participation with these committees.
- 32 • Point of Inquiry from Mattox: were there a majority members of council that  
33 discussed this before this legislation was created by Councilmember  
34 Larson? Were there 4 councilmembers out of the 7 of us who were aware  
35 of this legislation?
- 36 • Cuda asked the law director if this is a proper point of inquiry
- 37 • The law director said as President he makes the initial decision on whether  
38 it is a property inquiry or not, and then Council can override if they disagree  
39 with your call.
- 40 • Petras said he knew nothing about it before the legislation was introduced  
41 and he wholeheartedly supports it and thinks that we should introduce  
42 legislation to take the appointments from the CIC and Art Commission as  
43 well.
- 44 • Larson said she spoke with president Cuda because that was something  
45 he needed to know if that was something we could do; and spoke to  
46 Councilman Cobb because we were trying to figure out how to go about it,  
47 when it would be presented that sort of thing because he is Admin Services

- chair; but not in a meeting of four people together. Individually.
- Cobb has had conversations with several members about his opposition to this legislation but it hasn't occurred in a group setting.
  - Cuda said he spoke with Larson about this initially but not with any group of people.

**Yes:** Tony Cuda, Gail Larson, Jim Petras, Jim Posch

**No:** Craig Cobb, Anthony Mattox Jr.

**LEGISLATION PASSED**  
**WITHOUT EMERGENCY LANGUAGE**

**ORDINANCE NO. 103-2024(AS): Second Reading.** An Ordinance amending Section 150.02, "Members," of Chapter 150, "Transportation and Mobility Committee," of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Councilmember Larson

**Motion to adopt:** Gail Larson

**Seconded:** Jim Petras

**Yes:** Tony Cuda, Gail Larson, Jim Petras, Jim Posch

**No:** Craig Cobb, Anthony Mattox Jr.

**LEGISLATION PASSED**  
**WITHOUT EMERGENCY LANGUAGE**

**RESOLUTION NO. 104-2024(PD): Second 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 Seren

**Motion to adopt:** Craig Cobb

**Seconded:** Anthony Mattox Jr.

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

**No:** None

**LEGISLATION PASSED**

**RESOLUTION NO. 105-2024(PD): 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

1 planting, maintaining and removing shade trees thereon within the City of  
2 Cleveland Heights; and declaring the necessity that this legislation become  
3 immediately effective as an emergency measure.

4  
5 Introduced by Mayor Seren

6 **Motion to adopt:** Craig Cobb

7 **Seconded:** Gail Larson

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

11 **No:** None

12 **LEGISLATION PASSED**

13 **RESOLUTION NO. 106-2024(COTW): Second Reading As Amended.** A

14 Resolution allocating Seven Thousand Five Hundred Dollars (\$7,500.00) to  
15 Future Heights by City Council to serve as a co-sponsor of the 2024 Heights  
16 Music Hop; and declaring the necessity that this legislation become  
17 immediately effective as an emergency measure.

18  
19 Introduced by President Cuda, Vice President Russell, Councilmembers  
20 Cobb, Larson, Mattox, Petras, and Posch

21  
22 **Motion to adopt:** Craig Cobb

23 **Seconded:** Gail Larson

24  
25 **Discussion:**

- 26 • Cobb is really in favor of this legislation and hopes we look at more  
27 opportunities to co-sponsor events that occur throughout the city in our  
28 other business districts.
- 29 • Cuda says the Music Hop is one of the most fun things we do; he  
30 wishes there were more things like this.

31  
32 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim Petras,  
33 Jim Posch

34 **No:** None

35 **LEGISLATION PASSED**

36 **RESOLUTION NO. 108-2024(PD): Second Reading.** A Resolution

37 authorizing the Mayor to enter into an agreement with Protect-A-Cote, Inc, to  
38 make the public improvement of the Compton Road Pocket Park Pathway  
39 through the use of ARPA Funds; and declaring the necessity that this  
40 legislation become immediately effective as an emergency measure.

41  
42 Introduced by Mayor Seren

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

44 **Seconded:** Gail Larson

- It is a positive thing to be able to see the allocation that we set up for Parks and Recreation to be applied to a project that will have traffic calming in it and increased safety for people who are walking and bike riding.

**No:** None

**RESOLUTION NO. 109-2024(COTW): Second Reading.** A Resolution authorizing the Mayor to enter into agreements with various nonprofit entities for the purpose of awarding ARPA Funds in accordance with Ordinance No. 179-2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

**Seconded:** Craig Cobb

**Seconded:** Gail Larson

**No:** None

- Petras is grateful that we are finally able to vote on this as these non-profits do really important work in this city. He wished this had happened sooner but is grateful it is happening now

**No:** None

#### ***d. Fifth Readings***

Page 39 of 168

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

2 **Seconded:** Gail Larson

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

5 **Seconded:** Gail Larson

6  
7 **Discussion:**

- 8  
9 ○ Cobb explained this amendment will permit somebody who has  
10 a DORA cup that does not have a liquor license if that business  
11 permits people to enter with outside beverages.  
12

13  
14 **Yes:** Craig Cobb, Tony Cuda, Gail Larson, Anthony Mattox Jr., Jim  
15 Petras, Jim Posch

16 **No:** None

17 **MOTION PASSED**

18  
19 **Discussion:**

- 20 • Mattox will be voting yes on this legislation and is looking forward to  
21 supporting business in the district. Thanked the administration and law  
22 enforcement for the work they have done and communicating a safety  
23 plan and making sure we have dotted as many I's and crossed as many  
24 t's as we possibly can. Thanked the business owners for working with  
25 the administration of the city to make sure that this happened.  
26 • Larson will be voting yes on the DORA as the designation can bring  
27 more business to our business districts. She wants to make sure that  
28 when the Chief meets with the Mayor every 30 days that Council  
29 receives that report so that we can see if there is recommendations to  
30 update the legislation. Finally, when the Comprehensive and Equitable  
31 Safety Action Plan is shared with the administration and Council that  
32 safety on Lee Road is a high priority.  
33 • Posch said there will be an agenda item on his PSH committee  
34 regarding Lee Road.  
35 • Cuda has shared his concerns about foot patrol police and crosswalk  
36 enhancements, traffic calming etc. The administration has pretty  
37 thoroughly researched these DORAs and our business district wants it  
38 so he will be supporting this as well.  
39 • Chief Britton wants everybody to know that he shares the same  
40 concerns about public safety in all the business districts; he lives near  
41 the Cedar-Lee district and he just left the police academy graduation  
42 where he confirmed 7 new officers will be coming to work for the City  
43 and he has a vision of reimplementing the foot patrols that are a vital  
44 part of the city and it is a top priority for him.  
45

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

1  
2  
3  
4  
5  
6  
7

**No: None**

**LEGISLATION PASSED**

**7) Adjournment**

End: 8:53 p.m.

**NEXT MEETING OF COUNCIL: AUGUST 5, 2024**



July 2, 2024  
Special Meeting  
6:30 PM

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

### MEETING MINUTES

1  
2  
3  
4 **1) Meeting called to order by Council Clerk**

5 Start: 6:30pm

6 **2) Roll Call of Council Members**

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

8 **Excused:** Tony Cuda, Davida Russell

9  
10 **Motion to select Gail Larson as President Pro tem:** Anthony Mattox Jr.

11 **Seconded:** Jim Petras

12  
13 **Yes:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Jim Petras, Jim Posch

14 **No:** None

15 **MOTION PASSED**

16  
17 **3) Excuse absent members**

18 President Cuda and Vice President Russell are excused

19 **4) Executive Session**

- 20  
21 a. *To consider the discipline of any public employee or public official,*  
22 *and the investigation of charges against a public employee of the City.*

23 **Motion to enter executive session:** Anthony Mattox Jr.

24 **Seconded:** Craig Cobb

25  
26 **Yes:** Craig Cobb, Gail Larson, Anthony Mattox Jr., Jim Petras, Jim Posch

27 **No:** None

28 **MOTION PASSED**

29 **5) LEGISLATION**

30 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 Only**

**RESOLUTION NO. 118-2024(F): First Reading.** A Resolution approving the Mayor's appointment of Tinita Tillman as the Director of Finance, commencing August 5, 2024; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

**READ INTO THE RECORD**

**RESOLUTION NO. 119-2024(MSES): First Reading.** A Resolution ratifying the purchase of three vehicles from Classic Ford Mercury of Chardon for the Department of Parks and Recreation.

Introduced by Mayor Seren

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

**Seconded:** Craig Cobb

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

**No:** None

**MOTION PASSED**

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

**Seconded:** Craig Cobb

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

**No:** None

**LEGISLATION PASSED**

**6) Adjournment**

End: 7:13pm

**NEXT MEETING OF COUNCIL: August 5, 2024**



**CITY OF CLEVELAND HEIGHTS  
OFFICE OF MAYOR KAHLIL SEREN**

**VETO MESSAGE**

Statement of objections to and disapproval of Ordinance Nos. **102-2024** and **103-2024**  
Transmitted to the Clerk of Council of the City of Cleveland Heights on July 4, 2024

Pursuant to Article IV, Section 5 of the Charter of the City of Cleveland Heights, which states that the Mayor may disapprove of any ordinance or resolution, I hereby disapprove of Ordinance Nos. 102-2024 and 103-2024 and set forth the following reasons for these vetoes, as allowing these ordinances to become law is not in the best interest of the people of Cleveland Heights.

Ordinance Nos. 102-2024 and 103-2024 were introduced at City Council's regular meeting on June 17, 2024, passed by Council at a special meeting one week later, and presented to me for my approval or disapproval on June 25, 2024. These two ordinances are closely related in that they both radically modify the appointment process and roll back a collaborative compromise struck by the Council and Mayor to work together to appoint to committees. This statement of objections and disapproval addresses both ordinances.

The Climate and Environmental Sustainability Committee (CESC) and the Transportation and Mobility Committee (TMC) were created with unanimous approval by City Council and signed into law by me in January of this year. The primary purposes of these two new committees, respectively, are to "advise the Mayor and Council on recommendations with regard to improving the environmental sustainability of City programs, services, equipment and facilities" and to "make recommendations to the Mayor and Council on transportation plans for the City."

Each committee was originally designed to consist of seven voting members – four appointed by Council and three appointed by the Mayor subject to Council's confirmation. This blended appointment process had dual goals: 1) to recognize that I, as the elected Mayor, have a separate and direct connection with the people of Cleveland Heights which should be reflected in how we appoint to and interact with our resident boards and commissions, and 2) to allow Council and the Mayor an opportunity to put into practice the type of collaboration that the people of Cleveland Heights have demanded from their elected officials under our new form of government.

On June 11, 2024 I sent Council four resolutions appointing four highly qualified members of our community to the CESC and TMC for introduction and first reading at Council's June 17<sup>th</sup> meeting. The

Council President responded by refusing to place my appointments on the agenda for Council's consideration and informed me that Council would instead vote on legislation stripping me of any involvement in appointments to these resident committees. Instead of following existing law by giving my appointees a fair hearing and then an up-or-down vote, Council then introduced Ordinances 102-2024 and 103-2024 during that same June meeting and then quickly passed them the very next week.

The judgement of whether a particular policy is "good" or "bad" must be centered in the benefit or harm that it creates for the people we serve. Ordinance Nos. 102-2024 and 103-2024 have no demonstrable positive impact on quality of life for the residents of Cleveland Heights, but serve instead to monopolize access to the community's voice. These policies effectively sever an important and practical connection between the people and their Mayor – diminishing the positive impact that the committees in question might otherwise have for our community.

Advisory boards, commissions, and committees are intended to recruit the talent, expertise, and passion found in our community to inform and improve governmental decision-making; it only makes sense that our boards and commissions should be designed to be relevant to, and connected with, both the Mayor and the Council in order to be an effective form of community outreach. By the very nature and duties of our elected positions, the Council and I will have differing vantage points from which we view the work we collectively do on behalf of the residents we represent. Those different perspectives will naturally lead to different priorities and considerations when vetting the qualifications of applicants. Simply put, I will look for different characteristics than a Council will when appointing to these advisory bodies, and neither branch can convincingly stand in for the other. If we as a city expect our boards, commissions, and committees to provide recommendations that will be considered seriously by both the executive and legislative branches of our government, the membership of those boards, commissions, and committees must be selected in a way that includes the perspectives of both branches of government. It is impossible for City Council to successfully complete this task alone.

Neither the Council nor the Mayor can do what is expected of us by the residents we serve without cooperating with the other branch of government. The people of Cleveland Heights have repeatedly cautioned against internecine conflict and power struggles that diminish us reputationally, draw focus from the real problems and opportunities facing our city, and damage the productive inter-branch relationship required to reach our community's goals. Ordinances 102-2024 and 103-2024 have a clear, negative impact on the collaborative relationship and trust that we have been working to build for the last two years. These policy changes advance an antagonistic view of the Mayor-Council relationship which can only inhibit greater collaboration between me and City Council.

Every current Council member, whether elected or appointed and seeking election, has publicly expressed an understanding that collaboration between the executive and legislative branches of our government is important to the people. Many have explicitly identified their ability to collaborate with me and seek fair compromise as a reason why the people of Cleveland Heights should place them in these positions of power. One of the foundational compromises we have reached in an effort to promote a productive working relationship has been to begin sharing the authority to place residents on boards and commissions so that characteristics and qualifications of appointees reflect the priorities and perspectives of both the Council and the Mayor. I waited patiently as Council took two years to introduce and pass legislation that finally creates space for residents to benefit from mayoral appointment authority. I believe

the committees created in January were an imperfect but important step toward a truly balanced representative democracy here in our city. This last-minute reversal of our progress in response to my appointments calls into question the sincerity of a Council who claims they want to work with me to execute my vision for our City.

The ordinances that I veto today stand in strong contradiction to the principle of cooperation between the branches of municipal government and deny a connection between the residents of Cleveland Heights and their Mayor. Were I to sign Ordinances 102-2024 and 103-2024 into law or should they become law over my objection, the City of Cleveland Heights as a whole would be made worse not better.

For the reasons set forth above, this veto is in the public interest.

A handwritten signature in blue ink, appearing to read 'Kahlil Seren', with a stylized, cursive script.

Mayor Kahlil Seren  
City of Cleveland Heights

Proposed: 06/03/2024

ORDINANCE NO. 102-2024(AS), *Second Reading*

By Councilmember Larson

An Ordinance amending Section 140.02, “Members,” of Chapter 140, “Cleveland Heights Climate and Environmental Sustainability Committee,” of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

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

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

SECTION 3. 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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.

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TONY CUDA  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor

**EXHIBIT A to ORDINANCE NO. 102-2024(AS)**

**Cleveland Heights Climate and Environmental Sustainability Committee**

**140.01 ESTABLISHED**

There is hereby established a Cleveland Heights Climate and Environmental Sustainability Committee (CESC). The purpose of this Committee shall be to: (i) advise the Mayor and Council on recommendations with regard to improving the environmental sustainability of City programs, services, equipment and facilities; (ii) increasing the awareness of issues of environmental sustainability with the residents and businesses located in the City; and, (iii) encouraging increased environmentally conscious activities by the residents and businesses located in the City. The CESC shall also serve as an advocate for environmental justice, and promote through education and outreach best use practices for sustainable living, business, and economic development.

**140.02 MEMBERS.**

(a) The Committee shall consist of eight (8) members, ~~four (4) of whom. Seven (7)~~ shall be appointed by City Council ~~and three (3) by the Mayor subject to approval by a majority of Council.~~ The ~~remaining eighth~~ member shall be the City's Climate Resiliency and Sustainability Coordinator who shall ~~serve as~~ be a ~~co-chair and~~ non-voting member. ~~The appointed and shall serve as the Committee's Co-Chair. Voting~~ members shall be residents of Cleveland Heights with a demonstrated interest in and/or knowledge of environmental sustainability. A good faith effort shall be made to have the appointments reflect the City's goal of racial, social and geographic diversity. Each person appointed, ~~whether by the Council or the Mayor,~~ shall first have submitted an application to serve on the Committee ~~and. Any such applicant~~ may be asked to participate in an interview with the Council prior to appointment.

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

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

(d) Vacancies shall be filled by appointment, ~~for the remainder of the unexpired term, in the same manner as original appointments are made: a vacancy in a position appointed by Council shall be filled with a member appointed by Council, and a vacancy in a position appointed by the Mayor and approved by Council shall be filled with a member appointed by the Mayor subject to Council approval by majority vote. for the remainder of the unexpired term.~~

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

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

**140.03 MEETINGS; CHAIRPERSONS; SECRETARY; BYLAWS.**

Regular meetings of the Committee shall be held and notice given in accordance with Open Meeting requirements. The Committee shall meet at least once a quarter and shall submit an annual report to the Mayor and City Council. The Committee shall elect an appointed member annually to serve as a Co-chairperson along with the City's Climate Resiliency and Sustainability Coordinator. The Committee may establish its own bylaws after review and approval by the City Director of Law. The Committee may elect a Secretary to keep or cause to be kept a record of all meetings of the Committee. An audio recording may be substituted in lieu of written minutes.

**140.04 STAFF.**

The Mayor and City Council shall jointly determine any staffing needs for the Committee and who shall be responsible for notifying members of meetings and complying with public notice requirements.

**140.05 COUNCIL LIAISON.**

The role of the Council liaison is to establish an informational bridge between City Council and the Committee. The Council liaison may participate in discussions, but shall make no attempt to control the discussion or influence any vote. The Council liaison shall keep City Council informed of the Committee's activities and actions, or any recommendations that might eventually come before City Council.

Proposed: 06/17/2024

ORDINANCE NO. 103-2024(AS), *Second Reading*

By Councilmember Larson

An Ordinance amending Section 150.02, “Members,” of Chapter 150, “Transportation and Mobility Committee,” of the Codified Ordinances of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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

SECTION 1. Section 150.02, “Members” of Chapter 150, “Cleveland Heights Climate and Environmental Sustainability Committee” of the Codified Ordinances of the City of Cleveland Heights shall be and is hereby amended to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 2. Current Section 150.02 of the Codified Ordinances of the City of Cleveland Heights as it existed prior to the effective date of this Ordinance shall be, and is hereby, repealed in its entirety.

SECTION 3. 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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

---

ADDIE BALESTER  
Clerk of Council

PASSED:

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

---

KAHLIL SEREN  
Mayor

EXHIBIT A to ORDINANCE NO. 103-2024(AS)

TRANSPORTATION AND MOBILITY COMMITTEE

150.01 ESTABLISHED.

There is hereby established a Cleveland Heights Transportation and Mobility Committee (TMC). The purpose of this Committee shall be to make recommendations to the Mayor and Council on transportation plans for the City, particularly plans that affect and improve transportation by modes which are alternatives to private automobiles; recommendations to assist in implementing the City's Complete and Green Streets and Vision Zero policies; recommendations for ADA compliance and accessibility for persons with disabilities; and, providing a means for the community to learn about matters related to transportation within the City of Cleveland Heights and the City's connectivity to nearby regions.

150.02 MEMBERS.

(a) The Committee shall consist of eight (8) members, ~~four (4) of whom~~ seven (7) members shall be appointed by City Council ~~and three (3) by the Mayor subject to Council approval by majority vote. An additional non-voting member.~~ The eighth member shall be the City Administrator who shall be a non-voting member and shall serve as the Committee's Co-chair. Voting members shall ~~all~~ be residents of Cleveland Heights and ~~Council's appointments~~ shall include: one (1) resident to represent the interests of bicyclists; one (1) resident to represent the interests of transit users; one (1) resident to represent the interests of mobility-challenged persons; and, one (1) resident to represent the interests of the Cleveland Heights business community. A good faith effort shall be made to have the appointments reflect the City's goal of racial, social and geographic diversity. Each person appointed, ~~whether by the Council or the Mayor,~~ shall first have submitted an application to serve on the Committee ~~and.~~ Any such applicant may be asked to participate in an interview with the Council prior to appointment.

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

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

(d) Vacancies in voting member seats shall be filled by appointment, for the remainder of the unexpired term, ~~in the same manner as original appointments are made: a vacancy in a position appointed by Council shall be filled with a member appointed by Council, and a vacancy in a position appointed by the Mayor and approved by Council shall be filled with a member appointed by the Mayor subject to Council approval by majority vote.~~

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

(f) The City Council President shall designate a Council member as a non-voting liaison between Council and the Committee.

150.03 MEETINGS; CHAIRPERSONS; SECRETARY; BYLAWS.

Regular meetings of the Committee shall be held and notice given in accordance with Open Meeting requirements. The Committee shall meet at least once a quarter and shall submit an annual report to the Mayor and City Council. The Committee shall elect an appointed member annually to serve as a Co-chairperson. The Committee may establish its own bylaws after review and approval by the City Director of Law. The Committee may elect a secretary to keep or cause to be kept a record of all meetings of the Committee. An audio recording may be substituted in lieu of written minutes.

150.04 STAFF.

The Mayor and City Council shall jointly determine any staffing needs for the Committee and who shall be responsible for notifying members of meetings and complying with public notice requirements.

150.05 COUNCIL LIAISON.

The role of the Council liaison is to establish an informational bridge between City Council and the Committee. The Council liaison may participate in discussions, but shall make no attempt to control the discussion or influence any vote. The Council liaison shall keep City Council informed of the Committee's activities and actions, or any recommendations that might eventually come before City Council.



Date: July 1, 2024

To: Addie Balester, Clerk of Council  
Laure Wagner, Assistant Law Director

Cc: Kahlil Seren, Mayor; Danny Williams, CAO

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Purchase of X-TREME VAC (Leaf Vac)

---

**Purpose Statement:** To authorize the purchase of a Leaf Vac from Old Dominion Brush Company (ODB) for the Public Works Department in the amount of \$298,795.61 under Sourcewell Contract #031121-ODB

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

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

**If yes, why?** So that acquisition of the equipment is made by October in time for the 2024 Fall loose leaf collection. This piece of equipment will be deployed in addition to the procedure currently in place.

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

**If yes, why?** See above

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

Approved In the 2024 Capital Budget – account no. 402.6201.3004

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

Proposed: 08/05/2024

RESOLUTION NO. 121-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Old Dominion Brush Company ("ODB") for the acquisition of a leaf vac for the Streets Division of the Department of Public Works; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a leaf vac for the Streets Division of the Department of Public Works; and

WHEREAS, Section 171.12 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the cooperative purchasing program formerly known as the National Joint Powers Alliance, now known as the Sourcewell Cooperative Purchasing Program, without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected vehicle and equipment may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said vehicle and equipment by this 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 an X-TREME leaf vac mounted on a dual steer freightliner chassis through the Sourcewell Cooperative Purchasing Program, pursuant to Section 171.12 of the Cleveland Heights Codified Ordinances. The purchase price for said vehicle and equipment shall not exceed the sum of Two Hundred Ninety-eight Thousand Seven Hundred Ninety-five and 61/200 Dollars (\$298,795.61). All contracts hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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.

RESOLUTION NO. 121-2024(MSES)

SECTION 3. 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 meet fall leaf season deadlines. 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:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor



Date: August 5, 2024

To: City Council

From: Eric Zamft, Director of Planning & Development; Tara Schuster, Acting Finance Director

Subject: Lavery Chevy Bolt EV Purchase

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**Purpose Statement:** To authorize the purchase of two (2) used Chevrolet Bolt EV's.

The City has previously purchased Chevrolet Bolt EVs for use in conducting City business and providing services to residents and has found them to be well-suited for such purpose and economical to operate. A total of five (5) additional vehicles are necessary to allow for the Department of Planning & Development to function fully. Two (2) used Chevrolet Bolt EVs are available through Lavery Automotive Sales & Service, LLC of Alliance, Ohio. Funding is available via the City's NOPEC Fund, established as part of Ordinances No. 59-2023 and 58-2023. The NOPEC Fund currently has sufficient balance to not only purchase the available vehicles, but all five (5) needed by the Department.

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

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

**If yes, why?** Additional vehicles are necessary for inspectional staff to have sufficient resources to efficiently complete their duties. Lavery Automotive Sales & Service LLC has two (2) vehicles available for purchase by the City.

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

**If yes, why?** Additional vehicles are necessary for inspectional staff to have sufficient resources to efficiently complete their duties. Lavery Automotive Sales & Service LLC has two (2) vehicles available for purchase by the City.

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

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

Proposed: 08/05/2024

RESOLUTION NO. 122-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing an agreement with Lavery Automotive Sales & Service, LLC for the purchase of two (2) Chevy Bolt EV's; waiving competitive bidding; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City has previously purchased Chevrolet Bolt EVs for use in conducting City business and providing services to residents and has found them to be well-suited for such purpose and economical to operate; and

WHEREAS, the Chevrolet Bolt EV is no longer manufactured, with the last model year having been 2023, and therefore are not available through a state bid program and are in short supply; and

WHEREAS, a total of five (5) additional vehicles are necessary to allow for the Department of Planning & Development to function fully; and

WHEREAS, two (2) used Chevrolet Bolt EVs are available through Lavery Automotive Sales & Service, LLC of Alliance, Ohio, at attractive prices, to-wit, \$20,850 each; and

WHEREAS, Ordinance No. 59-2023 accepted Northeast Ohio Public Energy Council (NOPEC) 2023 Energized Community Grant; and

WHEREAS, Ordinance 58-2023, established a "NOPEC Fund" within the Special Revenue Funds; and

WHEREAS, the NOPEC fund currently has sufficient balance to not only purchase the two (2) available vehicles, but all five (5) needed by the Department of Planning & Development.

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

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements and to sign any other documents necessary for the purchase of two (2) used 2023 Chevrolet Bolt EVs for the Department of Planning and Development. The purchase price for said vehicles shall not exceed the sum of Forty-One Thousand and Seven Hundred Dollars (\$41,700.00), plus applicable fees. All agreements and related documents hereunder shall be approved as to form by the Director of Law.

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements and to sign any other documents necessary for the purchase of additional

RESOLUTION NO. 122-2024(MSES)

used 2023 Chevrolet Bolt EVs for the Department of Planning & Development as they become available. The purchase price in total for said additional vehicles shall not exceed the sum of Sixty-Two, Five-Hundred and Fifty Dollars (\$62,550.00), plus applicable fees. All agreements and related documents hereunder shall be approved as to form by the Director of Law.

SECTION 2. 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.

SECTION 3. 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 purchase the specified used vehicles before another purchaser does so. 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.

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TONY CUDA  
President of the Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor



Date: August 5, 2024

To: City Council

From: From: Karen Knittel, Asst. Planning Director & Justin Hines, Asst. Law Director

Subject: Compton Road Neighborhood Traffic Circles

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**Purpose Statement:** To authorize the Mayor to enter into to contact with Parkland Contracting, LLC for \$78,806.18 for the Compton Road Neighborhood Traffic Circles Project.

Public works bid this project out with the winning bid being Parkland Contracting, LLC. This contract will enable the construction of the mini-roundabout to be constructed along Compton Road as described in the Compton Road Greenway Plan.

The Compton Greenway is located in a low and moderate-income neighborhood. The goal of the project is to strengthen this neighborhood and provide safe and comfortable conditions to walk and bike. Construction of the project will provide improved pedestrian and bicycle access through the neighborhood and a direct connection to Cain Park. The project begins at Euclid Heights Boulevard and extends south along Compton Road to Berkeley Road and continues through a vacant lot that becomes a park trail connection to South Compton providing access to Cain Park. The construction of the park trail was approved in June and is currently under construction. (Res. 108-2024)

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

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

**If yes, why?** The Compton Road Traffic Circles project has been engineered and a bid has been accepted. This project is ready to implement immediately upon approval of funding.

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

**If yes, why?** The Compton Road Traffic Circles project has been engineered and a bid has been accepted. This project is ready to implement immediately upon approval of funding.

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

\* As with the Compton Road Trail Connector project approved by Council via Resolution No. 108-2024, this project would access ARPA funds. The attached legislation would permit this use of funds.

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

Proposed: 08/05/2024

RESOLUTION NO. 123-2024(PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Parkland Contracting LLC, to construct and install the Compton Road Neighborhood Traffic Circles through the use of ARPA Funds; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, this Council passed Ordinance No. 179-2023 on December 18, 2023, appropriating Five Hundred Thousand Dollars (\$500,000.00) of the City's award under the American Recovery Plan Act of 2021 to provide for, inter alia, the improvement of pathways throughout City parks ("ARPA Funds"); and

WHEREAS, the Compton Road Neighborhood Traffic Circles Project (Bid Document No. 24-10) (the "Project") is one of the Complete Streets public improvements for the neighborhood surrounding Compton Road and includes the installation of four (4) neighborhood traffic circles on Compton Road, one (1) each at Beachwood Avenue, Altamont Road, Desota Avenue, and Berkeley Road, Cleveland Heights, Ohio 44118; and

WHEREAS, the Project was publicly bid and the City accepted a bid of Seventy-Eight Thousand, Eight-Hundred and Six dollars and Eighteen Cents (\$78,806.18), on July 18, 2024, from Parkland Contracting, LLC, to construct the public improvement.

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

SECTION 1. In accordance with Ordinance No. 179-2023 and notwithstanding any provision of Codified Ordinances Chapter 171 to the contrary, the Mayor is hereby authorized to enter into an agreement with Parkland Contracting, LLC to provide for the public improvement specified herein through use of ARPA Funds for an amount not to exceed the amount specified within the accepted bid of Seventy-eight Thousand, Eight Hundred Six and 18/100 Dollars (\$78,806.18). The agreement shall consist of the standard Contract Provisions and General Conditions applicable to such public improvements, any other terms as recommended by the Mayor and Director of Law, and shall be approved as to form by the Director of Law.

SECTION 2. 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.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to avoid additional costs that result from further delay and the need to obligate ARPA Funds

RESOLUTION NO. 123-2024(PD)

within the year. 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 the Council

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

Proposed: 08/05/2024

RESOLUTION NO. 124-2024(PD), *First Reading*

By Mayor Seren

A Resolution declaring the necessity of implementing a public services plan for the Cedar Lee Special Improvement District, Inc.; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council has received a petition for adoption of a five-year public services plan which was executed by the owners of over sixty percent (60%) of the property in the Cedar Lee Special Improvement District, Inc., as determined by front footage; and

WHEREAS, by Resolution No. 116-2024, this Council approved said public services plan; and

WHEREAS, estimated first-year assessments for the affected properties, as well as the total costs of the plan, are now on file with the Clerk of Council; and

WHEREAS, because of time constraints this Council desires to appoint an Assessment Equalization Board to hear any objections which may be made to the estimated assessments.

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

SECTION 1. This Council hereby declares it necessary to implement a five-year public services plan for the Cedar Lee Special Improvement District, Inc., with such plan being attached hereto as Exhibit A and incorporated herein.

SECTION 2. One hundred percent (100%) of the cost of the public services plan of One Hundred Fifty-five Thousand Nine Hundred Sixty-five (\$155,965.00) dollars annually shall be paid for by special assessments.

SECTION 3. The parcels of property to be assessed for the public services plan are as follows:

|            |            |            |            |            |            |            |            |
|------------|------------|------------|------------|------------|------------|------------|------------|
| 684-17-017 | 684-22-023 | 684-25-029 | 686-14-012 | 686-14-023 | 687-02-034 | 687-06-008 | 687-08-010 |
| 684-17-026 | 684-22-024 | 684-25-030 | 686-14-013 | 686-14-025 | 687-02-036 | 687-06-014 | 687-08-011 |

RESOLUTION NO. 124-2024(PD)

|            |            |            |            |            |            |            |            |
|------------|------------|------------|------------|------------|------------|------------|------------|
| 684-17-027 | 684-23-022 | 684-25-031 | 686-14-014 | 687-01-024 | 687-06-001 | 687-06-160 | 687-08-012 |
| 684-17-028 | 684-23-023 | 686-13-018 | 686-14-015 | 687-01-026 | 687-06-002 | 687-08-005 | 687-08-014 |
| 684-22-019 | 684-23-024 | 686-13-019 | 686-14-016 | 687-01-029 | 687-06-003 | 687-08-006 | 687-08-015 |
| 684-22-020 | 684-23-025 | 686-13-020 | 686-14-017 | 687-01-033 | 687-06-004 | 687-08-007 | 687-08-016 |
| 684-22-021 | 684-23-027 | 686-13-049 | 686-14-019 | 687-02-029 | 687-06-005 | 687-08-008 | 687-08-017 |
| 684-22-022 | 684-25-028 | 686-14-011 | 686-14-021 | 687-02-033 | 687-06-007 | 687-08-009 | 687-08-080 |
|            |            |            |            |            |            |            | 687-08-081 |

SECTION 4. The method of levying the special assessment shall be by a percentage of the current tax value of the property assessed.

SECTION 5. The costs of the public services plan and the estimated first-year assessments for affected properties are presently on file with the Clerk of Council and available for inspection.

SECTION 6. The Clerk of Council be, and he is hereby, authorized and directed to serve notice of the passage of this Resolution upon the owners of each of the properties included in the Special Improvement District in the manner provided by law, and to make appropriate record of proof of service.

SECTION 7. Barbara Anderson, Helen Hertz, and \_\_\_\_\_ who are disinterested freeholders of the City of Cleveland Heights, are hereby appointed to act as an Assessment Equalization Board to hear and determine all timely written objections to the estimated assessments on file with the Director of Finance and to equalize such estimated assessments as it thinks proper to conform to the standards prescribed in Resolution No. 116-2024 and to perform all other duties set forth in Section 727.16 of the Ohio Revised Code.

SECTION 8. The Board shall meet to hear said objections, if any. The Mayor is hereby designated to fix the date and time of such hearing. Notice shall be given pursuant to Section 727.16 of the Ohio Revised Code. Upon completion of such equalization, the Board shall report its recommendations to City Council.

RESOLUTION NO. 124-2024(PD)

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.

SECTION 9. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to meet county taxing deadlines. 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 passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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TONY CUDA  
President of the Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor



Date: August 2, 2024

To: City Council

From: H. Lee Crumrine, Assistant Law Director

Subject: Local 402 Firefighters Collective Bargaining Agreement

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**Purpose Statement:**

To accept the fact-finding report and recommendations concerning a new collective bargaining agreement between the City and the Cleveland Heights Firefighters Association, Local 402, International Association of Firefighters, AFL-CIO, ("Union") to authorize the Mayor to enter into an agreement with the Union, and amend the current Wage and Salary Ordinance to incorporate the agreement.

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

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

**If yes, why?**

To timely accept the fact-finding report and recommendations.

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

**If yes, why?**

To timely accept the fact-finding report and recommendations.

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

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

Budget adjustment will be done once the contract is approved by both Council and the Fire Fighters, AFL-CIO; funding will come from the general fund.

Proposed: 08/05/2024

ORDINANCE NO. 125-2024(AS), *First Reading*

By Mayor Seren

An Ordinance to accept the fact-finding recommendations in the matter of the City of Cleveland Heights and the Cleveland Heights Fire Fighters Association, Local No. 402, International Association of Fire Fighters, AFL-CIO, ("Union") SERB Case No. 2024-MED-01-0022; authorizing the Mayor to enter into a successor collective bargaining agreement between the City and the Union covering the period commencing April 1, 2024, through March 31, 2027, in SERB Case No. 2024-MED-01-0022; amending Section 3 of Ordinance No. 38-2023, "Wage and Salary Ordinance," to incorporate the labor agreement, and declaring an emergency.

WHEREAS, the Union was certified as the exclusive representative of specified classifications within the Division of Fire, Department of Public Safety, by the State Employment Relations Board on December 3, 1984, (SERB Case No.: 84-VR-07-1597); and

WHEREAS, on March 15, 2024, the City and Union commenced negotiations for a successor agreement to the agreement that expired on March 31, 2024, (SERB Case No. 2024-MED-01-0022); and

WHEREAS, on July 2, 2024, negotiations proceeded to a fact-finding hearing in which both parties presented evidence and testimony supporting their positions, and the presiding fact-finder issued a report and recommendations; and

WHEREAS, the fact-finder issued his report and recommendations on July 22, 2024, consistent with the provisions of R.C. 44117.14(C)(5); and

WHEREAS, under R.C. 4117.14(C)(6), if neither the Council nor the Union reject the recommendations, the recommendation shall be deemed agreed upon as the final resolution of the issues. Additionally, the Council may accept the recommendations by a vote of three-fifths of the total membership; and

WHEREAS, upon review, the Mayor and the Council have determined the fact-finding recommendations to be acceptable as a whole in consideration of the interests of the City and the interest and welfare of the public;

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

SECTION 1. The Council hereby accepts the recommendations of the fact-finder in SERB Case No. 2024-MED-01-0022.

SECTION 2. The Mayor is hereby authorized to enter into a successor collective bargaining agreement between the City and the Union covering the period commencing

ORDINANCE NO. 125-2024(AS)

April 1, 2024, through March 31, 2027, in SERB Case No. 2024-MED-01-0022;

SECTION 3. Section 3 of Ordinance No. 38-2023, the “Wage and Salary Ordinance,” shall be and hereby is amended to henceforth read as follows:

Sworn members of the Fire Department who are represented by the International Association of Fire Fighters shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the International Association of Fire Fighters. The agreement covers the period commencing April 1, 2024, through March 31, 2027, and may be extended by agreement of the parties. The paramedic compensation, academic achievement bonus, and the clothing maintenance allowance shall apply to all sworn members of the Department. A copy of the labor agreement and other related documents are on file in the Office of the Mayor.

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

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely accept the fact-finding report and recommendations. 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.

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TONY CUDA  
President of the Council

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ADDIE BALESTER  
Clerk of Council

ORDINANCE NO. 125-2024(AS)

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor



Date: August 1, 2024

To: City Council

From: Addie Balester, Clerk of Council

Subject: Approve and Adopt Replacement Pages to our Codified Ordinances

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**Purpose Statement:** To approve and adopt current replacement pages to the Cleveland Heights Codified Ordinances to be prepared and published by Walter H. Drane Company

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

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

**If yes, why?** Replacement pages have already been prepared by Walter H. Drane Company and should be published as soon as possible in order to maintain the Cities Codified Ordinances.

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

**If yes, why?** Replacement pages have already been prepared by Walter H. Drane Company and should be published as soon as possible in order to maintain the Cities Codified Ordinances.

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

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

Proposed: 08/05/2024

ORDINANCE NO. 137-2024(AS), *First Reading*

By President Cuda

An Ordinance to approve current replacement pages to the Cleveland Heights Codified Ordinances; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, certain provisions of Part Three, Traffic Code, and Part Five, General Offenses Code should be amended to conform to changes to comparable State statutes; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council.

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

SECTION 1. The following ordinances of the City of Cleveland Heights, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2024 Replacement Pages to the Codified Ordinances, are hereby approved and adopted:

| <u>Ordinance<br/>Number</u> | <u>Date</u> | <u>Codified Ordinance<br/>Section</u>                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 025-2023                    | 6-5-23      | 1101.02, 1103.03,<br>1103.04, 1105.01,<br>1107.01, 1107.02,<br>1109.02 to<br>1109.04, 1111.02<br>to 1111.04,<br>1111.06, 1113.02,<br>1115.01, 1115.02,<br>1115.06 to<br>1115.09, 1115.12,<br>1119.01, 1119.05,<br>1119.06, 1121.02<br>to 1121.05,<br>1121.08, 1121.12,<br>1123.03, 1123.05,<br>1123.07, 1123.10<br>to 1123.12,<br>1131.01 to<br>1131.04, 1131.06<br>to 1131.14,<br>1133.02, 1133.04, |

ORDINANCE NO. 137-2024(AS)

|                                         |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                         |             | 1141.01, 1143.04,<br>1143.10 to<br>1143.12, 1145.01,<br>1145.02, 1145.04<br>to 1145.07,                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <u>Ordinance<br/>Number</u><br>025-2023 | <u>Date</u> | <u>Codified Ordinance<br/>Section</u><br>1147.01 to<br>1147.03, 1147.06,<br>1147.08, 1147.09,<br>1151.01, 1151.02,<br>1153.01, 1153.02,<br>1153.05, 1155.01<br>to 1155.03,<br>1155.05, 1155.07,<br>1155.08, 1161.02<br>to 1161.04,<br>1161.051 to<br>1161.065,<br>1161.105, 1161.11,<br>1161.13, 1163.01,<br>1163.02, 1163.04<br>to 1163.08,<br>1163.10, 1163.11,<br>1165.02, 1165.021,<br>1165.05 to<br>1165.07, 1166.01<br>to 1166.07,<br>1166.10, 1166.11,<br>1167.01, 1169.02,<br>1169.03, 1173.01,<br>1175.01, 1175.02;<br>Repeals 1105.06 |
| 026-2023                                | 6-5-23      | 1321.01, 1341.2301,<br>1341.2302, 1351.25                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 028-2023                                | 3-6-23      | 505.06                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 051-2023                                | 4-17-23     | 177.02                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 058-2023                                | 4-17-23     | 177.02                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 098-2023                                | 6-20-23     | 522.01 to 522.08,<br>522.99, 1347.01<br>to 1347.13,<br>1347.99                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 104-2023                                | 6-22-23     | 1351.34, 1369.16                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 123-2023                                | 12-18-23    | 142.01 to 142.04                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 127-2023                                | 11-6-23     | 1103.03, 1107.02,<br>1115.02, 1115.08,<br>1115.12, 1131.02,<br>1131.04, 1131.06,<br>1131.08, 1131.11,<br>1131.14, 1133.02,<br>1133.04, 1153.03,<br>1153.05, 1161.03,<br>1161.13, 1165.03,                                                                                                                                                                                                                                                                                                                                                       |

ORDINANCE NO. 137-2024(AS)

1165.07, 1166.015

| <u>Ordinance<br/>Number</u> | <u>Date</u> | <u>Codified Ordinance<br/>Section</u>                                                |
|-----------------------------|-------------|--------------------------------------------------------------------------------------|
| 150-2023                    | 11-6-23     | 110.05, 311.02,<br>351.04, 351.11,<br>371.05, 521.05,<br>521.07, 1321.01,<br>1321.02 |
| 187-2023                    | 1-16-24     | 1103.03, 1131.02<br>to 1131.05,<br>1131.07 to<br>1131.085,<br>1131.12 to<br>1131.16  |
| 189-2023                    | 2-5-24      | 148.01 to 148.04                                                                     |
| 196-2023                    | 1-16-24     | 150.01 to 150.05                                                                     |
| 197-2023                    | 1-16-24     | 140.01 to 140.05                                                                     |
| 207-2023                    | 12-21-23    | 158.03, 158.05,<br>158.18, 158.27                                                    |
| 087-2024                    | 6-3-24      | 711.01 to 711.09,<br>711.99                                                          |
| 090-2024                    | 6-3-24      | 111.10(c)                                                                            |

SECTION 2. The following sections and chapters of the Codified Ordinances shall be, and hereby are added, amended or repealed as respectively indicated in order to conform with changes in State Law. The complete text of the sections of the Codified Ordinances listed below are set forth in full in the current 2024 Replacement Pages to the Codified Ordinances. A summary of the amendments is set forth in Exhibit A which is attached to this Ordinance.

Traffic Code

|         |                                                                                                                                           |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 301.35  | School Bus. (Amended)                                                                                                                     |
| 303.10  | Leaving Junk Vehicles on Private Property With Permission of Owner.<br>(Amended)                                                          |
| 303.991 | Committing an Offense While Distracted Penalty. (Amended)                                                                                 |
| 331.35  | Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Amended)                                   |
| 331.38  | Stopping for School Bus; Discharging Children. (Amended)                                                                                  |
| 331.45  | Restrictions on the Operation of School Buses. (Added)                                                                                    |
| 333.01  | OVI; Willful Misconduct; Speed. (Amended)                                                                                                 |
| 335.07  | Driving Under Suspension or License Restriction. (Amended)                                                                                |
| 335.071 | Driving Under OVI Suspension. (Amended)                                                                                                   |
| 335.072 | Driving Under Financial Responsibility Law Suspension or Cancellation;<br>Driving Under a Nonpayment of Judgment Suspension.<br>(Amended) |
| 335.073 | Driving Without Complying With License Reinstatement Requirements.<br>(Amended)                                                           |

ORDINANCE NO. 137-2024(AS)

- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 337.16 Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)

Traffic Code (Cont.)

- 337.22 Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
- 337.26 Child Restraint System Usage. (Amended)
- 337.31 Lights and Sign on Transportation for Preschool Children. (Added)
- 341.01 Commercial Drivers Definitions. (Amended)
- 341.04 Commercial Drivers Prohibitions. (Amended)
- 341.05 Criminal Offenses. (Amended)
- 351.12 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

General Offenses Code

- 501.01 General Provisions and Penalty Definitions. (Amended)
- 501.99 Penalties for Misdemeanors. (Amended)
- 505.21 Rights of Blind, Deaf or Hearing Impaired, or Mobility Impaired Person, or Trainer with Assistance Dog. (Added)
- 509.04 Disturbing a Lawful Meeting. (Amended)
- 509.06 Inducing Panic. (Amended)
- 509.10 Impeding Public Passage of an Emergency Service Responder. (Added)
- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Amended)
- 513.16 Adult Use Cannabis Control; Limitations on Conduct by Individuals. (Added)
- 517.08 Raffles. (Amended)
- 521.13 Spreading Contagion. (Added)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 529.02 Sales to and Use By Underage Persons; Securing Public Accommodations. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.01 Obscenity and Sex Offenses Definitions. (Amended)
- 533.06 Voyeurism. (Amended)
- 533.08 Procuring; Engagement in Sexual Activity for Hire. (Amended)
- 537.03 Assault. (Amended)
- 537.06 Menacing. (Amended)
- 537.07 Endangering Children. (Amended)
- 537.12 Misuse of 9-1-1 System. (Amended)
- 537.15 Temporary Protection Order. (Amended)
- 545.05 Misdemeanor Theft. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.14 Possessing Replica Firearm in School. (Amended)

ORDINANCE NO. 137-2024(AS)

549.15 Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Amended)

SECTION 3. The aforementioned amendments to the Codified Ordinances, as revised, recodified and consolidated into component codes, titles, chapters and sections within the 2024 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

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

SECTION 5. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to distribute current replacement pages to the Codified Ordinances. Wherefore, provided it receives the affirmative vote of five 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.

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TONY CUDA  
President of the Council

---

ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor

**EXHIBIT A**

301.35 School Bus Definition. (Amended) Changes made to terms “child care center” and “type A family child care home”.

303.991 Committing an Offense While Distracted Penalty. (Amended) Includes time limit for fine payment and written evidence. Adds law enforcement officer requirements when ticket or citation issued.

331.35 Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Expands regulations to include fifth wheel vehicles.)

331.38 Stopping for School Bus; Discharging Children. (Amended) Includes reference to municipal ordinance; changes heading of state agency.

331.45 Restrictions on the Operation of School Buses. (Added) Adds restrictions for operating a vehicle used for pupil transportation.

333.01 OVI; Willful Misconduct; Speed. (Amends restrictions for driving under the influence.)

335.07(i) Driving Under Suspension or License Restriction. (Adds affirmative defense for emergencies.)

335.071(i) Driving Under OVI Suspension. (Adds affirmative defense for emergencies.)

335.072(f) Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Adds affirmative defense for emergencies.)

335.073(d) Driving Without Complying With License Reinstatement Requirements. (Adds affirmative defense for emergencies.)

335.074(d) Driving Under License Forfeiture or Child Support Suspension. (Adds affirmative defense for emergencies.)

337.16 Number of Lights; Limitation on Flashing, Oscillating or Rotating Lights. (Amended) Includes exception for a vehicle used for emergency preparedness, response and recovery.

337.22 Windshield and Windshield Wiper; Sign or Poster Thereon. (Adds “vehicle safety technology” to electronic device exceptions for windshields.)

337.26 Child Restraint System Usage. (Amended) Changes term “day-care center” to “child care center”.

337.31 Lights and Sign on Transportation for Preschool Children. (Added) Adds requirements for vehicles transporting preschool children.

341.01(b) Commercial Drivers Definitions. (Expands definition of Commercial Drivers License to include “enhanced commercial driver’s license.”)

341.01(i) Commercial Drivers Definitions. (Adds “harmful intoxicant” to definition of

ORDINANCE NO. 137-2024(AS)

“drug of abuse”).)

341.04 Prohibitions for Commercial Drivers. (Amended) Adds additional prohibitions. Addresses out-of-state convictions; proper endorsements on licenses; and strict liability offenses.

341.05 Criminal Offenses for Commercial Drivers. (Amended) Adds additional prohibition. Addresses strict liability offenses.

351.12 Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended) Deletes the term “temporary removable windshield placard”.

501.01(r) General Provisions and Penalty Definitions. (Amended) Changes heading of state agency.

501.99(a) Penalties for Misdemeanors. (Amends regulations for victim restitution.)

505.21 Rights of Blind, Deaf or Hearing Impaired, or Mobility Impaired Person, or Trainer with Assistance Dog. (Added) Provides rights for persons with assistance dog.

509.04 Disturbing a Lawful Meeting. (Expands violations. Adds virtual meeting regulations and definitions.)

509.06 Inducing Panic. (Amended) Changes heading of state agencies.

509.10(d) Impeding Public Passage of an Emergency Service Responder. (Amended) Changes reference to ORC section.

513.01 Drug Abuse Control Definitions. (Amended) Changes reference to ORC section and changes heading of state agency.

513.03 Drug Abuse; Controlled Substance Possession or Use. (Amends provisions for illegal use or possession of marijuana paraphernalia.)

513.04 Possessing Drug Abuse Instruments. (Expands the Good Samaritan provision (immunity from prosecution for providing medical assistance).)

513.12 Drug Paraphernalia. (Decriminalizes the use/possession of fentanyl test strips. Expands the Good Samaritan provision.)

513.121 Marihuana Drug Paraphernalia. (Decriminalizes the use/possession of fentanyl test strips. Expands the Good Samaritan provision.)

513.16 Adult Use Cannabis Control; Limitations on Conduct by Individuals. (Added) Adds the new law on cannabis use.

517.08 Raffles. (Amends exemptions for charitable raffle drawings.)

521.13 Spreading Contagion. (Adds restrictions on spreading contagion.)

525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amends reference to “persons with drug dependencies”).)

529.02 Sales to and Use by Underage Persons; Securing Public Accommodations. (Amends subsection (i) to reflect new M3 penalty for violations of ORC 4301.69(E)(1) which is

ORDINANCE NO. 137-2024(AS)

our subsection (e).)

529.07 Open Container Prohibited. (Amended) Adds exception for open container in outdoor area. Adds provisions for F-9 permit.

533.01 Obscenity and Sex Offenses Definitions. (Adds two definitions.)

533.06 Voyeurism. (Amends to include place where person has a reasonable expectation of privacy.)

533.08 Procuring; Engagement in Sexual Activity for Hire. (Expands regulations for engagement in sexual activity for hire.)

533.08(b) Procuring; Engagement in Sexual Activity for Hire. (Amended) Amends penalty provisions in subsection (b)(4).

537.03(d)(6)B. Assault. (Amended) Changes heading of state agency.

537.06 Menacing. (Adds additional restrictions on menacing. Adds emergency service responders.)

537.07 Endangering Children. (Changes reference to a “child with a mental or physical disability”).)

537.12(a) Misuse of 9-1-1 System. (Amended) Amends definition of “9-1-1 system”.

537.15 Temporary Protection Order. (Removes provision for payment of indigent electronic monitoring device from state fund.)

545.05 Petty Theft. (Changes “petty theft” to “misdemeanor theft”).)

549.02(e)(2) Carrying Concealed Weapons. (Amends ORC reference.)

549.04(e)(2) Improperly Handling Firearms in a Motor Vehicle. (Amends ORC reference.)

549.14(d)(1) Possessing Replica Firearm in School. (Amended) Expands license suspension provisions.

549.15(b)(3)C. Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Amended) Changes made to terms “child care center”, “type A and B family child care home”.



Date: July 31, 2024

To: City Council

From: H. Lee Crumrine, Assistant Law Director

Subject: National Opioid Settlement with Kroger Co.

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**Purpose Statement:**

To accept and approve the national opioid settlement with Kroger Co. and to authorize the Mayor to complete and return the required documentation to participate in the settlement.

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

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

**If yes, why?**

The deadline to return the required documentation to participate in the settlement is August 12, 2024.

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

**If yes, why?**

The deadline to return the required documentation to participate in the settlement is August 12, 2024.

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

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

No funding is required.

Proposed: 08/05/2024

ORDINANCE NO. 138-2024(F), *First Reading*

By Mayor Seren

An Ordinance accepting and ratifying the material terms of the Kroger Co. Settlement according to the OneOhio Memorandum of Understanding consistent with the terms of the July 21, 2021, National Opioid Settlement Agreement; and declaring an emergency.

WHEREAS, the City of Cleveland Heights, Ohio ("City"), is a municipal entity formed and organized under the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities, including Cleveland Heights, have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the City has adopted, and hereby reaffirms its adoption of, the OneOhio Memorandum of Understanding ("OneOhio MOU") relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the OneOhio MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, this Council understands that an additional purpose of the OneOhio MOU is to create an effective means of distributing any potential settlement funds obtained under the OneOhio MOU between the State of Ohio and Local Governments in a manner and means that would promote effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the OneOhio MOU binds any party to a specific outcome, but rather, any resolution under the OneOhio MOU requires acceptance by the State of Ohio and the Local Governments; and

ORDINANCE NO. 138-2024(F)

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by Kroger Co. consistent with the terms of the July 21, 2021, National Opioid Settlement Agreement, available at <https://nationalopioidsettlement.com/>; and

WHEREAS, this Council finds it to be in the interest of the City to participate in the Kroger Co. Settlements under the terms of the OneOhio MOU; and

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

SECTION 1. This Council accepts and approves the proposed Kroger Co. Settlement on behalf of the City of Cleveland Heights according to the terms of the OneOhio MOU.

SECTION 2. The Mayor be, and he is hereby, authorized to execute the Participation Agreement and any related documents for the Kroger Co. Settlement under the terms of the OneOhio MOU and consistent with the material terms of the July 21, 2021, National Opioid Settlement Agreement, and his execution of such documents is approved and ratified.

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

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

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to commence the above-described improvements at the earliest possible time to protect the safety and welfare of those persons using said public road within City. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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TONY CUDA  
President of Council

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor



Date: 08/02/2024

To: Law and Council

From: Collette Clinkscale, Director of Public Works

Subject: Cain Park Dressing Room and Administration Building Improvements

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**Purpose Statement:**

To provide for the field verification, schematic design, construction documentation, permitting, bidding assistance, construction administration, and related services for the public improvement of renovating the Cain Park administration and dressing room buildings

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

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

**If yes, why?**

The funds appropriated for the improvements are subject to the December 31, 2024, obligation deadline imposed by the American Rescue Plan Act of 2021, and cannot be obligated until the verification, design, documentation, permitting, and bidding services are performed.

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

**If yes, why?**

The funds appropriated for the improvements are subject to the December 31, 2024, obligation deadline imposed by the American Rescue Plan Act of 2021, and cannot be obligated until the verification, design, documentation, permitting, and bidding services are performed.

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

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

Proposed: 08/05/2024

RESOLUTION NO. 139-2024(PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with The Heart Design Group, LLC ("HDG") for field verification, schematic design, construction documentation, permitting, bidding assistance, construction contract administration, and related services for the public improvement of renovating the Cain Park administration and dressing room buildings; providing compensation therefor; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the conditions of the administration and dressing room buildings are deteriorating and require extensive renovation to meet the City's needs for continued operations; and

WHEREAS, at the City's request, HDG has submitted a proposal to provide the full scope of services necessary to timely and competently obligate the funds and complete the improvements, attached hereto as Exhibit "A," the terms of which are reasonable and competitive.

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

SECTION 1. Notwithstanding any provision of Codified Ordinances Chapter 171 to the contrary, the Mayor is hereby authorized to enter into an agreement with HDG for an estimated amount of Ninety-Six Thousand Dollars and 00/100 (\$96,000.00) to provide the services proposed in Exhibit "A", and at the rates quoted therein, that are necessary to complete the improvements, the value of which is estimated to be One Million Dollars and 00/100 (\$1,000,000).

SECTION 2. 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.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to complete all design, bidding, and contracting required to obligate the ARPA funds appropriated for the improvements by December 31, 2024.

RESOLUTION NO. 139-2024(PD)

\_\_\_\_\_  
TONY CUDA  
President of Council

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

June 6, 2024

Mr. Kelly Ledbetter  
Director of Parks and Recreation  
Cleveland Heights Parks and Recreation  
40 Severance Circle  
Cleveland Heights, OH 44118

RE: Cain Park Building Renovations & Upgrades

Dear Mr. Ledbetter,

Thank you for the opportunity to provide you with our proposal for the renovation of your administration and dressing room building at Cain Park.

### **Project Description/SOW:**

We have based our proposal on the below SOW from our discussions, initial site walk and the estimated construction cost of 1,000,000:

#### **ADMINISTRATION BUILDING:**

- Would like the building to operate in all 4 seasons for staff
- More modern and upgraded
- All new MEP
- Remove existing walls and leave two ends are offices for management (3 people each)
- Turn to cubes
- Relocate IT to another location out of last office
- Cover block with drywall (fur out for electrical)
- ADA restrooms 2 new unisex
- Kitchenette
- Parts of exterior walls are letting moisture in due to it being below grade
- Mobile moveable workstations
- Box office
- Need an ADA counter/transaction
- 3 counters, new transaction windows

#### **Second Floor**

- Kitchenette
- New windows
- Mainly work space (flexible)
- Remove walls dividing space
- Look to relocate radio station to somewhere on the 1st floor

#### **DRESSING ROOM BUILDING:**

- 4 dressing rooms total (ideally all 4 would be grouped together)
- New shower/restrooms men's and women's per code
- Star 1 - Larger - 2 mirror stations - Full bath (shower) - kitchenette - couch & comfy chairs - relaxing ambiance - bring ore light in by existing windows being frosted or block -
- Sounds room (equipment) want one storage rooms large enough for grand piano
- Star Room 2 - Similar amenities as 1 just a little smaller
- Catering - warming kitchen - dishwasher - industrial fridge
- Costume shop - washer/dryer - 2 sewing machines - costume racks (current room could be half the size)

- Large storage room
- Second floor
- Road offices, need updating conference center area, kitchenette
  - Electric shop – maybe move all HVAC equipment in here, new windows and better circulation so doesn't feel so damp

## **SCOPE OF SERVICES**

### **FIELD VERIFICATION/EXISTING CONDITIONS/CODE REVIEW**

- HDG will verify existing visible conditions in the buildings. The survey is anticipated to take approximately a half day on site. The survey includes minor invasive or destructive measures, which is limited to removal of ceiling tile to review structural construction components. Areas which are inaccessible due to fixtures, furniture, and equipment, or where access may be of a safety concern are excluded from this proposal. Please note, our findings are limited to the areas where new work is proposed. After completion of the survey HDG will restore any ceiling tiles, furniture, etc. to original condition.
- Photograph the interior and exterior components/systems to provide adequate information.
- Input of existing conditions into ACAD for use in the design and building design and documentation phase
- Conduct a preliminary building and life safety code analysis

### **SCHEMATIC DESIGN**

- Prepare the initial design and layouts of the buildings based on information provided and the SOW outlined above
- Two (2) plan revisions are included in our scope to address client changes
- One (1) in-person meeting to discuss the project plan and expectations will be provided upon completion of the layout. A final signed off approval of the floor plan will be required from client prior to commencement of Construction Documentation.

### **CONSTRUCTION DOCUMENTATION**

- Provide the design and documentation required for permitting and construction. The drawing set will include floor plans, reflected ceiling plan, finish plan, and plan enlargements if needed.
  - Fire protection design is not included. If required, the permit and the design will need to be completed by a licensed sprinkler contractor upon award of the bid.
  - Perform occupant and load calculation per OBC requirements and ASHRAE standards to determine HVAC systems capacities and equipment sizing requirements.
- Design, engineering, and specifications for rework and reuse of the existing mechanical HVAC system equipment where practical and/or new as required, terminal units, exhaust, ductwork, air distribution/control, ancillary devices, temperature controls, etc.
- Design, engineering, and specifications for general power, circuiting and controls of interior and exterior building lighting systems, life safety/egress lighting and signage, fire alarm, telecommunications raceway systems, and power and control raceways to mechanical HVAC equipment.

- For the purposes of this proposal, IEC has assumed that the existing buildings electrical service and distribution is of adequate capacity and size (space) to accommodate the Project's scope of work. Any and all work associated with modifications/additions of, re-working of, etc. of the electrical service, and/or distribution systems/equipment, shall be considered additional services and shall be billed at an hourly rate.
- Lighting Reflected Ceiling Plans and luminaire specification cut sheets will be provided.
- Complete the Interior Lighting and Power Compliance Certificate portion of COMcheck Building Energy Code.
- Design, engineering, and specifications for plumbing fixtures, water heating system, domestic water, sanitary, gas, and vent piping, floor drains, hose bibs, ancillary equipment and devices, etc.
- For the purposes of this proposal, IEC has assumed that the existing buildings gas and water services are of adequate capacity, size, and pressure to accommodate the Project's scope of work. Any and all work associated with modifications/additions of, re-working of, etc. of any service shall be considered additional services and shall be billed at an hourly rate.
- Coordination with Clients vendors such as Equipment/Furniture, Décor and Exhaust Hood suppliers for the new kitchen.
- Specifications for construction to be noted on drawings.

#### **PERMITTING:**

- Prepare all applications and plan review submittal documents. The plan review fee will be provided by HDG and billed as a reimbursable expense.
- HDG will stamp and sign the documents in accordance with city and state requirements and follow up with the municipalities until the permit is received. We assume addressing one round of comments from the municipality.

#### **BIDDING ASSISTANCE:**

- Construction documents for bidding purposes will be provided in PDF format to bidders requesting plans, hard copy plan transmittals are not included.
- Pre-bid walk-thru with owner and contractors
- Address questions during bidding and respond to you with our written responses for consolidated communication to all the bidders.
- Assist in review and analysis of the bids.

#### **CONSTRUCTION ADMINISTRATION:**

- Address questions (RFIs) during construction and review shop drawings, as requested. It is assumed that the owner will first review all RFI's to determine if HDG needs to comment on them.
- Prepare AIA documents: Owner/GC Contract, general conditions A201, and substantial completion documents.
- Attend a final walk-through at substantial completion of the project and provide a punch list for any outstanding items to be addressed

## **FEE PROPOSAL**

HDG proposes to complete the Scope of Services as follows plus reimbursable expenses.

| <b>Cain Park – 2024.09</b>                                 |                     |
|------------------------------------------------------------|---------------------|
| <b>Task</b>                                                | <b>Proposed Fee</b> |
| Field Verification/Existing Conditions/Code Review         | \$10,000            |
| Schematic Design                                           | \$14,000            |
| Construction Documents                                     | \$54,500            |
| Permitting                                                 | \$2,500             |
| Bidding Assistance                                         | \$3,000             |
| Construction Administration                                | \$12,000            |
| <b>Base Fee Total (Excluding hourly and reimbursables)</b> | <b>\$96,000</b>     |

Reimbursable expenses include, but are not limited to, travel expenses such as mileage (will be billed at the current IRS rate), printing, mailing, and plan review submission fees with local municipalities. Reimbursable expenses will be passed through with a markup.

Work will be billed on a monthly basis for the percentage of work completed that month.

## **ASSUMPTIONS/EXCLUSIONS/CLARIFICATIONS:**

### **ASSUMPTIONS:**

The following items are provided by others or not anticipated to be needed on this project and therefore are excluded from our fee proposal:

- Architectural Review Board, Planning Commission or City Council Meetings
- HDG cannot guarantee planning approvals
- Expert witness
- Permit fees, applications fees, recording/filing, and review fees will be paid for by HDG and submitted as a reimbursable expense
- Services not specifically indicated herein
- Environmental services
- Gas or public utility design and alignment
- Planning submittal fees, plan review fees, permit and utility tap fees
- Exterior design, refresh, additions, etc.
- Any and all work outside of the interior walls of the building
- 3D Modeling/interior or exterior renderings
- Civil Engineering
- Structural Engineering
- Landscape Design
- ADA Survey
- LEED or WELL Certification services
- Lot split, lot consolidation, easements
- ALTA survey title research
- Private Utility Locates

- Cost Estimates
- Meetings with the city or owner will be charged on an hourly basis
- Client directed changes after the start of CD's may result in additional services to be performed on an hourly basis
- Technology design
- Kitchen equipment specifications and planning
- Site lighting design.
- Photometric calculations by electrical engineer.
- Design of Structured Cabling, Security, Closed Circuit TV, Telecommunications or Telephone Systems. Empty conduit/boxes shall be provided.
- Fire Protection Design – It is assumed that existing will remain.
- Sprinkler system design
- Food service design.
- Building commissioning services.
- Generator Emergency/Standby Power Systems.
- Signage by sign vendor
- Delays or Issues caused by client's vendors/suppliers
- Construction staking
- As-built drawings
- Pay Applications
- Bank Certifications
- Record drawing survey and plans
- Testing and inspections if required during construction will be the responsibility of the contractor

#### **GENERAL:**

- This proposal is valid for a period of 30 days from the date of correspondence.
- Any documentation required by third parties, including but not limited to financiers or requiring an architect consent(s), certification(s), and assignment or otherwise must be requested at the proposal stage and/or prior to performance. HDG shall not be required to authorize such documentation not provided in accordance with the preceding statement.
- HDG can provide any of these services or others at your request. If service adjustments are requested, we will provide a proposal revision for your review or use the hourly rate schedule.
- A deposit of 10% will be required prior to beginning the project.
- All work shall be performed in accordance with the HDG Standard Terms and Conditions attached as Exhibit 'A'.

Hourly work if required will be completed per the following Hourly Rate Schedule:

| 2024 Hourly Rate Schedule |          |
|---------------------------|----------|
| Owner/Architect           | \$155.00 |
| Project Manager           | \$125.00 |
| CAD Technician            | \$85.00  |
| Illustrator               | \$75.00  |
| Admin                     | \$55.00  |

Thank you again for the opportunity to provide this proposal. We look forward to hearing from you and the potential to work together on this project. Please contact me at 216.924.4986 or via email at [swallenhorst@heartdg.com](mailto:swallenhorst@heartdg.com) with any questions or comments regarding our proposal.

Respectfully,



Scott D. Wallenhorst, AIA

Authorization

Upon approval, please sign and date below indicating your acceptance and agreement to the scope and fees outlined herein as well as the Terms and Conditions and email back to my attention.

---

Name

Date

**EXHIBIT 'A' TERMS AND CONDITIONS**

The HEART Design Group, LLC ("Design Professional") shall perform the services outlined in the proposal attached to this agreement, or any other performance rendered by Design Professional, (collectively referred to as the "Work")



Date: 08/02/2024

To: Mayor and Council

From: Collette Clinkscale, Director of Public Works

Subject: Cain Park Roof Replacement

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**Purpose Statement:**

To provide for the design, compliance, and construction services for the public improvement of replacing the Cain Park Amphitheater's roof.

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

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

**If yes, why?**

The work must be completed while the weather permits, and because funds appropriated for the improvements are subject to the December 31, 2024, obligation deadline imposed by the American Rescue Plan Act of 2021, the improvement cannot wait until next year.

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

**If yes, why?**

The work must be completed while the weather permits, and because funds appropriated for the improvements are subject to the December 31, 2024, obligation deadline imposed by the American Rescue Plan Act of 2021, the improvement cannot wait until next year.

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

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

Proposed: 08/05/2024

RESOLUTION NO. 140-2024(PD), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with TEMA Roofing Services, LLC (“TEMA”) for design and construction services for the public improvement of replacing the roof of the Cain Park Amphitheater; providing compensation therefor; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the conditions of the Amphitheater’s roof are deteriorating and necessitate replacement with a new roof; and

WHEREAS, this Council appropriated \$2,400,000.00 of funding received through the American Rescue Plan Act of 2021 (“ARPA”) to provide for improvements to Cain Park facilities, which include roof repairs that are only eligible under the “Revenue Replacement” ARPA Expenditure Category, through the passage of Ordinance 179-2023;

WHEREAS, Section 9.48 of the Ohio Revised Code authorizes political subdivisions to participate in cooperative purchasing programs without obtaining competitive bids; and

WHEREAS, The Interlocal Purchasing System (“TIPS”) is a nationwide purchasing cooperative commissioned by the Texas state legislature and TEMA is an approved TIPS vendor/participant; and

WHEREAS, time is of the essence with respect to contracting for this improvement due to the seasonal nature of roofing work and fund obligation deadlines imposed by the American Rescue Plan Act of 2021 (“ARPA”); NOW, THEREFORE

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

SECTION 1. The Mayor is hereby authorized to take all actions and execute any documents necessary for the City of Cleveland Heights to join/register with TIPS and to execute an agreement with TEMA Roofing for the replacement of the Cain Park Amphitheater roof, substantially in accordance with the TEMA proposal attached hereto as Exhibit “A” and on file with the Clerk of Council, for an amount not to exceed Four Hundred Thirty-Two Thousand, Eight Hundred Dollars and 00/100 (\$432,800.00). Requirements for competitive bidding or other requirements under Chapter 171 of the Cleveland Heights Codified Ordinances are waived to the extent inconsistent herewith. All contracts hereunder shall be in a form approved by the Director of Law.

RESOLUTION NO. 140-2024(PD)

SECTION 2. 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.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to complete all work while weather permits while obligating the ARPA funds appropriated for the improvements by December 31, 2024.

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TONY CUDA  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor

Proposed: 08/05/2024

ORDINANCE NO. 127-2024(F), *First Reading*

By Mayor Seren

An Ordinance establishing salary schedules, position classifications, and other compensation and benefits for officers and employees of the City; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Article 5, Section 4 of the Cleveland Heights Charter requires this Council to “fix by ordinance the salary, rate, or amount of compensation of all officers and employees of the City;” and

WHEREAS, Cleveland Heights Codified Ordinance Section 139.21 generally requires this Council to “establish employees’ wages, hours of work, sick leave benefits, paid hospitalization benefits, vacations, legal holidays, and all other forms of fringe benefits and other conditions of employment by ordinance.”

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

Except as otherwise specifically provided herein, effective the date stated in the separate sections hereof, the following salary schedules and other compensation for described position classifications will be in effect for such classifications as of April 1, 2024; provided, however, that if the revenues received by the City are not sufficient to meet the foregoing salaries, all salaries shall be reduced by the Mayor to a point which will not exceed the appropriated revenues of the City.

The salary of any officer or employee may, from time to time, be reduced or increased by the Mayor or their designee, but not below or above the amounts specifically fixed herein for such classifications.

Additional temporary classifications may be established by the Mayor when, in the judgment of the Mayor, job specifications and duties differ significantly from existing classifications as herein provided when a new temporary classification is warranted.

The Mayor shall advise Council when such new classification is warranted with the salary being determined by using the hourly rate for the full-time position as a maximum rate.

SECTION 1. The following position classifications and salary schedules are hereby established.

| Position Classification Salary Schedule |                                                     |       |    |                                       |                                         |                                         |
|-----------------------------------------|-----------------------------------------------------|-------|----|---------------------------------------|-----------------------------------------|-----------------------------------------|
|                                         | Position                                            | FLS A | SG | Min                                   | Mid                                     | Max                                     |
| 1                                       | City Administrator                                  | E     | 49 | <del>\$95,910.60</del><br>\$98,787.92 | <del>\$124,722.00</del><br>\$128,462.94 | <del>\$153,532.00</del><br>\$158,137.96 |
| 2                                       | Police Chief                                        | E     | 48 | <del>\$85,635.12</del><br>\$88,204.14 | <del>\$111,358.50</del><br>\$114,699.83 | <del>\$137,083.00</del><br>\$141,195.49 |
| 3                                       | Fire Chief                                          | E     | 48 | <del>\$85,635.12</del><br>\$88,204.14 | <del>\$111,358.50</del><br>\$114,699.83 | <del>\$137,083.00</del><br>\$141,195.49 |
| 4                                       | Director (all departments)                          | E     | 47 | <del>\$76,459.20</del><br>\$78,752.98 | <del>\$99,427.56</del><br>\$102,409.91  | <del>\$122,395.00</del><br>\$126,066.85 |
| 5                                       | Assistant Director (all departments)                | E     | 46 | <del>\$68,267.58</del><br>\$70,315.61 | <del>\$88,774.68</del><br>\$91,437.92   | <del>\$109,281.78</del><br>\$112,560.23 |
| 6                                       | Assistant Law Director                              | E     | 46 | <del>\$68,267.58</del><br>\$70,315.61 | <del>\$88,774.68</del><br>\$91,437.92   | <del>\$109,281.78</del><br>\$112,560.23 |
| 7                                       | Building Commissioner                               | E     | 46 | <del>\$68,267.58</del><br>\$70,315.61 | <del>\$88,774.68</del><br>\$91,437.92   | <del>\$109,281.78</del><br>\$112,560.23 |
| 8                                       | Business Development Manager                        | E     | 46 | <del>\$68,267.58</del><br>\$70,315.61 | <del>\$88,774.68</del><br>\$91,437.92   | <del>\$109,281.78</del><br>\$112,560.23 |
| 9                                       | Capital Projects Manager                            | E     | 46 | <del>\$68,267.58</del><br>\$70,315.61 | <del>\$88,774.68</del><br>\$91,437.92   | <del>\$109,281.78</del><br>\$112,560.23 |
| 10                                      | Utilities Commissioner                              | E     | 46 | <del>\$68,267.58</del><br>\$70,315.61 | <del>\$88,774.68</del><br>\$91,437.92   | <del>\$109,281.78</del><br>\$112,560.23 |
| 11                                      | Facilities Superintendent                           | E     | 45 | <del>\$63,410.34</del><br>\$65,312.65 | <del>\$79,263.18</del><br>\$81,640.55   | <del>\$95,115.00</del><br>\$97,968.48   |
| 12                                      | Information Systems Manager                         | E     | 45 | <del>\$63,410.34</del><br>\$65,312.65 | <del>\$79,263.18</del><br>\$81,640.55   | <del>\$95,115.00</del><br>\$97,968.48   |
| 13                                      | Mayor's Action Center Coordinator                   | E     | 45 | <del>\$63,410.34</del><br>\$65,312.65 | <del>\$79,263.18</del><br>\$81,640.55   | <del>\$95,115.00</del><br>\$97,968.48   |
| 14                                      | Organizational Performance Coordinator              | E     | 45 | <del>\$63,410.34</del><br>\$65,312.65 | <del>\$79,263.18</del><br>\$81,640.55   | <del>\$95,115.00</del><br>\$97,968.48   |
| 15                                      | Special Assistant to the Mayor                      | E     | 45 | <del>\$63,410.34</del><br>\$65,312.65 | <del>\$79,263.18</del><br>\$81,640.55   | <del>\$95,115.00</del><br>\$97,968.48   |
| 16                                      | Sustainability Coordinator                          | E     | 45 | <del>\$63,410.34</del><br>\$65,312.65 | <del>\$79,263.18</del><br>\$81,640.55   | <del>\$95,115.00</del><br>\$97,968.48   |
| 17                                      | Financial Analyst                                   | E     | 44 | <del>\$56,616.12</del><br>\$58,314.60 | <del>\$70,770.66</del><br>\$72,893.25   | <del>\$84,924.18</del><br>\$87,471.91   |
| 18                                      | Clerk of Council                                    | E     | 44 | <del>\$56,616.12</del><br>\$58,314.60 | <del>\$70,770.66</del><br>\$72,893.25   | <del>\$84,924.18</del><br>\$87,471.91   |
| 19                                      | Building Inspector                                  | E     | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62   | <del>\$75,825.78</del><br>\$78,100.55   |
| 20                                      | CDBG Program Coordinator/<br>Planner City Planner I | E     | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62   | <del>\$75,825.78</del><br>\$78,100.55   |
| 21                                      | City Planner II GIS Coordinator                     | E     | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62   | <del>\$75,825.78</del><br>\$78,100.55   |
| 22                                      | City Planner II – Community Planner                 | E     | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62   | <del>\$75,825.78</del><br>\$78,100.55   |
| 23                                      | City Planner II – Economic Specialist               | E     | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62   | <del>\$75,825.78</del><br>\$78,100.55   |

ORDINANCE NO. 127-2024(F)

|    |                                             |    |    |                                       |                                       |                                       |
|----|---------------------------------------------|----|----|---------------------------------------|---------------------------------------|---------------------------------------|
|    |                                             |    |    |                                       |                                       |                                       |
| 24 | Manager Cain Park Supervisor                | E  | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62 | <del>\$75,825.78</del><br>\$78,100.55 |
| 25 | Supervisor Forestry                         | E  | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62 | <del>\$75,825.78</del><br>\$78,100.55 |
| 26 | Supervisor Sanitation                       | E  | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62 | <del>\$75,825.78</del><br>\$78,100.55 |
| 27 | Supervisor Streets                          | E  | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62 | <del>\$75,825.78</del><br>\$78,100.55 |
| 28 | Supervisor Vehicle Maintenance              | E  | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62 | <del>\$75,825.78</del><br>\$78,100.55 |
| 29 | Supervisor Water/Sewer                      | E  | 43 | <del>\$50,550.18</del><br>\$52,066.69 | <del>\$63,187.98</del><br>\$65,083.62 | <del>\$75,825.78</del><br>\$78,100.55 |
| 30 | <b>Application Manager</b>                  | E  | 42 | <del>\$45,133.98</del><br>\$46,488.00 | <del>\$56,418.24</del><br>\$58,110.26 | <del>\$67,701.48</del><br>\$69,732.52 |
| 31 | Digital & Government TV Program Coordinator | E  | 42 | <del>\$45,133.98</del><br>\$46,488.00 | <del>\$56,418.24</del><br>\$58,110.26 | <del>\$67,701.48</del><br>\$69,732.52 |
| 32 | Parks and Recreation Assistant Commissioner | E  | 42 | <del>\$45,133.98</del><br>\$46,488.00 | <del>\$56,418.24</del><br>\$58,110.26 | <del>\$67,701.48</del><br>\$69,732.52 |
| 33 | Senior Housing Rehabilitation Specialist    | E  | 42 | <del>\$45,133.98</del><br>\$46,488.00 | <del>\$56,418.24</del><br>\$58,110.26 | <del>\$67,701.48</del><br>\$69,732.52 |
| 34 | Supervisor - Utility Administration         | E  | 42 | <del>\$45,133.98</del><br>\$46,488.00 | <del>\$56,418.24</del><br>\$58,110.26 | <del>\$67,701.48</del><br>\$69,732.52 |
| 35 | Graphic Designer                            | E  | 41 | <del>\$40,298.16</del><br>\$41,507.10 | <del>\$50,372.70</del><br>\$51,883.88 | <del>\$60,447.24</del><br>\$62,260.66 |
| 36 | Public Relations Specialist                 | E  | 41 | <del>\$40,298.16</del><br>\$41,507.10 | <del>\$50,372.70</del><br>\$51,883.88 | <del>\$60,447.24</del><br>\$62,260.66 |
| 37 | Officer Manager                             | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 38 | Supervisor Fitness Center                   | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 39 | Supervisor General Recreation               | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 40 | Supervisor Ice Programs                     | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 41 | Supervisor Office on Aging                  | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 42 | Supervisor Recreation and Aquatics          | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 43 | Supervisor Sport Programs                   | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 44 | <b>Horticulturist</b>                       | E  | 40 | <del>\$35,980.50</del><br>\$37,059.92 | <del>\$44,975.88</del><br>\$46,850.46 | <del>\$54,991.26</del><br>\$56,641.00 |
| 45 | Executive Assistant to Mayor                | NE | 19 | <del>\$25.28</del><br>\$26.04         | <del>\$31.60</del><br>\$32.54         | <del>\$37.91</del><br>\$39.05         |
| 46 | <b>Youth Program Coordinator</b>            | NE | 19 | <del>\$26.04</del><br>\$26.04         | <del>\$32.54</del><br>\$32.54         | <del>\$39.05</del><br>\$39.05         |
| 47 | Central Purchasing Administrator            | NE | 18 | <del>\$22.57</del><br>\$23.25         | <del>\$28.21</del><br>\$29.06         | <del>\$33.85</del><br>\$34.87         |
| 48 | Assistant Clerk of Council                  | NE | 18 | <del>\$22.57</del><br>\$23.25         | <del>\$28.21</del><br>\$29.06         | <del>\$33.85</del><br>\$34.87         |
| 49 | Housing Program Coordinator                 | NE | 18 | <del>\$22.57</del><br>\$23.25         | <del>\$28.21</del><br>\$29.06         | <del>\$33.85</del><br>\$34.87         |
| 50 | Housing Property Investigator               | NE | 18 | <del>\$22.57</del><br>\$23.25         | <del>\$28.21</del><br>\$29.06         | <del>\$33.85</del><br>\$34.87         |

ORDINANCE NO. 127-2024(F)

|    |                                                |           |           |                               |                               |                               |
|----|------------------------------------------------|-----------|-----------|-------------------------------|-------------------------------|-------------------------------|
|    |                                                |           |           |                               |                               |                               |
| 51 | Paralegal                                      | NE        | 18        | <del>\$22.57</del><br>\$23.25 | <del>\$28.21</del><br>\$29.06 | <del>\$33.85</del><br>\$34.87 |
| 52 | Communication Specialist<br>Engineer           | NE        | 17        | <del>\$20.15</del><br>\$20.75 | <del>\$25.18</del><br>\$25.94 | <del>\$30.22</del><br>\$31.13 |
| 53 | Housing Inspector                              | NE        | 17        | <del>\$20.15</del><br>\$20.75 | <del>\$25.18</del><br>\$25.94 | <del>\$30.22</del><br>\$31.13 |
| 54 | Housing Court Representative                   | NE        | 17        | <del>\$20.15</del><br>\$20.75 | <del>\$25.18</del><br>\$25.94 | <del>\$30.22</del><br>\$31.13 |
| 55 | Housing Rehabilitation Specialist              | NE        | 17        | <del>\$20.15</del><br>\$20.75 | <del>\$25.18</del><br>\$25.94 | <del>\$30.22</del><br>\$31.13 |
| 56 | Human Resources Generalist                     | NE        | 17        | <del>\$20.15</del><br>\$20.75 | <del>\$25.18</del><br>\$25.94 | <del>\$30.22</del><br>\$31.13 |
| 57 | Legal Secretary                                | NE        | 17        | <del>\$20.15</del><br>\$20.75 | <del>\$25.18</del><br>\$25.94 | <del>\$30.22</del><br>\$31.13 |
| 58 | Accountant                                     | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 59 | Audio Engineer                                 | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 60 | Camera Operator                                | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 61 | GIS Analyst                                    | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 62 | Information Systems Technician                 | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 63 | Senior Payroll Administrator                   | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 64 | Information Systems Technician                 | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 65 | Utility Inspector                              | NE        | 16        | <del>\$17.99</del><br>\$18.53 | <del>\$22.49</del><br>\$23.16 | <del>\$26.99</del><br>\$27.80 |
| 66 | Accounts Payable Coordinator                   | NE        | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 67 | Community Relations Assistant                  | NE        | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 68 | Human Resources Coordinator                    | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 69 | Planning Technician                            | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 70 | <b>Permit Technician</b>                       | <b>NE</b> | <b>15</b> | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 71 | Secretary to Director                          | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 72 | Public Works Response<br>Specialist            | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 73 | Special Projects Coordinator                   | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 74 | Social Media Coordinator                       | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 75 | <b>Special Events Coordinator</b>              | <b>NE</b> | <b>15</b> | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 76 | Community Services Specialist<br>Social Worker | <b>NE</b> | 15        | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 77 | Administrative Assistant                       | <b>NE</b> | 15        | <del>\$16.07</del>            | <del>\$20.08</del>            | <del>\$25.50</del>            |

# ORDINANCE NO. 127-2024(F)

|    |                                                   |    |    |                               |                               |                               |
|----|---------------------------------------------------|----|----|-------------------------------|-------------------------------|-------------------------------|
|    |                                                   |    |    | \$16.55                       | \$21.41                       | \$26.27                       |
| 78 | Mayor Intern                                      | NE | 15 | <del>\$16.07</del><br>\$16.55 | <del>\$20.08</del><br>\$21.41 | <del>\$25.50</del><br>\$26.27 |
| 79 | Office Assistant                                  | NE | 14 | <del>\$14.34</del><br>\$14.77 | <del>\$17.93</del><br>\$18.46 | <del>\$21.51</del><br>\$22.16 |
| 80 | Office Assistant II                               | NE | 14 | <del>\$14.34</del><br>\$14.77 | <del>\$17.93</del><br>\$18.46 | <del>\$21.51</del><br>\$22.16 |
| 81 | Finance Clerk Receptionist                        | NE | 13 | <del>\$12.80</del><br>\$13.51 | <del>\$16.00</del><br>\$16.89 | <del>\$19.21</del><br>\$20.27 |
| 82 | Utility Billing Clerk                             | NE | 13 | <del>\$12.80</del><br>\$13.51 | <del>\$16.00</del><br>\$16.89 | <del>\$19.21</del><br>\$20.27 |
| 83 | No current job title                              | NE | 12 | <del>\$11.43</del><br>\$12.69 | NA<br>\$15.87                 | <del>\$17.15</del><br>\$19.05 |
| 84 | Building Attendant Cashier                        | NE | 11 | <del>\$10.21</del><br>\$11.17 | <del>\$12.76</del><br>\$13.84 | <del>\$15.31</del><br>\$16.51 |
| 85 | Head Cashier                                      | NE | 11 | <del>\$10.21</del><br>\$11.17 | <del>\$12.76</del><br>\$13.84 | <del>\$15.31</del><br>\$16.51 |
| 86 | Laborer                                           | NE | 11 | <del>\$10.21</del><br>\$11.17 | <del>\$12.76</del><br>\$13.84 | <del>\$15.31</del><br>\$16.51 |
| 87 | Front Desk Assistant Resident Services Supervisor | NE | 10 | <del>\$9.49</del><br>\$11.00  | <del>\$11.39</del><br>\$14.16 | <del>\$17.34</del><br>\$17.86 |
| 88 | Van Driver                                        | NE | 10 | <del>\$9.49</del><br>\$11.00  | <del>\$11.39</del><br>\$14.16 | <del>\$17.34</del><br>\$17.86 |

## **ELECTED OFFICIALS:**

|   | Position          | Classification   | Bi-Weekly  | Annual Salary |
|---|-------------------|------------------|------------|---------------|
| 1 | Mayor             | Elected Official | \$4,423.08 | \$115,000.00  |
| 2 | Council Member    | Elected Official | \$356.54   | \$9,270.00    |
| 3 | Council President | Elected Official | \$455.39   | \$11,840.00   |

## **SEASONAL POSITIONS:**

### **RECREATION PROGRAMS: SWIMMING POOLS:**

|   | Position                                                                                     | Classification | Min                                 | Max                                 |
|---|----------------------------------------------------------------------------------------------|----------------|-------------------------------------|-------------------------------------|
| 1 | Assistant Supervisor                                                                         | Seasonal       | <del>10.10/hour</del><br>11.00/hour | <del>16.50/hour</del><br>17.00/hour |
| 2 | Aquatic Program Supervisor                                                                   | Seasonal       | <del>10.10/hour</del><br>11.00/hour | <del>14.48/hour</del><br>15.00/hour |
| 3 | Cashier                                                                                      | Seasonal       | <del>10.10/hour</del><br>11.00/hour | <del>13.00/hour</del><br>14.00/hour |
| 4 | Guard (A.L.S)<br>(Passed ORD #091-2024)<br>• ALS Certificate may earn up to \$17.00 per hour | Seasonal       | 14.00/hour                          | 16.00/hour                          |
| 5 | Head Guard<br>(Passed ORD #091-2024)                                                         | Seasonal       | 14.00/hour                          | 18.00/hour                          |
| 6 | Head Cashier                                                                                 | Seasonal       | <del>10.10/hour</del><br>11.00/hour | <del>13.36/hour</del><br>15.00/hour |
| 7 | Head Coach (Summer)                                                                          | Seasonal       | 364.14/ Per biweekly Pay Period     | 573.68/Per biweekly pay period      |
| 8 | Head Coach (Assistant)                                                                       | Seasonal       | 260.10/Per biweekly pay period      | 57.68/Per biweekly pay period       |
| 9 | Learn to Swim Coordinator                                                                    | Seasonal       | 260.10/Per season                   | 573.68/Per season                   |

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|    |                                        |          |                                                        |                                     |
|----|----------------------------------------|----------|--------------------------------------------------------|-------------------------------------|
| 10 | Preschool Learn to Swim Coordinator    | Seasonal | 260.10/Per season                                      | 573.68/Per season                   |
| 11 | Pool Attendant                         | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | <del>11.33/hour</del><br>12.50/hour |
| 12 | Pool Maintenance                       | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | <del>11.33/hour</del><br>12.50/hour |
| 13 | Pool Manager<br>(Passed ORD #091-2024) | Seasonal | 15.00/hour                                             | 20.00/hour                          |
| 14 | Private Instructor Fee                 | Seasonal | 2/3 of private instruction; Fees charged and collected |                                     |
| 15 | Security Guard                         | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | <del>10.53/hour</del><br>11.50/hour |
| 16 | Security Assistant                     | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | <del>12.33/hour</del><br>13.50/hour |
| 17 | Sports Coordinator                     | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | 23.65/hour                          |
| 18 | Sports Supervisor                      | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | 23.65/hour                          |
| 19 | Tennis Court Attendant                 | Seasonal | <del>10.10/hour</del><br>11.00/hour                    | <del>10.18/hour</del><br>12.00/hour |
| 20 | Tennis Lesson Instructor               | Seasonal | <del>10.40/hour</del><br>11.00/hour                    | 18.22/hour                          |
| 21 | Tennis Program Coordinator             | Seasonal | 2,601.00/per season                                    | 4,489.45/per season                 |
| 22 | Umpire                                 | Seasonal | <del>10.40/hour</del><br>11.00/hour                    | 23.65/hour                          |
| 23 | Water Aerobics Instructor              | Seasonal | 182.07/per session                                     | 286.84/session                      |

### **PLAYGROUNDS:**

|   | Position                        | Classification | Min                                                     | Max        |
|---|---------------------------------|----------------|---------------------------------------------------------|------------|
| 1 | Private Instructor Fee (Tennis) | Seasonal       | 2/3 of private instructions; Fees charged and collected |            |
| 2 | Summer Basketball Coordinator   | Seasonal       | 13.53/hour                                              | 20.11/hour |
| 3 | Summer Basketball Counselor     | Seasonal       | 11.44/hour                                              | 16.55/hour |

### **CAIN PARK THEATRE:**

|   | Position                                               | Classification | Min         | Max         |
|---|--------------------------------------------------------|----------------|-------------|-------------|
| 1 | Actor<br>(Passed ORD# 091-2024)                        | Seasonal       | 414.00/week | 600.00/week |
| 2 | Assistant Box Office Manager<br>(Passed ORD# 091-2024) | Seasonal       | 15.00/hour  | 18.00/hour  |
| 3 | Assistant Operations Manager                           | Seasonal       | 350.00/week | 550.00/week |
| 4 | Assistant Production Manager<br>(Passed ORD# 091-2024) | Seasonal       | 400.00/week | 720.00/week |
| 5 | Assistant Stage Manager<br>(Passed ORD# 091-2024)      | Seasonal       | 414.00/week | 550.00/week |
| 6 | Assistant to General Manager<br>(Passed ORD# 091-2024) | Seasonal       | 400.00/week | 720.00/week |
| 7 | Box Office Manager                                     | Seasonal       | 15.00/hour  | 20.00/hour  |

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|    |                                                       |          |             |             |
|----|-------------------------------------------------------|----------|-------------|-------------|
|    | (Passed ORD# 091-2024)                                |          |             |             |
| 8  | Box Office Staff<br>(Passed ORD# 091-2024)            | Seasonal | 11.00/hour  | 15.00/hour  |
| 9  | Carpenter                                             | Seasonal | 300.00/week | 500.00/week |
| 10 | Concession Shift Supervisor<br>(Passed ORD# 091-2024) | Seasonal | 12.00/hour  | 16.00/hour  |
| 11 | Concession Worker<br>(Passed ORD# 091-2024)           | Seasonal | 11.00/hour  | 15.00/hour  |
| 12 | Costume Shop Manager                                  | Seasonal | 350.00/week | 550.00/week |
| 13 | House Manager<br>(Passed ORD# 091-2024)               | Seasonal | 300.00/week | 450.00/week |
| 14 | Operations Assistant<br>(Passed ORD# 091-2024)        | Seasonal | 300.00/week | 600.00/week |
| 15 | Operations Manager<br>(Passed ORD# 091-2024)          | Seasonal | 450.00/week | 800.00/week |

**ICE SKATING RINK:**

|   | Position                   | Classification                                                                                                                                                                                                                                                                     | Min                                 | Max                                 |
|---|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| 1 | Cashier                    | Seasonal                                                                                                                                                                                                                                                                           | <del>10.10/hour</del><br>11.00/hour | <del>13.36/hour</del><br>14.00/hour |
| 2 | Hockey Director            | Seasonal                                                                                                                                                                                                                                                                           | 2,184.84/per season                 | 2,300.00/per season                 |
| 3 | Ice Safety Guard           | Seasonal                                                                                                                                                                                                                                                                           | <del>10.10/hour</del><br>11.00/hour | <del>12.20/hour</del><br>13.50/hour |
| 4 | Ice Professional Private   | 90% of private instruction fees charged and collected. Or a flat fee of \$75.00 (if instructor teaches a minimum of four Learn to Skate classes per session) or \$150.00 (if instructor does not teach or is no longer available for the minimum number of Learn to Skate classes) |                                     |                                     |
| 5 | Ice Professional Group     | Seasonal                                                                                                                                                                                                                                                                           | 16.65/hour                          | 57.31/hour                          |
| 6 | Learn to Skate Coordinator | Seasonal                                                                                                                                                                                                                                                                           | 208.08/per week                     | 520.00/per week                     |
| 7 | Office Assistant           | Seasonal                                                                                                                                                                                                                                                                           | <del>10.10/hour</del><br>11.00/hour | <del>12.26/hour</del><br>13.50/hour |
| 8 | Supervisor – Assistant     | Seasonal                                                                                                                                                                                                                                                                           | <del>10.10/hour</del><br>11.00/hour | 15.76/hour                          |
| 9 | Supervisor – Head          | Seasonal                                                                                                                                                                                                                                                                           | <del>10.40/hour</del><br>11.00/hour | 18.22/hour                          |

**YOUTH SPORTS PROGRAMS:**

|   | Position                         | Classification | Min                                                                                                | Max                                  |
|---|----------------------------------|----------------|----------------------------------------------------------------------------------------------------|--------------------------------------|
| 1 | Youth Hockey Coach               | Seasonal       | <del>10.40/hour or</del><br><del>2,601.00/per season</del><br>11.00/hour or<br>2,750.00/per season | 22.96/hour or<br>4,592.00/per season |
| 2 | Youth Hockey Program Coordinator | Seasonal       | <del>10.40/hour or</del><br><del>2,601.00/per season</del><br>11.00/hour or<br>2,750.00/per season | 22.96/hour or<br>4,265.00/per season |

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|    |                                   |          |                                                                                                                                             |                                                        |
|----|-----------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 3  | Youth Hockey Skating Instructor   | Seasonal | <del>10.40/hour</del><br>11.00/hour                                                                                                         | 45.92/hour                                             |
| 4  | Basketball Supervisor             | Seasonal | <del>10.10/hour or</del><br><del>520.20/per season</del><br>11/hour or<br>572.00/per season                                                 | 13.91/hour or<br>2,296.00/per season                   |
| 5  | Basketball Coordinator            | Seasonal | <del>10.40/hour or</del><br><del>2,080.00/winter or</del><br><del>2,601.00/summer</del><br>11/hour or<br>2,200/winter or<br>2,750.00/summer | 22.96/hour or<br>3,171.00/winter or<br>4,318.00/summer |
| 6  | Girls Softball League Supervisor  | Seasonal | <del>10.10/hour or</del><br><del>1,040.40/per season</del><br>11.00/hour or<br>1,133/summer                                                 | 13.78/hour or<br>2,296.00/per season                   |
| 7  | Youth Baseball League Supervisor  | Seasonal | <del>10.10/hour or</del><br><del>1,040.40/per season</del><br>11.00/hour or<br>1,133/summer                                                 | 13.78/hour or<br>2,870.00/per season                   |
| 8  | League/Program/Camp Assistant     | Seasonal | <del>10.10/hour</del><br>11.00/hour                                                                                                         | <del>10.18/hour</del><br>12.00/hour                    |
| 9  | Sports Camp Supervisor/Instructor | Seasonal | <del>10.10/hour or</del><br><del>2,601.00/per season</del><br>11.00/hour<br>2,750.00/ per season                                            | 13.91/hour or<br>1,148.00/per season                   |
| 10 | Sports Coordinator                | Seasonal | <del>10.40/hour</del><br>11.00/hour                                                                                                         | 23.65/hour                                             |
| 11 | Sports Program Assistant          | Seasonal | <del>10.10/hour</del><br>11.00/hour                                                                                                         | <del>12.33/hour</del><br>13.50/hour                    |

### ADULT SPORTS PROGRAMS:

|   | Position                                             | Classification | Min                                                                                          | Max                                   |
|---|------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------|---------------------------------------|
| 1 | League/Program Supervisor                            | Seasonal       | <del>10.40/hour or</del><br><del>1,040.40/per season</del><br>11.00/hour<br>1,133/per season | 22.96/hour or<br>2,296.00/per season  |
| 2 | Softball Umpire-In-Chief / Assistant Umpire in Chief | Seasonal       | <del>10.40/hour or</del><br><del>1,040.40/per season</del><br>11.00/hour<br>1,133/per season | 22.96/hour/ or<br>1,722.00/per season |

### FIELDHOUSE/FITNESS CENTER

|   | Position                                    | Classification | Min                                 | Max                                 |
|---|---------------------------------------------|----------------|-------------------------------------|-------------------------------------|
| 1 | Fitness Center Assistant                    | Seasonal       | <del>10.10/hour</del><br>11.00/hour | <del>11.07/hour</del><br>12.00/hour |
| 2 | Fitness Center Coordinator                  | Seasonal       | <del>10.10/hour</del><br>11.00/hour | <del>13.36/hour</del><br>14.00/hour |
| 3 | Fieldhouse Instructor / Aerobics Instructor | Seasonal       | <del>10.40/hour</del><br>11.00/hour | <del>13.64/hour</del><br>14.50/hour |
| 4 | Front Desk Assistant                        | Seasonal       | <del>10.10/hour</del><br>11.00/hour | 14.39/hour                          |

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|   |                                    |                                                                                                                                   |                                                                                                         |                                                 |
|---|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| 5 | Personal Trainer                   | Seasonal                                                                                                                          | <del>10.40/hour or 70% of rate charged by trainer</del><br>11.00/hour or 70% of rate charged by trainer | 12.64/hour or 70% of rate of charged by trainer |
| 6 | Head of Personal Training Services | Additional 5% of total personal training program revenue (3% City portion/ 2% Trainer portion) for administration of the program. |                                                                                                         |                                                 |

**MISCELLANEOUS:**

1. The Mayor shall also serve without additional compensation as Director of Public Safety and Director of Public Services.
2. In addition to the salary provided herein, the Director of Law and the Assistant Law Directors may be compensated at an overtime rate not to exceed \$250.00 per hour for time spent representing the City in court appearances and special projects over and above normal work hours as approved by the Mayor.
3. School Crossing Guard:
  - ~~\$40.49 per day (based upon a 4-hour day)~~
  - \$44.00 per day (based upon a 4-hour day)
  - ~~\$10.12 per hour~~
  - \$11.00 per hour
4. "Minimum" and "maximum" as used in this Section are exclusive of provisions for longevity, sick leave and vacation conversion, health care, deferred compensation, and other forms of non-salary compensation for which express authority is provided by ordinance.
5. To reduce criminal activity and promote safe neighborhoods, the Mayor may lease or transfer City-owned property to Basic Patrol Officers and/or members of the Classified Service of the Division of Police at fair market value.
6. The Mayor shall have the authority, when deemed in the best interests of the City, to issue a monetary car allowance in lieu of issuing a City-owned vehicle to an employee.
7. The Mayor shall have the authority, when deemed in the best interests of the City, to issue a cost of living adjustment in the form of a one-time lump sum payment to an employee.
8. The Mayor shall have the authority, when deemed in the best interests of the City, to grandfather an employee whose current rate of pay exceeds the maximum range of the salary grade identified in the 2018 Compensation Study.

9. The Mayor shall have the authority, when deemed in the best interest of the City, to issue a cost of living adjustment not to exceed 2% to a grandfathered employee whose rate of pay exceeds the maximum range of the salary grade identified in the 2018 Compensation Study.

**BOARD AND COMMISSION MEMBERS:**

1. Architectural Board of Review:
  - \$90.00 per meeting attended (Three members, each)
  - \$90.00 per meeting attended (Two Alternate Members, each - at request of ABR Secretary)
2. Board of Zoning Appeals:
  - \$90.00 per meeting attended (Five Members, each)
  - One Alternate Member (at request of Planning and Development Director)
3. Civil Service Commission:
  - \$90.00 per meeting attended (Three Members, each)
4. Planning Commission:
  - \$90.00 per month (Seven Members, each - provided the member attends at least one meeting, either regular or special during the month)

**SECTION 2. POLICE**

Sworn members of the Police Department who are members of the police bargaining units shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the Northern Ohio Patrolmen's Benevolent Association. The agreement covers the period commencing August 2, 2021, through March 31, 2024, and may be extended by agreement of the parties. A copy of the labor agreement and related documents is on file in the Office of the Mayor.

**SECTION 3. FIRE**

Sworn members of the Fire Department who are represented by the International Association of Fire Fighters shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the International Association of Fire Fighters. The agreement covers the period commencing April 1, 2021, through March 31, 2024, and may be extended by agreement of the parties. The paramedic compensation, academic achievement bonus, and the clothing maintenance allowance shall apply to all sworn members of the Department. A copy of the labor agreement and other related documents are on file in the Office of the Mayor.

SECTION 4. **PUBLIC WORKS and PARKS & RECREATION**

Employees in the bargaining unit as described in the memorandum of understanding and other related documents between the City of Cleveland Heights and Laborer's International Union of North America, Laborer's Local 860 of Cleveland representing Service Employees, shall have the terms, conditions, and benefits of employment as described in said memorandum of understanding and other related documents. That agreement covers the time period commencing upon execution through March 31, 2025, and may be extended by agreement of the parties. A copy of the memorandum of understanding and other related documents are on file in the Office of the Mayor. Employees may be eligible for supervisor premium pay when such duties are assumed due to absence.

SECTION 5. **MUNICIPAL COURT**

Judge: Base pay according to the Ohio Revised Code 1901.11 is \$61,750.00.

Administrative Judge: compensation: \$1,500.00

Total salary: \$63,250.00

SECTION 6. **VACATION**

(a) All full-time permanent city employees shall accrue vacation leave according to the following schedule:

**ALL FULL-TIME PERMANENT CITY EMPLOYEES:**

| <b>Length of Service</b>           | <b>Accrual Per Pay Period</b> |
|------------------------------------|-------------------------------|
| Up to and including the sixth year | 3.08 hours                    |
| 7 up to and including 12 years     | 4.60 hours                    |
| 13 up to and including 18 years    | 6.20 hours                    |
| 19 years or more                   | 7.70 hours                    |

Accrual of vacation days shall be by pay period and begin in the pay period in which the employee's first day of employment occurs. Vacation leave requests will be granted by the department heads in line with the needs of the department. To accommodate scheduling needs, vacation leave may be taken before actually accrued upon approval of the Mayor. When an employee terminates employment with the city, the Mayor shall deduct from the employee's final pay periods the number of hours of vacation leave taken but not yet accrued. No more than the amount of vacation accrued in the previous twelve-month period may be carried forward into the next calendar year. Employees shall be paid for vacation leave accrued, but unused, at the time of separation provided the paid vacation does not exceed the employee's eligible annual accrual and further provided that such employee has worked six (6) months or more.

(b) Permanent part-time employees with a base schedule of 20 or more hours per week will accrue vacation. Permanent part-time employees shall accrue hours

based on the actual hours worked in the preceding pay period divided by 80 hours multiplied by the accrual per pay period.

| <b>Period Length of Service</b>     | <b>Accrual Per Pay</b> |
|-------------------------------------|------------------------|
| Up to and including the fourth year | 1.54 hours             |
| 5 up to and including 6 years       | 3.08 hours             |
| 7 up to and including 11 years      | 4.6 hours              |
| 12 up to and including 17 years     | 6.2 hours              |
| 18 years or more                    | 7.7 hours              |

No more than the amount of vacation accrued in the previous twelve-month period may be carried forward into the next calendar year. Exceptions to the maximum carryover amount, vacation hours payouts, and vacation hours conversion to compensatory time may be granted at the discretion of the Mayor. Employees shall be paid for vacation leave accrued, but unused, at the time of separation provided the paid vacation does not exceed the employee's eligible annual accrual and further provided that such employee has worked six (6) months or more. All other full-time employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for the length of their consecutive service in the former public agency, in accordance with the provisions of the Administrative Code, for purposes of determining accrual of vacation leave during their employment with the City of Cleveland Heights. Accrual of vacation for transfer employees shall be determined according to the schedule set out in subsection (a). Employees who wish to receive credit for their prior public service shall obtain a certified copy of their employment record from their prior employer. Vacation leave granted under this Section shall be administered pursuant to rules adopted by the Mayor.

(c) For purposes of this Section, the hourly rate of payment for accrued vacation leave shall be determined by the following formula: annual base pay at the time of employee separation divided by 2,080 hours.

## **SECTION 7. SICK LEAVE**

Full-time permanent employees may be eligible for paid sick leave. Sick leave will be accrued at the rate of 4.6 hours per pay period. Approved sick leave taken shall be charged against the employee's accumulated sick leave.

The amount of unused sick leave accumulated as of December 17, 1976 by permanent full-time employees shall be determined under the applicable terms of the Ordinances of the City of Cleveland Heights.

Employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for unused sick leave accrued during such prior public employment, in accordance with the provisions of the Administrative Code. Credit for accrued sick leave shall not exceed the limits specified for all other employees in subsection (a). Employees who wish to receive credit for accrued sick leave under this

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subsection shall obtain a certified copy of their sick leave record from their former employer within thirty (30) days of hire. Documentation received after thirty (30) days will be accepted; however, any service accrual granted will start from the beginning of the pay period in which the documentation is received.

All full-time, permanent employees who are in the employ of the City and who have been in the employ of the City for over ten (10) consecutive years may be eligible for payment for accrued unused sick leave earned at the City of Cleveland Heights, accumulated from January 1, 1969 upon termination of their employment for other than disciplinary reasons. The aforesaid requirement that the sick leave be earned at the City of Cleveland Heights shall apply only to employees hired after April 1, 1990. An employee shall be paid out one-quarter (.25) or 25% of sick time accumulated with a maximum of 960 hours for payout purposes. Therefore, the maximum payout that could be achieved is 240 hours.

| Accrued Sick Leave | Conversion Ratio |
|--------------------|------------------|
| 0 - 960 Hours      | 1/4              |
| 961+ Hours         | Not Eligible     |

For purposes of this Section, the hourly rate of payment for accrued sick leave shall be determined by the following formula: annual base pay at the time of termination of employment divided by 2,080 hours.

No employee shall be entitled to sick leave compensation in the event of injury, occupational disease, or sickness resulting directly and proximately from the performance of any gainful employment or self-employment other than with the City of Cleveland Heights. A determination not to provide sick leave compensation under this Section shall be made by the Mayor, who shall adopt rules relating to the making of such determination.

Sick leave granted under this Section shall be administered pursuant to rules adopted by the Mayor.

**SECTION 8.        LEGAL HOLIDAYS**

(a)     The following-named days shall be deemed paid holidays for all employees. No employee shall be required to work on such holidays unless it is determined by the Mayor that public necessity requires his or her services.

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- |                                   |                                       |
|-----------------------------------|---------------------------------------|
| 1. The first day of January;      | 7. The eleventh day of November;      |
| 2. The third Monday in January;   | 8. The fourth Thursday in November;   |
| 3. The third Monday in February;  | 9. The fourth Friday in November;     |
| 4. The last Monday in May;        | 10. The twenty-fifth day of December; |
| 5. The fourth day of July;        | 11. Personal Day;                     |
| 6. The first Monday in September; | 12. Personal Day                      |

(b) If any such day falls upon a Sunday, the Monday following shall be deemed to be the holiday. If any such day falls upon a Saturday, the Friday immediately preceding shall be deemed to be the holiday.

(c) Employees paid by the day or hour may be granted leaves of absence with full pay on any holiday named herein when, in the judgment of the Mayor, the public service will not be impaired by their absence.

(d) The foregoing notwithstanding, officers and employees who are exempt employees under the Fair Labor Standards Act shall receive no extra compensation if required to work on any holiday named herein.

**SECTION 9. DEFERRED COMPENSATION PLANS**

(a) The City shall sponsor a 457(b) Plan through payroll deductions, through one or more vendors subject to Council approval.

(b) The administration of the Deferred Compensation Plans shall be under the direction of a committee of three (3) members which shall include the Director of Finance, the Mayor or his or her designee, and one other employee who shall be appointed by the Mayor and shall be a participating member of the Plan. Payroll deductions shall be made in each instance by the Director of Finance.

(c) The Deferred Compensation Plans hereby authorized shall exist and serve in addition to retirement, pension or benefit systems established for the benefit of employees of the City and no deferral of income under the Deferred Compensation Plans shall effect a reduction of any retirement, pension or other benefit provided by law. However, any sum deferred under a Deferred Compensation Plan shall not be included for the purposes of any taxes withheld on behalf of any such employee, except municipal income tax.

(d) In order to encourage and reward extraordinary employee dedication and performance, the Mayor may award a particular employee additional non-salary compensation through contributions to an employee's deferred compensation account.

SECTION 10. **WORK DAYS AND WORK HOURS**

(a) City Hall shall be open from 8:30 a.m. to 5:00 p.m., Monday through Friday. Scheduling of employees to meet the needs of such hours of business shall be conducted through the Mayor.

(b) The normal work hours for employees of the following designated classifications shall be as follows:

1. Employees working in job classifications defined as exempt by the Fair Labor Standards Act, as determined by the Mayor after consultation with the Director of Law, shall work such hours as determined by the Mayor.
2. Employees working in jobs defined as non-exempt by the Fair Labor Standards Act, as determined by the Mayor after consultation with the Director of Law, shall work thirty-eight (38) hours to forty (40) hours per week as determined by the Mayor. Days of the week and work hours shall be in accordance with the needs of the city, which shall be determined by the Mayor.
3. The Clerk of Courts office shall be open from 8:30 a.m. through 5:00 p.m. or as otherwise determined by the Municipal Court Judge. Employees shall work such hours as established by the Municipal Court Judge.

SECTION 11. **HEALTH CARE INSURANCE AND ANCILLARY BENEFITS**

(a) The City shall purchase or subscribe to and maintain in full force and effect for each full-time employee of the City a health care insurance plan, including medical-surgical protection, covering hospital and surgical benefits and related coverage, through one or more vendors subject to Council approval. Such health care insurance plan shall be maintained so long as such employee remains in the employ of the City. The City shall contribute eighty-eight percent (88%) of the cost of Base Plan B, and the employee shall be responsible for any costs above the amount of established employer contribution, i.e., twelve percent (12%) of the cost for coverage.

(b) All full-time employees shall be offered participation in a prescription plan through one or more vendors subject to Council approval.

(c) The City shall offer dental coverage for each full-time employee from one or more vendors subject to Council approval. Such coverage shall have a maximum benefit of \$1,500 per person. Coverage shall include two (2) yearly cleanings and check-up exams and coverage of eighty percent (80%) of basic and major services, less deductibles. Orthodontia benefits for dependents age 19 or younger also shall be offered with a \$1,000 maximum benefit per dependent.

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(d) The City shall offer a vision plan for each full-time employee from one or more vendors subject to Council approval. Such coverage shall have a maximum reimbursement of \$150 per person.

(e) The City shall offer a Flexible Spending Account for qualified medical or dependent care expenses to be funded with employee gross earnings through one or more vendors subject to Council approval.

(f) The City shall offer all employees access to an Employee Assistance Program.

The Employee Assistance Program (EAP) provided by the City offers a range of services, including:

- Short-term counseling
- Assistance with locating reliable childcare
- Assistance with general and special educational needs
- Resources for the elderly
- No-cost attorney consultations with a discount if retained
- No-cost financial consultations
- Nutritional coaching
- Fitness coaching

Regarding health care insurance and ancillary benefits for individual, part-time employees, their availability may be determined by the Mayor pursuant to Codified Ordinance Section 139.20.

### SECTION 12. **LIFE INSURANCE**

- The City provides life insurance of \$10,000 for each full-time employee until they reach age 70.
- At age 70, benefits are reduced by 35%.
- At age 75, benefits are reduced an additional 20%.
- Accidental death and dismemberment insurance are provided at no cost to full-time employees.
- Employees have the option to buy additional term insurance through payroll deductions subject to City Council approval.

### SECTION 13. **LONGEVITY COMPENSATION**

- Permanent employees covered by the ordinance receive additional compensation for length of service during each biweekly pay period.

ORDINANCE NO. 127-2024(F)

- The amount varies based on years of service for both full-time and part-time employees.
- Longevity compensation takes effect for the entire pay period following the employee's anniversary.
- All service on a full-time basis with the City is considered, and only full months of service are considered for credit for prior periods of employment.

SECTION 14. **OVERTIME**

- Non-exempt employees are compensated for overtime at a rate of 1.5 times their regular hourly rate of pay for hours worked over 40 per week.
- Exempt employees may be paid overtime at a rate not exceeding 1.5 times their regular rate of pay if deemed in the best interests of the City.

SECTION 15. **EMPLOYEE INDEMNIFICATION**

- The City complies with Chapter 2744 of the Ohio Revised Code relating to employee indemnification.

SECTION 16. **PENSION**

- All employees are covered under the Public Employees Retirement System of Ohio, unless covered by the Ohio Police & Fire Pension Fund.
- The City makes all required contributions to the pension system as mandated by law.

SECTION 17. **SUPERSEDING PROVISIONS**

- If a provision in this ordinance is covered by a separate labor agreement described in Sections 2, 3, 4, 5, or 6, the labor agreement supersedes the provision of this ordinance.

SECTION 18. **EFFECTIVE DATE AND REPEAL**

- The ordinance is effective as of midnight, April 1, 2023.
- It repeals Ordinance No. 025-2022 and all related amendments and provisions inconsistent with this ordinance as of the same date.

SECTION 19. **NOTICE**

- Notice of the passage of this ordinance will be given by publishing the title and abstract of contents in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 20. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of public peace, health, and welfare in the City of Cleveland Heights. This emergency measure is necessary to

ORDINANCE NO. 127-2024(F)

provide adequate compensation for various officers and employees of the City to retain satisfactory personnel. If the ordinance receives an affirmative vote from five or more members elected or appointed to the Council, it will take effect immediately upon passage. Otherwise, it will take effect from and after the earliest time allowed by law.

\_\_\_\_\_  
TONY CUDA  
President of Council

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor



Date: August 5, 2024

To: City Council

From: Eric Zamft, Director of Planning & Development

Subject: SS4A Grant

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**Purpose Statement:** To authorize the Mayor to apply for implementation funding through the SS4A program.

In 2023, the City applied for and was granted Safe Streets and Roadways for All ("SS4A") funding to prepare a Comprehensive & Equitable Safety Action Plan. In 2023, the City retained a consulting team to assist the City staff in preparing such Safety Action Plan and, since that time has held numerous meetings. It is anticipated that the Safety Action Plan will be completed prior to the end of 2024. The City intends to apply for implementation funding through the SS4A program when it is made available. In order to supplement the Safety Action Plan and begin to test its recommendations, the City of Cleveland Heights intends to apply for SS4A Planning and Demonstration Grant Program to fund a Cleveland Heights Comprehensive & Equitable Safety Demonstration project. Such SS4A funding does not require a match or any City funds.

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

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

**If yes, why?** The application is due on August 29, 2024

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

**If yes, why?**

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

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

Proposed: 08/05/2024

RESOLUTION NO. 128-2024 (MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to submit, accept, and enter into any agreements with the United States Department of Transportation for a grant under the Safe Streets and Roadways for All (“SS4A”) Planning and Demonstration Grant Program to fund a Cleveland Heights Comprehensive & Equitable Safety Demonstration project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in 2023, the City applied for and was granted Safe Streets and Roadways for All (“SS4A”) funding to prepare a Comprehensive & Equitable Safety Action Plan; and

WHEREAS, in 2023, the City retained a consulting team to assist the City staff in preparing such Safety Action Plan; and

WHEREAS, in 2023 and 2024, numerous meetings have occurred within the community to discuss the Safety Action Plan; and

WHEREAS, it is anticipated that the Safety Action Plan will be completed prior to the end of 2024; and

WHEREAS, the City intends to apply for implementation funding through the SS4A program when it is made available; and

WHEREAS, in order to supplement the Safety Action Plan and begin to test its recommendations, the City of Cleveland Heights intends to apply for Safe Streets and Roadways for All (“SS4A”) Planning and Demonstration Grant Program to fund a Cleveland Heights Comprehensive & Equitable Safety Demonstration project; and

WHEREAS, such SS4A funding does not require a match or any City funds; and

WHEREAS, it would be in the best interest of the City and its residents to proceed with said course of action.

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

SECTION 1. This Council fully supports the application to United States Department of Transportation for a grant under the Safe Streets and Roadways for All (“SS4A”) Planning and Demonstration Grant Program.

RESOLUTION NO. 128-2024(MSES)

SECTION 2. The Mayor be, and he is hereby, authorized to submit such application.

SECTION 3. The Mayor be, and he is hereby, authorized to accept and sign all documents for and enter into any agreements with the United States Department of Transportation for such SS4A Planning and Demonstration Grant funding.

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

SECTION 5. It is necessary that this Resolution become immediately effective as an emergency measure for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to submit required documentation to the United States Department of Transportation prior to August 29, 2024. 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.

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TONY CUDA  
President of the Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor



Date: July 25, 2024

To: Addie Balester, Clerk of Council  
Laure Wagner, Assistant Law Director

Cc: Kahlil Seren, Mayor; Danny Williams, CAO

From: Collette Clinkscale, Director of Public Works

Subject: Legislation for Professional Engineering Design Services with GPD Group.

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**Purpose Statement:** To authorize engineering design services in the amount of \$66,388 for the Altamont Road Waterline Replacement Project

**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?**

These services will be paid for as part of the SWMRP grant award received from the City of Cleveland, Division of Water

Proposed: 08/05/2024

RESOLUTION NO. 129-2024(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with GPD Group for utility engineering services associated with the replacement and rehabilitation of water lines on Altamont Road; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the City of Cleveland Heights, Ohio, has determined the need for the replacement and rehabilitation of water lines on Altamont Road;

WHEREAS, the City requires professional utility engineering services for this project; and

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

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

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

SECTION 1. The Mayor be, and he is hereby, authorized to enter into an agreement with GPD Group for engineering services for the replacement and rehabilitation of water lines on Altamont Road. The agreement shall be substantially in accordance with the terms and conditions set forth in the proposed agreement for professional services submitted by GPD Group, a copy of which is on file with the Clerk of Council. Compensation for the services detailed therein shall not exceed the sum of Sixty-six Thousand, Three Hundred Eighty-eight Dollars (\$66,388.00). All agreements hereunder shall be approved as to form and subject to the final approval of the Director of Law.

SECTION 2. 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.

SECTION 3. 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 commence the above-described improvements at the earliest possible time to protect the safety and welfare of the residents of the City. Provided it receives the affirmative

RESOLUTION NO. 129-2024(MSES)

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 the Council

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor



Date: August 2, 2024

To: City Council

From: Mayor Seren

Subject: Chapter 525.11 "Conflicts of Interest" and 525.12 "Secondary Employment and Business Activity"

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**Purpose Statement:**

To amend Chapter 525 by adding a new Section 525.11, "Conflicts of Interest" and a new Section 525.12, "Secondary Employment and Business Activity," to require the systematic identification and disclosure of conflicts of interest, to avoid ethics violations and audit findings and improve the transparency and independence of City decision-making, and to ensure that outside interests do not drive City decision-making.

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

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

**If yes, why?**

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

**If yes, why?**

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

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

N/a

Introduced: 8/5/2024

ORDINANCE NO. 130-2024(AS), *First Reading*

By Mayor Seren

An Ordinance amending Chapter 525, “Law Enforcement and Public Office” of Part Five, *General Offenses Code*, of the Codified Ordinances of the City of Cleveland Heights, by adding a new Section 525.11 “Conflicts of Interest” and a new Section 525.12 “Secondary Employment and Business Activity” and renumbering subsequent sections of Chapter 525.

WHEREAS, under Ohio and Cleveland Heights law, public officials are prohibited from having an unlawful interest in public contracts and should be required to disclose and recuse themselves in the case of conflicts of interest during the exercise of their official public duties; and

WHEREAS, it is good governance and operationally efficient prohibit conflicts of interest and to use internal controls to avoid conflicts of interest and unlawful interests in public contracts rather than to rely on audit processes, and administrative or criminal investigations to uncover and rectify the results of conflicts of interest or unlawful interests in public contracts; and

WHEREAS, preemptive disclosure of interests by decision-making public officials can be an effective internal control to avoid conflicts of interest and unlawful interests in public contracts; and

WHEREAS, strong internal controls that proactively assist in the prevention of conflicts of interest in a publicly accessible manner are in the best interest of the City, its residents, and the general goal of civic integrity and transparency.

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

SECTION 1. Chapter 525, “Law Enforcement and Public Office” of Part Five, *General Offenses Code*, of the Codified Ordinances of the City of Cleveland Heights, shall be and is hereby amended by adding a new Section 525.11 “Conflicts of Interest” and a new Section 525.12 “Secondary Employment and Business Activity” to read as follows:

525.11 CONFLICTS OF INTEREST

- (a) Whenever a matter involving the exercise of discretion comes before a public official, either individually or as a member of a body, and the individual knows or has reason to know the disposition of the matter could result in a direct financial or material benefit to themselves, a relative, business associate, or any private organization in which they have an interest, the public official shall disclose the nature of the interest to the public in an open meeting or in writing to the Director of Law, and shall recuse themselves as required by subsection (c) of this section.
- (b) The disclosure required in subsection (a) shall be made when the matter requiring disclosure first comes before the individual or when the individual first acquires knowledge of the interest requiring disclosure.
- (c) No public official may participate in any decision or take any official action with respect to any matter involving the exercise of discretion, including discussing the matter and voting on it, when they know or have reason to know that the action could confer a direct financial or material benefit on themselves, a relative, or any private organization in which they have an interest.
- (d) For the purposes of this section, interest is defined as a direct financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to a lawful class of residents or taxpayers of the City. An individual is deemed to have an interest in any private organization when they, their spouse, or a member of their household, is an owner, partner, member, director, officer, employee, owns or controls more than 5% of an organization's outstanding stock, or has a fiduciary duty to the organization; provided however, that an individual appointed or otherwise authorized to serve on a private organization, and who solely acts on behalf of the City in their capacity for the private organization, shall not be deemed to have an interest in such private organization.
- (e) No public official shall receive compensation from, or knowingly obtain a financial interest in, any non-City entity in exchange for any service rendered or to be rendered by them personally in any case, proceeding, application, or other matter which is before any City agency, department, board, commission, or other authority. No person shall be required to divest themselves of a financial interest in existence at the time they initially assume office or prior to the non-City entity having a matter come before the City, but recusal in accordance with subsection (c) shall be required.
- (f) In uncertain as to whether a true conflict of interest exists, any public official may, before a matter is decided, disclose a potential conflict of interest to the Department of Law and request an opinion to determine whether the potential conflict of interest precludes the public official's participation in a particular matter.

(g) No public official shall be required to recuse themselves with respect to the following matters:

- (1) Adoption of the City's budget as a whole; or
- (2) Any matter that does not involve the exercise of discretion.

#### 525.12 SECONDARY EMPLOYMENT AND BUSINESS ACTIVITY

(a) The Purpose of this section is to provide for an internal control process by which the Mayor and members of decision-making bodies must preemptively disclose business or other interests which could allow for having an unlawful interest in a public contract or engaging in official duties that present a conflict of interest. This section is intended to create a greater opportunity to avoid such violations.

(b) This section shall apply to the following public officials of the City of Cleveland Heights: the Mayor, members of the City Council, members of the Board of Zoning Appeals, members of the Planning Commission, members of the Architectural Board of Review, and members of the Civil Service Commission.

(c) All public officials to which this section applies shall disclose the following types of secondary employment or business activity in writing to the Department of Finance on an official form approved by the Director of Law and the Director of Finance, and shall keep such information up to date throughout their term of service as a public official with the City.

- (1) Any compensated employment or private business activity outside the public official's primary status with the City that results in gross income required to be reported by the United States Internal Revenue Service, excluding interest income, dividends, other corporate contributions, alimony, income from life insurance or endowment, income in respect of a decedent, retirement plans, pensions and annuities, and social security, PERS, or equivalent retirement benefits; or
- (2) Any compensated or uncompensated fiduciary interest in any private entity.

(d) The Department of Finance shall transmit a copy of each secondary employment or business activity disclosure form, which shall be considered public records, to the Director of Law.

(e) In the event the Director of Law determines that a public official's secondary employment or business activity violates an express prohibition or creates a conflict of interest, the Director of Law shall inform that public official and the members of the body on which they serve, as applicable, of that determination. Notwithstanding the above, nothing herein is intended to remove the public official's individual responsibility to disclose any conflict of interest.

ORDINANCE NO. 130-2024(AS)

SECTION 2. Subsequent sections of Chapter 525 shall be renumbered for clerical accuracy.

SECTION 2. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Ordinance shall take effect and be in force at the earliest time permitted by law.

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TONY CUDA  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor



Date: August 2, 2024

To: City Council

From: Mayor Seren

Subject: Chapter 105.03 "Rules for Emails"

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**Purpose Statement:**

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

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

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

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

**If yes, why?**

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

**If yes, why?**

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

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

N/a

Proposed: 8/5/2024

ORDINANCE NO. 131-2024(AS), *First Reading*

By Mayor Seren

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

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

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

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

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

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

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

ORDINANCE NO. 131-2024(AS)

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

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

105.03 RULES FOR CITY EMAILS

- (a) Documents in email format, created or received by or coming under the jurisdiction of any public office or public body of the City which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the City, is a "record" within the meaning of this chapter and as defined by the Ohio Revised Code.
- (b) The Mayor shall provide or cause to be provided official City email accounts for use by the Mayor and each member of Council.
- (c) The Mayor and Council members are prohibited from using private email accounts to conduct City business and shall exclusively use the above referenced official City email accounts when conducting City business through the email medium.
- (d) If the Mayor or a member of Council receive a document in email format to a private email account which is a public record, they shall forward such email to the official City email account provided for their use. Any response shall be sent from the official City email account.

SECTION 2. Notice of passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Ordinance shall take effect and be in force at the earliest time permitted by law.

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TONY CUDA  
President of Council

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ADDIE BALESTER  
Clerk of Council

ORDINANCE NO. 131-2024(AS)

PASSED:

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

Approved: \_\_\_\_\_

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

Proposed: 08/05/2024

RESOLUTION NO. 132-2024(AS), *First Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Drew Herzig as a member of the Arts Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance 123-2023 established an Arts Commission, the purpose of which is to act in an advisory capacity to the Council and the Mayor related to arts policies, programs, and projects in order to help facilitate improved funding, creation, and enjoyment of the arts in the City, by providing recommendations to the Mayor for public art projects, and arts programming and by providing legislative and budgetary recommendations to the Mayor and the Council in support of the arts in the City; and

WHEREAS, the Arts Commission shall consist of not less than seven (7) nor more than eleven (11) members, appointed by the Mayor, subject to confirmation by a majority of Council; and

WHEREAS, Drew Herzig has been selected by the Mayor on the basis of training and experience in the arts and this council wishes to confirm the Mayors appointment.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Drew Herzig as a member of the Arts Commission for a three (3) year term ending December 31, 2026.

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 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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

RESOLUTION NO. 132-2024(AS)

effect and be in force from and after the earliest time allowed by law.

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TONY CUDA  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor

## Mayors Boards and Commissions Application

|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference #                                                                                              | 16259709                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Status                                                                                                   | Complete                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| First Name                                                                                               | Drew                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Last Name                                                                                                | Herzig                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Street Address                                                                                           | ██████████                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Zip Code                                                                                                 | 44118                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Date of Birth                                                                                            | 02/04/1952                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Phone Number                                                                                             | ██████████                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Email Address                                                                                            | ██████████████████                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Select the board(s) and/or commission(s) on which you wish to serve.                                     | Arts Commission                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Why are you interested in serving on this board or commission?                                           | <p>I have been involved with the arts for over 30 years. I believe the arts should be for everyone, not just for the wealthy and privileged. Art is an essential part of our civic life. And I believe that the city government should definitely be part of the arts scene in Cleveland Heights.</p> <p>With my background as a community activist and my long-standing engagement with the arts, I believe I would have something to contribute to the Arts Commission.</p> |
| What qualities do you possess that would make you a good candidate to serve on this board or commission? | <p>I am a good listener, always seeking consensus, and very much believe in the power of the arts to bring a community together. With a background in the performing and visual arts, I have developed an aesthetic that is open, informed, and responsive to new experiences.</p> <p>In addition to my performing arts background, I have had a lot of experience in organizing visual</p>                                                                                   |

art events, curating shows, building booths, hanging lighting, installing the art works themselves. Lots of hands-on experience.

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**What professional experience do you have that would make you a good candidate to serve on this board or commission?**

In Sacramento, California, I directed, choreographed for, and performed with a number of ethnic dance ensembles, including Bulgarian, Croatian, Japanese, Italian, Greek, and Scandinavian performing groups.

In Astoria, Oregon, I was on the board of Astoria Visual Arts, an arts nonprofit. While on the AVA board, I organized the first annual Astoria Open Studio Tour, a weekend in which local artists open their studio spaces to the public, raising public awareness of the local art scene, and generating income for the local artists. During the first two years of the tour, I wrote grant proposals that secured funding for the printed tour guide .

While in Astoria I served on the Clatsop County Cultural Coalition, reviewing grant proposals for regional arts and culture groups. I was part of a focus group that helped create the Arts Council of Clatsop County. I also served on a grant proposal review panel for the Oregon Arts Commission.

In Pittsfield, Massachusetts, I was part of a research team recruited by the Berkshire Taconic Foundation, doing a community survey of interest in and perceptions of the art scene in the Berkshires in western Massachusetts. As a result of that initial research I have served on the Arts Build Community grant review panel for the past 6 years, reviewing grant proposals from the greater Berkshire/Taconic region. In 2023 alone, the Arts Build Community program infused \$400,000+ in grants and sponsorships into the

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|                                                                                                                                                                                                                                                                          |                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                          | Berkshire arts community. I still serve on the ABC review panel.                                                                                                                 |
| Do you currently serve on any government, private, or non-profit boards or commissions? If so, please list the boards or commissions:                                                                                                                                    | I currently serve on the Berkshire/Taconic ABC review board, and on the Cleveland Heights Charter Review Commission.                                                             |
| Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the board and/or commission for which you have applied? If so, please detail the circumstances: | My partner, Charles Schweigert, is a visual artist. But I am very aware of conflict of interest laws, and know when to recuse myself in areas of potential conflict of interest. |
| Is there anything else you would like to note?                                                                                                                                                                                                                           | So glad this is happening!                                                                                                                                                       |
| Would you like to attach a Resume?                                                                                                                                                                                                                                       | No                                                                                                                                                                               |
| Item #23                                                                                                                                                                                                                                                                 | I agree to electronically sign this form.                                                                                                                                        |
| Signature                                                                                                                                                                                                                                                                | Drew Herzig                                                                                                                                                                      |
| Last Update                                                                                                                                                                                                                                                              | 2024-02-21 13:11:05                                                                                                                                                              |
| Start Time                                                                                                                                                                                                                                                               | 2024-02-21 12:26:06                                                                                                                                                              |
| Finish Time                                                                                                                                                                                                                                                              | 2024-02-21 13:11:05                                                                                                                                                              |
| IP                                                                                                                                                                                                                                                                       | 174.104.160.226                                                                                                                                                                  |
| Browser                                                                                                                                                                                                                                                                  | Firefox                                                                                                                                                                          |
| Device                                                                                                                                                                                                                                                                   | Desktop                                                                                                                                                                          |
| Referrer                                                                                                                                                                                                                                                                 | https://www.clevelandheights.gov/                                                                                                                                                |

Proposed: 08/05/2024

RESOLUTION NO. 133-2024(AS), *First Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Deidre McPherson as a member of the Arts Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance 123-2023 established an Arts Commission, the purpose of which is to act in an advisory capacity to the Council and the Mayor related to arts policies, programs, and projects in order to help facilitate improved funding, creation, and enjoyment of the arts in the City, by providing recommendations to the Mayor for public art projects, and arts programming and by providing legislative and budgetary recommendations to the Mayor and the Council in support of the arts in the City; and

WHEREAS, the Arts Commission shall consist of not less than seven (7) nor more than eleven (11) members, appointed by the Mayor, subject to confirmation by a majority of Council; and

WHEREAS, Drew Herzig has been selected by the Mayor on the basis of training and experience in the arts and this council wishes to confirm the Mayors appointment.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Deidre McPherson as a member of the Arts Commission for a three (3) year term ending December 31, 2026.

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 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.

RESOLUTION NO. 133-2024(AS)

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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

---

ADDIE BALESTER  
Clerk of Council

PASSED:

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

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KAHLIL SEREN  
Mayor

## Mayors Boards and Commissions Application

|                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference #                                                          | 16596227                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Status                                                               | Complete                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| First Name                                                           | Deidre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Last Name                                                            | McPherson                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Street Address                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Zip Code                                                             | 44106                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Date of Birth                                                        | 01/04/1977                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Phone Number                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Email Address                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Select the board(s) and/or commission(s) on which you wish to serve. | Arts Commission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Why are you interested in serving on this board or commission?       | <p>I believe arts and culture are essential to our quality of life. Cleveland Heights is a very special City with lots of arts and culture present through artists, creative entrepreneurs, arts organizations, venues, and more. But, how might we strategically connect resources and develop programs or initiatives that help Cleveland Heights be a great City of the arts and a great city of equity? How might we create a cultural plan for our City? How might we attract and retain artists, creatives, and cultural organizations in a way that has a positive economic impact and makes our City a great place to live, work, and thrive? What does it mean for the City of Cleveland Heights to be "Home to the Arts?"</p> <p>These are the types of questions that I work to address about every day as Chief Community</p> |

Officer at our region's arts council, Assembly for the Arts. The mission of Assembly is to convene, coordinate, and collaborate with everyone who lives and works in Greater Cleveland to strengthen and support those in the region who create, present, experience and appreciate all forms of arts and culture. I view serving on this commission as an extension of this work that I am passionate about.

I want to help convene much needed discussions to hear from communities what they believe it means to be "home to the arts," then work with and in support of others to help make that vision a reality.

I was born and raised in Cleveland Heights. I attended CH-UH schools where I played violin in the orchestra (elementary through high school). Those experiences were transformative for me and inspired my career as an arts administrator.

---

**What qualities do you possess that would make you a good candidate to serve on this board or commission?**

I am an excellent communicator and creative problem solver. I enjoy working on teams and have the ability to lead, assist, and project manage. As curator of public programs at the Museum of Contemporary Art (moCa Cleveland), director of public programs at the Cleveland Museum of Art, and an independent consultant that's worked with large and small cultural institutions, I have become an expert on Cleveland's arts scene. I am often consulted for advice on arts-centric community-building initiatives that create spaces of belonging and inclusion. I am incredibly well connected and collaborative.

---

**What professional experience do you have that would make you a good candidate to serve on**

I have worked in Greater Cleveland's arts and culture industry for over 15 years. I am a cultural

**this board or commission?**

curator and veteran arts champion dedicated to bridging the gap between artists, communities, and institutions through an equity lens. My passion for highlighting our region's creative talent and connecting artists to the public through cultural events and opportunities has been at the core of my work.

I have held leadership roles and consulted for institutions including The Cleveland Orchestra, Museum of Contemporary Art (moCa) Cleveland, The Cleveland Museum of Art (CMA), Karamu House, the Cleveland International Film Festival, FRONT International Cleveland Triennial for Contemporary Art, DANCE Cleveland, and the Saint Luke's Foundation to name a few. Prior to these roles, I organized an independent monthly film and discussion series showcasing films by and about queer women of color called Sistah Sinema (2012-2017).

While working as Curator of Public Programs at moCa Cleveland I developed festivals, organized opening night celebrations for exhibitions from local and internationally renowned artists. I've developed programs and events with visual artists, musicians, dancers, comedians, filmmakers, and more. Similarly, as Director of Community Programs at the Cleveland Museum of Art, I curated monthly MIX events, organized panel discussions and distinguished lectures, and developed initiatives that translated into increased membership especially among Black and Brown audiences.

---

**Do you currently serve on any government, private, or non-profit boards or commissions? If so, please list the boards or commissions:**

I currently serve on the board of Sankofa Fine Art Plus, the Greater Cleveland Regional Transit Authority (GCRTA), Cleveland VOTES and the Heights Bicycle Coalition.

---

I also am a member of the City of Cleveland's Transformative Arts Fund Committee.

Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the board and/or commission for which you have applied? If so, please detail the circumstances:

Not applicable.

Would you like to attach a Resume?

Yes

Resume or CV Upload (5 Mb limit)



Item #23

I agree to electronically sign this form.

Signature

Deidre McPherson

Gender:

Female

Race or Ethnic Origin:

Black/African American

Last Update

2024-07-09 17:02:06

Start Time

2024-07-09 15:34:45

Finish Time

2024-07-09 17:02:06

IP

107.218.184.195

Browser

Edge

Device

Desktop

Referrer

<https://www.clevelandheights.gov/>

# Deidre McPherson

Cleveland Heights, OH 44106 | [REDACTED]

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## Profile

Entrepreneurial strategist, cultural producer, community advocate, and creative problem solver. Demonstrated achievements in audience development, community engagement, building strategic partnerships, and curating themed programs and events.

## Experience

### **Chief Community Officer, Assembly for the Arts, Cleveland, OH | 2022-Present**

Lead efforts to improve equity and connections among arts nonprofits, individual creatives, and small business communities in Northeast Ohio. Plot Assembly's future as a catalyst to expand the pie of resources for our region's creative sector and increase the equity within the sector through programs, advocacy, and policy initiatives.

### **Founder + Chief Creative Officer, Deidre McPherson LLC | 2021-Present**

Consulting practice focused on strategic thought partnership with arts & cultural organizations (large and small) on projects that directly impact historically disinvested, ineffectively served, or otherwise marginalized communities. Specialize in creating and managing projects that yield systemic practices that advance collective agency and equity, financial thriveability, and the amplification of diverse voices/stories. Services include consulting on community engagement methods, strategic communications, audience development, and impact-driven creative programming. Clients have included Karamu House, Cleveland International Film Festival, DANCE Cleveland, Studio West 117, and Saint Luke's Foundation.

### **Director of Artistic + Community Initiatives, FRONT International, Cleveland, OH | 2021-2022**

Designed and implemented new initiatives to help this 3-month, city-wide art triennial connect more deeply with Northeast Ohio-based artists of color and connect with new audiences. Consulting on community engagement methods, strategic partnerships and communications, audience development, and creative programming. Artistic and community initiatives include a Block Party on Cleveland Public Square, the introduction of a 3-year fellowship for Black and Brown artists based in Northeast Ohio, a community forum and a series of bicycle tours to FRONT exhibition venues.

### **Director of Community Programs, Cleveland Museum of Art, Cleveland, OH | 2017-2021**

Curated and organized 500+ individual public programs and events designed to increase the broad relevance of the museum and works on view. Program portfolio included exhibition and collection themed film screenings, panel discussions, lectures, performances (dance, music, poetry), celebratory exhibition openings, and large-scale community celebrations. Successfully produced programs that engaged new and existing audiences through collaborations/partnerships with institutions (educational, cultural, and civic) as well as individual creatives (poets, visual artists, dancers, musicians, actors, and thought leaders). Reimagined the museum's signature themed monthly after-hours dance party, MIX, resulting in increased event attendance, museum membership and revenue.

### **Curator of Public Programs, Museum of Contemporary Art Cleveland, Cleveland, OH | 2014-2017**

Developed and executed a roster of strategic, relevant, mission-born programs that connected adult audiences to the museum, including exhibition opening night parties, an annual art book and zine fair, lectures and panel discussions, music concert series, film screenings and more. Stressing innovation, participation and interdisciplinary, these programs encouraged repeat attendance and sustained engagement. Worked collaboratively with the curatorial and education staff to create events and experiences that helped introduce new audiences to contemporary art. Identified and cultivated sustainable organizational partnerships that contributed resources, audience and value to the museum's programs.

### **Founding Director, Sistah Sinema Cleveland, Cleveland, OH | 2012-2017**

Launched the Cleveland chapter and built an audience for an event that unites people around film and conversation about queer women of color (Black and Brown LGBTQ audiences). Wrote all outbound communications (social media content, press releases, and promotional materials). Generated sponsors

# Deidre McPherson

Cleveland Heights, OH 44106 | [REDACTED]

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and managed partnerships with organizations with a shared mission. Recruited, engaged, and coordinated volunteers. Moderated audience discussions. Selected speakers/panelists to share expertise on topics raised by films.

## **Marketing Manager, Council of Smaller Enterprises (COSE), Cleveland, OH | 2012-2014**

Developed and executed business-to-business (B2B) marketing plans for programs and services (workers' comp, energy, events and health insurance) to achieve organizational goals. Collaborated with internal stakeholders and cross-functional teams to drive membership, product utilization, and event attendance.

## **Group Sales Manager, The Cleveland Orchestra, Cleveland, OH | 2011-2012**

Developed and executed marketing plans and group sales strategies for all Cleveland Orchestra concert series, including Severance Hall, Fridays@7, Celebrity, Holiday Festival, Family, and Blossom Music Festival. Grew customer database resulting in a 15% revenue increase for the Celebrity Concert Series by deepening relationships with leaders of existing and underrepresented groups.

## **Marketing Manager, The Cleveland Orchestra, Cleveland, OH | 2008-2012**

Developed and managed the execution of successful subscription and single ticket marketing campaigns (direct mail, email, online, print, and radio) for the Severance Hall Season. Developed new positioning, product features and price tiers for the Family Concert Series resulting in a sold out season for the first time in 6 years. Established the Student Ambassador Program(which still exists today) to increase engagement of college students resulting in increased enrollment and media coverage, an initiative that contributed to a \$20 million lead endowment gift from the Maltz Family Foundation to establish the Center for Future Audiences in 2010.

## **Education**

### **Master of Business Administration, Marketing | 2008**

University of Maryland, College Park, MD

### **Bachelor of Science in Business Administration, Marketing | 2000**

Minor Studies in Arts Management & Violin Performance  
Miami University, Oxford, OH

## **Volunteer Experience**

- Board Member, Cleveland VOTES | 2022 - Present
- Board Member, Sankofa Fine Art Plus | 2021 - Present
- Board Member, Equity & Inclusion Committee Co-Chair, Bike Cleveland | 2019 - Present
- Board Member, SPACES | 2014-2020
- Co-Chair, Visual Arts Committee, International Gay Games (Cleveland + Akron) | 2013-2014
- Violin Coach, El Sistema, Rainey Institute | 2012

## **Honors & Awards**

- Transformative Arts Fund Committee, City of Cleveland | 2023
- Awardee, The Satellite Fund/SPACES | 2022
- Juror, Velocity Fund, Philadelphia Contemporary | 2021
- Cycling Instructor Certification, League of American Bicyclists | 2020
- Juror, Cleveland Arts Prize Verge Fellowship Award | 2019
- Awardee, City of Cleveland LGBT Heritage Award in Arts & Culture | 2018
- Animating Museums Fellowship Winner, Andrew W. Mellon Foundation | 2017-2019
- Feature, Cleveland People Issue, Cleveland Scene Magazine | 2016
- Short Films Juror, Cleveland International Film Festival | 2015
- Most Interesting People List, Cleveland Magazine | 2014

Proposed: 08/05/2024

RESOLUTION NO. 134-2024(AS), *First Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Nathan Motta as a member of the Arts Commission of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

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\_\_\_\_\_  
TONY CUDA  
President of Council

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

## Mayors Boards and Commissions Application

|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference #                                                                                              | 16503669                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Status                                                                                                   | Complete                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| First Name                                                                                               | Nathan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Last Name                                                                                                | Motta                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Street Address                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Zip Code                                                                                                 | 44118                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Date of Birth                                                                                            | 06/17/1980                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Phone Number                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Email Address                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Select the board(s) and/or commission(s) on which you wish to serve.                                     | Arts Commission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Why are you interested in serving on this board or commission?                                           | I think I could bring important context, ideas, and vision to this newly formed Cleveland Heights Arts Commission. While I'm a professional performing artist and non-profit executive, I also have a deep love of visual art and a passion for community organizing, public art, and supporting independent businesses in thriving arts districts. I believe that Cleveland Heights is well positioned to more fully invest and embody its motto of being "Home to the Arts". This is possible through public visual art, performing arts engagement events, and expanded arts education/ enrichment offerings in the public school system. |
| What qualities do you possess that would make you a good candidate to serve on this board or commission? | As a 15-year Cleveland Heights resident and the executive of the city's largest producing arts organization, I have both a vested interest in the arts life of the city, and a certain level of experience that I could bring to this commission.                                                                                                                                                                                                                                                                                                                                                                                            |

|                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                        | <p>I'm a professional theatre artist and musician, with a firm knowledge of visual art. I have a long track record of success as an arts administrator with demonstrated organizational growth with multiple non-profits. I've also been a leader in EDIB work within the arts, and have done community organizing around safe work practices in the theatre industry.</p>                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>What professional experience do you have that would make you a good candidate to serve on this board or commission?</b></p>                                                                                                                                                      | <p>I have an Bachelor of Fine Arts from Carnegie Mellon and a Master's degree from the Eastman School of Music as well as 26 years of experience in both professional theatre and classical music. I've worked with many world reknown theatres, orchestras, and opera companies. As Artistic Director of Dobama Theatre, we've had unprecedented artistic success, have greatly expanded arts education and community engagement, and have seen the organization grow from an annual budget of about \$300k to over \$1 million. Helping lead a staff of 7 full time employees and over 100 artists and independent contractors annually, I not only have artistic expertise to contribute, but also management experience to offer.</p> |
| <p><b>Do you currently serve on any government, private, or non-profit boards or commissions? If so, please list the boards or commissions:</b></p>                                                                                                                                    | <p>Not at this time.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the board and/or commission for which you have applied? If so, please detail the circumstances:</b></p> | <p>Nothing to share at this time. I do have many relationships with area artists (both visual and performing), so on a case-by-case basis I may need to disclose relationships as certain commissions or projects are discussed.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <p><b>Is there anything else you would like to note?</b></p>                                                                                                                                                                                                                           | <p>While the form and function of the CH Arts Commission is still to be determined, I think that a collaborative effort between independent</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

community members with a background in the arts as well as representation from the establish arts organizations in the city is paramount to the success of this cohort.

|                                    |                                                                                   |
|------------------------------------|-----------------------------------------------------------------------------------|
| Would you like to attach a Resume? | Yes                                                                               |
| Resume or CV Upload (5 Mb limit)   | <div></div>                                                                       |
| Item #23                           | I agree to electronically sign this form.                                         |
| Signature                          | Nathan Motta                                                                      |
| Gender:                            | Male                                                                              |
| Race or Ethnic Origin:             | White                                                                             |
| Last Update                        | 2024-05-30 09:25:24                                                               |
| Start Time                         | 2024-05-30 09:02:13                                                               |
| Finish Time                        | 2024-05-30 09:25:24                                                               |
| IP                                 | 66.213.14.217                                                                     |
| Browser                            | Firefox                                                                           |
| Device                             | Desktop                                                                           |
| Referrer                           | <a href="https://www.clevelandheights.gov/">https://www.clevelandheights.gov/</a> |

## Professional Experience

### THEATRE

Artistic Director                      **Dobama Theatre**                      2013 - present

- Tripled subscriptions in first seven seasons
- Doubled operating budget in first five seasons
- Cleveland Critics' Circle Best Director 2016, 2017, 2019
- Received 2019 "Lamkey Award" from Actors' Equity for Diversity and Representation
- see attached document for more information

Associate Artistic Director                      **Dobama Theatre**                      2012 - 2013

- Restructured entire MainStage production process
- Expanded programming and creative teams
- Launched new engagement and marketing strategies

Guest Artist                      **Cleveland Play House**                      2011-2022

- Asst. Director, Music Director, Vocal, Coach, Composer of various productions
- Creative team for *Life of Galileo*; *Bell, Book, and Candle*; *Carol for Cleveland*; *Steel Magnolias*; *Marie & Rosetta*; *Shakespeare in Love*; *Antigone*
- Creative team for Cleveland Orchestra collaborations *Every Good Book Deserves Favor*; *The Good Peaches*

Guest Artist                      **Great Lakes Theatre**                      2014-2016

- Creative team for *As You Like It*; *Love's Labour's Lost*

Guest Artist                      **Cain Park**                      2013-2016

- Director/ Choreographer for *The Toxic Avenger*
- Music Director for *Smokey Joe's Cafe*; *The Frogs* (Sondheim)

### TEACHING

Guest Director and/ or Lecturer                      **Various Colleges/ Universities**                      2003-present

- Baldwin Wallace University, Oberlin College, CPH/ CWRU MFA Program, John Carroll University, Kent State University, Cleveland State University, Community College of Allegheny College (Pittsburgh)

|                                                                                                                                                                                                                                                                                                                                                   |                                       |           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------|
| Performing Arts Chair                                                                                                                                                                                                                                                                                                                             | <b>Laurel School</b>                  | 2006-2011 |
| <ul style="list-style-type: none"> <li>• collaborated on program budgets, calendars, curriculum, and staffing</li> <li>• directed various productions, concerts, and other programs</li> <li>• managed a department of eight faculty and staff</li> <li>• taught courses and created curriculum for music, theatre, and dance classes.</li> </ul> |                                       |           |
| Performing Arts Teacher                                                                                                                                                                                                                                                                                                                           | <b>Wesley Academy</b>                 | 2002-2004 |
| <ul style="list-style-type: none"> <li>• created and taught performing arts curriculum for at-risk students in Greater Pittsburgh Public School system</li> <li>• built theatre, music and drama program from ground up</li> <li>• directed, music directed, choreographed theatrical productions</li> </ul>                                      |                                       |           |
| Faculty`                                                                                                                                                                                                                                                                                                                                          | <b>Civic Light Opera (Pittsburgh)</b> | 2002-2004 |
| <ul style="list-style-type: none"> <li>• prepared students for MainStage auditions</li> <li>• taught acting, voice, and dance</li> </ul>                                                                                                                                                                                                          |                                       |           |

## MUSICAL THEATRE COMPOSITION

### *THE LAND OF OZ*

*book & lyrics by George Brant*

### *MIDSUMMER*

*based on A MIDSUMMER NIGHT'S DREAM*

*music, lyrics, and book*

### *LITTLE WHITE GLOVES*

*based on the film ALL I WANNA DO*

*music, lyrics, and book*

## OPERA

|                               |                                       |
|-------------------------------|---------------------------------------|
| Ohio Light Opera              | <i>conductor</i>                      |
| Opera Cleveland               | <i>stage director, music arranger</i> |
| Mercury Opera (Rochester, NY) | <i>asst. conductor/ chorusmaster</i>  |
| Eastman Opera Theater         | <i>asst. conductor/ chorusmaster</i>  |

## ORCHESTRAL

|                                                                                                                                                                                                      |                                 |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|------|
| Asst. Conductor                                                                                                                                                                                      | <b>Pittsburgh Symphony Pops</b> | 2004 |
| <ul style="list-style-type: none"> <li>• collaborated with conductor Marvin Hamlisch on staging for concerts</li> <li>• assisted choral director Robert Page by running choral rehearsals</li> </ul> |                                 |      |

## Education

|        |                                   |      |
|--------|-----------------------------------|------|
| M.M.   | <b>Eastman School of Music</b>    | 2006 |
| B.F.A. | <b>Carnegie Mellon University</b> | 2002 |

*\*Member Stage Directors and Choreographers Society (SDC), the national theatrical union that unites, empowers and protects professional stage Directors and Choreographers throughout the United States*

ADDITIONAL NOTES: Recently named "[Cleveland 500](#)" (Cleveland Magazine); Technical Theatre Apprentice - Elmwood Playhouse (NY) 1994-97.

## DOBAMA THEATRE CV SUPPLEMENT

### ARTISTIC

- Produced over 50 World, American, Regional, and Cleveland Premieres
    - 4 World Premieres (2 musicals), 2 American Premieres, 2 commissions
  - Cleveland Circle Critics' Year-end Awards
    - 2016 Best Director of a non-musical *An Octoroon* (WINNER)
    - 2017 Best Director of a non-musical *The Flick* (WINNER)
    - 2019 Best Director of a non-musical *Stupid F\*\*king Bird* (WINNER)
- \*Most recognized theatre in region in year-end awards over five year period*

### EQUITY, DIVERSITY, & INCLUSION

- Received [2019 "Lamkey Award"](#) from Actors' Equity Association
  - Recognizes representation on and off stage
  - Nominated by union members
- Wrote and developed "[CLEAN HOUSE STANDARDS](#)"
  - Document outlining safety and wellness standards adopted by Northeast Ohio theatre
- Created partnership with Karamu House
  - Shared resources, community building, and creation of Theatre Artists for Social Change (TASC) group that performed at CWRU Social Justice Institute and spurred CLEAN HOUSE document
- Wrote and developed the "[LOVE & RESPECT DOCUMENT](#)"
  - Living document for anti-racism and authentic inclusivity at Dobama Theatre
  - Contracted with Arts Equity firm to facilitate creation with subcommittee over 8 months
  - Wrote and edited final document
- Founded Fostering Opportunity for Communities Underserved On the Stage ([FOCUS](#)) program
  - Career development for Theatre Designers and Technicals from underrepresented communities

### GROWTH

- Subscriptions/ Memberships
  - Number of Subscriptions/ Memberships tripled in first six years
  - Subscription/ Membership revenue increased by 126% in first four years
  - Subscription/ Membership revenue increased by 252% over first eight years
- Operating Budget
  - Increased by 59% in first four years; increased by 135% in first eight years
- Tickets
  - Ticket revenue increased by 134% over first six years

## **INNOVATION**

- Spearheaded re-branding and marketing campaigns
- Expanded Pay-What-You-Can program to remove financial barriers to access and to monetize previously lost inventory
- Re-imagined Subscription model to Membership model for investment and engagement
- Recruited and increased Board of Directors by 140% in six months
- Renovated and redesigned performance spaces and office facilities
- Spurred the Dobama's move to an Equity House (region's only full-time SPT theatre)
- Expanded permanent staff capacity by 250%
- Doubled production staff
- Founded summer education intensive Dobama Emerging Artists Program (DEAP)
- Imagined the Heights Halloween Festival which saw an estimated 5,000 attendees in first year (2021)
- Guest speaker in various Equity, Diversity, and Inclusion forums regionally and nationally
- Managed completed overhaul of production processes
- Started internship program
- Facilitated creation of [Vision and Statement of Values](#)
- Steered the organization through the pandemic shutdown with targeted programming and careful budgeting resulting in an anticipated 2022 fiscal year over \$100,000 in the black

For past programming information visit: <https://www.dobama.org/past-seasons>

Proposed: 08/05/2024

RESOLUTION NO. 135-2024(AS), *First Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Fern Haught 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.

WHEREAS, the Transportation and Mobility Committee shall consist of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to Council approval by majority vote, all of whom shall serve two (2) year terms. An additional non-voting member shall be the City Administrator who shall serve as the Committee's Co-chair.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Fern Haught as a member of the Transportation and Mobility Committee for a two (2) year term ending December 31, 2025.

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 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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. 135-2024(AS)

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

## Mayors Boards and Commissions Application

|                                                                                                                     |                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Reference #                                                                                                         | 16557275                                                                                                                                                                                                                                                                               |
| Status                                                                                                              | Complete                                                                                                                                                                                                                                                                               |
| First Name                                                                                                          | Fern                                                                                                                                                                                                                                                                                   |
| Last Name                                                                                                           | Haught                                                                                                                                                                                                                                                                                 |
| Street Address                                                                                                      |                                                                                                                                                                                                                                                                                        |
| Zip Code                                                                                                            | 44106                                                                                                                                                                                                                                                                                  |
| Date of Birth                                                                                                       | 02/05/1996                                                                                                                                                                                                                                                                             |
| Phone Number                                                                                                        |                                                                                                                                                                                                                                                                                        |
| Email Address                                                                                                       |                                                                                                                                                                                                                                                                                        |
| Select the board(s) and/or commission(s) on which you wish to serve.                                                | Transportation and Mobility Committee                                                                                                                                                                                                                                                  |
| Why are you interested in serving on this board or commission?                                                      | I am a disabled citizen of CH who primarily navigates via our public transportation. My experience navigating discrimination within this system can be valuable for this committee. I'd like to use these experiences to help improve these systems that are so important to citizens. |
| What qualities do you possess that would make you a good candidate to serve on this board or commission?            | In both my work and personal life I aspire to be patient and understanding, interested in learning about a variety of viewpoints. I am an organized person with an attention to detail. My lived experience with disability will inform how I serve on this committee.                 |
| What professional experience do you have that would make you a good candidate to serve on this board or commission? | I am a graduate of the Cleveland Institute of Art and have worked with a variety of local businesses and organizations for my illustration work. I am also a resident artist at ARTFUL in the Coventry PEACE campus and have used this artistic career to make connections with my     |

|                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                          | community. At CIA I have been an adjunct professor, maintaining an organized classroom, teaching a variety of topics, and resolving conflicts among students. these experiences have helped to hone my communication skills. |
| Do you currently serve on any government, private, or non-profit boards or commissions? If so, please list the boards or commissions:                                                                                                                                    | I serve on one of ARTFUL's committees.                                                                                                                                                                                       |
| Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the board and/or commission for which you have applied? If so, please detail the circumstances: | No                                                                                                                                                                                                                           |
| Is there anything else you would like to note?                                                                                                                                                                                                                           | -                                                                                                                                                                                                                            |
| Would you like to attach a Resume?                                                                                                                                                                                                                                       | No                                                                                                                                                                                                                           |
| Item #23                                                                                                                                                                                                                                                                 | I agree to electronically sign this form.                                                                                                                                                                                    |
| Signature                                                                                                                                                                                                                                                                | Fern Haught                                                                                                                                                                                                                  |
| Last Update                                                                                                                                                                                                                                                              | 2024-06-21 14:14:37                                                                                                                                                                                                          |
| Start Time                                                                                                                                                                                                                                                               | 2024-06-20 15:07:23                                                                                                                                                                                                          |
| Finish Time                                                                                                                                                                                                                                                              | 2024-06-21 14:14:37                                                                                                                                                                                                          |
| IP                                                                                                                                                                                                                                                                       | 69.135.43.250                                                                                                                                                                                                                |
| Browser                                                                                                                                                                                                                                                                  | Safari                                                                                                                                                                                                                       |
| Device                                                                                                                                                                                                                                                                   | Desktop                                                                                                                                                                                                                      |
| Referrer                                                                                                                                                                                                                                                                 | https://www.clevelandheights.gov/                                                                                                                                                                                            |

Proposed: 08/05/2024

RESOLUTION NO. 136-2024(AS), *First Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Gayle Lewin 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.

WHEREAS, the Transportation and Mobility Committee shall consist of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to Council approval by majority vote, all of whom shall serve two (2) year terms. An additional non-voting member shall be the City Administrator who shall serve as the Committee's Co-chair.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Gayle Lewin as a member of the Transportation and Mobility Committee for a two (2) year term ending December 31, 2025.

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 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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. 136-2024(AS)

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

## Boards and Commissions Application

|                                                                                                                                                                                         |                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| First Name                                                                                                                                                                              | Gayle                                                                                                                                                                                                                                                    |
| Last Name                                                                                                                                                                               | Lewin                                                                                                                                                                                                                                                    |
| Phone Number                                                                                                                                                                            | ██████████                                                                                                                                                                                                                                               |
| Email Address                                                                                                                                                                           | ████████████████████                                                                                                                                                                                                                                     |
| Street Address                                                                                                                                                                          | ██████████████████                                                                                                                                                                                                                                       |
| Place of Employment                                                                                                                                                                     | I A Lewin, P.E. and Associates                                                                                                                                                                                                                           |
| Position                                                                                                                                                                                | Principal Civil Engineer                                                                                                                                                                                                                                 |
| Length of residence in Cleveland Heights                                                                                                                                                | 10 years                                                                                                                                                                                                                                                 |
| Select the Board or Commission on which you wish to serve.                                                                                                                              | Transportation and Mobility Committee                                                                                                                                                                                                                    |
| What special qualities, abilities, skills, insights or perspectives do you possess which would be of value to a City board or commission?                                               | Civil engineer with history in highway design and focus on complete streets, pedestrian infrastructure, bicycle infrastructure, and multi-modal safety. Personal experience living in a walkable community with kids that ride bikes and walk to school. |
| What educational training (formal or informal), employment and other life experiences have helped you develop the qualities, abilities, etc., described above?                          | BS Civil Engineering, MS Engineering Management, PE Ohio and Oregon, trained in multiple specialties within the transportation engineering field, created the Cuyahoga County Complete Streets Toolkit.                                                  |
| Please list your recent community, professional or charitable involvements. List the most recent first.                                                                                 | current member of the Cleveland Heights BZA, Board member of Family Connections, former member of Transportation Advisory Committee                                                                                                                      |
| What are your goals for our community and are there areas in which you believe the City needs improvement? How would your service on a board or commission help achieve those goals and | Improve bicycle and pedestrian safety in our community. Really, improve safety for all road users in the community, but focusing on vulnerable users.                                                                                                    |

improve the City?

Do you have other responsibilities which would prevent you from participating in board or commission work during certain hours or on certain days?

Work 8-5 m-f, BZA 3rd wednesday of the month

Would you like to attach a Resume?

Yes

Resume or CV Upload (5 Mb limit)

[REDACTED]

Item #23

I agree to electronically sign this form.

Signature

Gayle S Lewin

Gender:

Female

Last Update

2024-07-10 08:46:32

Start Time

2024-07-10 08:38:23

Finish Time

2024-07-10 08:46:32



## ADDRESS

[REDACTED]  
[REDACTED]  
[REDACTED]

## PHONE

[REDACTED]

## EMAIL

[REDACTED]

## EDUCATION

2004 University of Cincinnati  
Cincinnati, Ohio  
Bachelors of Science  
Civil Engineering  
2014 University of Akron  
Akron, Ohio  
Masters of Science  
Engineering Management

## REGISTRATION

2010 Ohio PE

## Professional Experience

### I.A. Lewin P.E. and Associates,

Cleveland, OH

October 2015 – present, Principal Civil Engineer

Responsibilities including the existing site condition examination and design of grading, stormwater, post construction bmp, pavement, roadway, and bicycle infrastructure for private and government agencies. Her responsibilities also include design of wood structures, primarily residential and small commercial properties. Her projects include parking lot reconstruction, site grading, post construction storm water management, new single and multi-family residential, inspection of existing wood framed structures, modifications to existing wood framed structures, and retaining walls.

### Cuyahoga County Department of Public Works,

Cleveland, OH

November 2009 – October 2015, Highway Engineer

Responsibilities include the design of grading, stormwater, post construction bmp, pavement, roadway, and bicycle infrastructure for Cuyahoga County. These include simple road resurfacing projects, full pavement replacements, parking lot reconstruction, and trails projects.

### HDR Engineering,

Portland, OR

March 2006 - August 2009, Staff Engineer

Responsibility was to provide highway design for various roadway projects throughout the States of Oregon and Washington. Projects varied from simple roadway resurfacing projects to complex interchange replacements. Tasks included horizontal and vertical geometric design, roadside safety, traffic control, signing design, striping design, preliminary site visits, construction staging, fast-track design to qualify for funding, cost estimation, and client management.

Proposed: 06/24/2024

RESOLUTION NO. 110-2024(AS), *Second Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Sam Bell 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.

WHEREAS, the Transportation and Mobility Committee shall consist of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to Council approval by majority vote, all of whom shall serve two (2) year terms. An additional non-voting member shall be the City Administrator who shall serve as the Committee's Co-chair.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Sam Bell as a member of the Transportation and Mobility Committee for a two (2) year term ending December 31, 2025.

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 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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. 110-2024(AS)

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

Proposed: 06/24/2024

RESOLUTION NO. 111-2024(AS), *Second Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Carly Beck as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Climate and Environmental Sustainability Committee shall consist of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to approval by a majority of Council, all of whom shall serve two (2) year terms. The remaining member shall be the City's Climate Resiliency and Sustainability Coordinator who shall serve as a co-chair and non-voting member.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Carly Beck as a member of the Climate and Environmental Sustainability Committee for a two (2) year term ending December 31, 2025.

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 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.

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---

TONY CUDA  
President of Council

RESOLUTION NO. 111-2024(AS)

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

Proposed: 06/24/2024

RESOLUTION NO. 112-2024(AS), *Second Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Mohammad Irfan as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Climate and Environmental Sustainability Committee shall consist of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to approval by a majority of Council, all of whom shall serve two (2) year terms. The remaining member shall be the City's Climate Resiliency and Sustainability Coordinator who shall serve as a co-chair and non-voting member.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Mohammad Irfan as a member of the Climate and Environmental Sustainability Committee for a two (2) year term ending December 31, 2025.

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 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.

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TONY CUDA  
President of Council

RESOLUTION NO. 112-2024(AS)

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor

Proposed: 06/24/2024

RESOLUTION NO. 113-2024(AS), *Second Reading*

By Mayor Seren

A Resolution confirming the Mayor's appointment of Sean Terry as a member of the Climate and Environmental Sustainability Committee of the City of Cleveland Heights, OH; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, the Climate and Environmental Sustainability Committee shall consist of eight (8) members, four (4) of whom shall be appointed by City Council and three (3) by the Mayor subject to approval by a majority of Council, all of whom shall serve two (2) year terms. The remaining member shall be the City's Climate Resiliency and Sustainability Coordinator who shall serve as a co-chair and non-voting member.

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

SECTION 1. This Council hereby confirms the Mayor's appointment of Sean Terry as a member of the Climate and Environmental Sustainability Committee for a two (2) year term ending December 31, 2025.

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 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.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for 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.

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TONY CUDA  
President of Council

RESOLUTION NO. 113-2024(AS)

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

PASSED:

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

\_\_\_\_\_  
KAHLIL SEREN  
Mayor