



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 14th, 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

grocery store and the adjacent parking lot.

9) Report of the Clerk of Council

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

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

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

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

Angel Fasolo	Citizen	Spoke about the federal lawsuits against the CHUH School District
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Zak Burkons	Citizen	Spoke about the Lead Safe Program and about how contractors like himself have not been paid
Danialle Benham	Citizen	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
Amber Gibbs	Other	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 25th at 5pm.

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

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

17) Council President's Report

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

18) Adjournment

End: 9:47 p.m.

NEXT REGULAR MEETING OF COUNCIL: AUGUST 5, 2024

APPROVED: August 19, 2024



Tony Cuda
President of Council



Addie Balester
Clerk of Council