



September 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: 7:46pm

2) Roll Call of Council Members

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

Excused: None

Also Present: Mayor Seren, Director Hanna, Clerk Balester, Administrator Williams, Director Zamft

3) Excuse absent members

4) Amendments to the Agenda (if necessary)

Motion to amend the agenda to include Resolutions 170, 171, and 172 for first readings only: Jim Petras

Seconded: Craig Cobb

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

No: None

MOTION PASSED

5) Approval of minutes from previous meeting(s)

a. August 12, 2024

APPROVED

6) Communications from the Mayor

- Addressed the officer involved shooting last week. Expressed his deepest sympathies and sorrow over the loss of Christian Thomas. The Ohio Bureau

of Criminal Investigation has taken over the investigation into the officer involved shooting. He asks that everybody in the city refrain from rumor mongering that can occur in a situation like this; it is okay to say “I don’t know.”

- Congratulated to Director Hicks of Start Right CDC of his acceptance into the Jack Joseph and Morton Mandel Foundation Community Development Leadership Program. This is a great example of the kind of organizational and professional capacity development that we hope for in our local CDC ecosystem in Cleveland Heights.
- Addressed those in attendance tonight to speak about the Heights High Pool. He provided some history and information behind the pool and provided some examples of how other cities and school districts handle the resident use of a school districts facilities. He would like residents to ask the school district why they cannot staff and fund a resident swim program the way Beachwood city schools do. He asks the public to look into the state laws and the school districts policy manuals. If the school district is able to do this on their own, then he believes they should and he asks residents to ask the same of the school district.

7) MPACT Presentation on Severance Center
Ryan Porter

- Presentation about the potential development of Severance Circle

8) City Administrator's Report

- He shared his intention to retire at the end of 2024 and his personal and professional reasons for this decision.

9) Departmental Report(s)

- Planning and Economic Development Director, Eric Zamft
 - Announced the launch of a design competition for Accessory Dwelling Units (ADU) within the city, funded by an AARP grant. There will be two categories: one for architects/designers and another for people's choice awards. Information will be posted on the City website tomorrow. Deadline for submissions will be October 22nd.

10) Report of the Clerk of Council

- a. Notify Council that an application has been received from the Ohio Division

of Liquor Control for a new C2 liquor permit for Lavelle Gift Company LLC located at 12427 Cedar Rd.

11) Public Comment - Legislative Agenda Items only

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

None

12) Public Comment - General

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

Speakers

Jim Posch	Council Member	Wants the school district and city to work together regarding the Heights High pool
Lee Chilcote	Citizen	Spoke in favor of Coventry Peace Campus tenants
Blanche Valancy	Citizen	Announced a voter education forum on September 12 at the Community Center
Matt Moore	Citizen	Spoke in favor of Coventry Peace Campus tenants
Mark Chupp	Citizen	Spoke in favor of Coventry Peace Campus tenants
Justin Alcorn	Citizen	Public use of the Heights High pool
Judith Ryder	Citizen	Spoke in favor of Coventry Peace Campus tenants
Janet Kramer	Citizen	Public use of Heights High pool
Cary Seidman	Citizen	Public use of Heights

		High pool
Nancy Ballou	Citizen	Public use of Heights High pool
Drew Herzig	Citizen	Asked council to recognize National Coming Out Day and Transgender Day of Remembrance
Ray Gonzalez	Citizen	Spoke in favor of Coventry Peace Campus tenants
Fern Haught	Citizen	Spoke in favor of Coventry Peace Campus tenants
Brady Dindia	Citizen	Spoke in favor of Coventry Peace Campus tenants
Jennifer Wintner	Citizen	Spoke in favor of Coventry Peace Campus tenants
Melody Joy Hart	Citizen	Spoke in favor of Coventry Peace Campus tenants
Joanne Siegel	Citizen	Public use of Heights High pool; sang a song along with others.

- **Point of Order by Councilmember Mattox:** Have Councilmember comments been moved up to after public comment? Pointed out that two members of Council have been allowed to speak out of turn tonight.
 - Discussion between councilmembers regarding being recognized outside of Councilmember comments and discussion of legislation. Is there a policy that the chair/president can recognize anybody outside of public comment or discussion of legislation?
 - President Cuda says he will make a decision as the Chair of the meeting.

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. 161-2024(MSES): First Reading. A Resolution authorizing the Mayor to enter into an agreement with Wade Trim, Inc., for professional engineering services relating to the design and bidding of the Yellowstone Road Storm Sewer, Sanitary Sewer and Water Line Replacement Project; and declaring the necessity that this legislation become immediately effective as an emergency.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 162-2024(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 East Fairfax Road; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 163-2024(F): First Reading. A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of improvement of streets and parkways including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting maintaining and removing shade trees within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately

effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

ORDINANCE NO. 164-2024(F): First Reading. An Ordinance determining to proceed with the assessment of a portion of the expense of improvement of streets and parkways, including grading, draining, curbing, paving, repaving, repairing, sweeping or cleaning thereof, removing snow therefrom, and planting, maintaining and removing shade trees thereon within the Cit of Cleveland Heights; levying assessments for said purpose; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Craig Cobb

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. 165-2024(F): First Reading. A Resolution approving the report of the Assessment Equalization Board appointed to hear objections to the estimated assessments for a portion of the expense of street lighting within the City of Cleveland Heights; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

ORDINANCE NO. 166-2024(F): First Reading. An Ordinance determining to proceed with the assessment of a portion of the expense of street lighting within the City of Cleveland Heights; levying assessments for said purpose;

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

Introduced by Mayor Seren

Motion to adopt: Gail Larson

Seconded: Craig Cobb

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 168-2024(AS): First Reading. A Resolution appointing Julia Weiss as a member of the Architectural Board of Review 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: Craig Cobb

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. 169-2024(AS): First Reading. A Resolution appointing Connor Kaldor as an alternate member of the Architectural Board of Review 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: Craig Cobb

Seconded: Gail Larson

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

No: None

LEGISLATION PASSED

b. First Readings Only

ORDINANCE NO. 167-2024(AS): First Reading. An Ordinance amending Section 111.23, "Publication of Ordinances and Resolutions," of the Codified Ordinances of the City of Cleveland Heights, OH.

Introduced by Councilmember Cobb

READ INTO THE RECORD

RESOLUTION NO. 170-2024(AS): First Reading. A Resolution confirming the Mayor's appointment of Audrey Hudak as a member of the Lead-Safe Advisory Board 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. 171-2024(AS): First Reading. A Resolution confirming the Mayor's appointment of Morgan Mackay as a member of the Lead-Safe Advisory Board 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. 172-2024(AS): First Reading. A Resolution confirming the Mayor's appointment of William Fadel as a member of the Community Improvement Corporation 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

RESOLUTION NO. 132-2024(AS): Second 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

Motion to adopt: Craig Cobb
Seconded: Anthony Mattox Jr.

Yes: Craig Cobb, Anthony Mattox Jr.

No: Tony Cuda, Gail Larson, Davida Russell, Jim Petras, Jim Posch

LEGISLATION FAILED

RESOLUTION NO. 133-2024(AS): Second Reading. 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

Motion to adopt: Craig Cobb

Seconded: Gail Larson

Discussion: The Mayor hopes that in the case of the remaining people he has nominated that what he just saw – zero discussion, no rationale – a member of our community was denied the ability to serve our community in a way they are qualified to do. He hopes this appointment and the rest of the appointments don't have the same outcome. What he saw just now, seemed to him, to be retaliation for Mr. Herzig speaking out against Council. Councilmember Mattox is shocked and disappointed that what Mr. Herzig said would happen, happened tonight; he spoke out against council and he was punished for it. Vice President Russell said anybody could listen to the COTW and hear her reasoning; she voted no because Mr. Herzig had just been appointed to the Charter Review Commission and this Council has stated that we didn't want to keep appointing the same people all the time.

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 134-2024(AS): Second 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

Motion to adopt: Craig Cobb

Seconded: Anthony Mattox Jr.

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

No: None

LEGISLATION PASSED

RESOLUTION NO. 153-2024(AS): Second Reading. A Resolution confirming the Mayor's appointment of Tony Sias 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

Motion to adopt: Craig Cobb

Seconded: Anthony Mattox Jr.

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

No: None

LEGISLATION PASSED

ORDINANCE NO. 152-2024(MSES): Second Reading. An Ordinance authorizing the Mayor to enter into an Energy Savings Performance Contract with Leopardo Energy and authorizing the financing of the energy conservation improvements under such guaranteed savings contract; 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.

Motion to amend by substitution: Gail Larson

Seconded: Craig Cobb

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

No: None

MOTION PASSED

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

No: None

LEGISLATION PASSED

14) Committee Reports

- **Housing and Building:** Update from the August 20th meeting and the August 22nd walking tour of the Boulevard neighborhood. The next meeting will be September 10th at 5pm
- **Municipal Services and Environmental Sustainability:** Update from the meeting on August 26th. The next meeting will be September 16th at 10am
- **Finance:** The committee will meet September 5th at 4pm.
- **Administrative Services:** Update from the August 29th meeting. The next meeting is scheduled for the last Monday of September, but that date may be moved up to review the mayor's additional appointments.

- **Planning and Development:** Update on the public hearing for the dog park; any questions regarding the dog park and dog safety should be sent to Clerk Balester in advance of the meeting.

15) Old Business

16) New Business

- **Posch:** He prepared some information that he sent to President Cuda regarding a meeting to air grievances and figure out how Council and the Administration can better work together. He would like that topic to be added to the next COTW.
- **Mattox:** Starting in September, he will host community sessions covering parks and recreation, planning and development, and safety. He is doing this because he has found it impossible to work with his colleagues and has been left out of conversations.

17) Council Member Comments

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

- **Cobb:** He supports the arts organizations that are currently tenants of the Coventry Peace building, taking over ownership of the building.
- **Petras:** He spent time at Cumberland Pool for the last day of the season; while Cumberland is now closed, residents should be able to swim at the high school. Spoke about the legislation Council has passed regarding funding for lifeguards and facility sharing agreement with the schools.
- **Mattox:** He asks residents to reach out to his colleagues to encourage them to do business in public and use city emails. It is time for this Council to hold itself accountable.
- **Russell:** In March, Director Thomas and the Mayor asked President Cuda and herself to write essays for Focused magazine about what their goals were, what they felt and thought about the new form of government. The essays were not printed, but they still wrote them. If anybody would like a copy, feel free to email her and she will make sure everybody will get a copy.

18) Council President's Report

- He thanked Leopardo Group for being here, and he is excited about what they will be doing for the infrastructure in our city and the health of city

employees.

- He spoke about the residents who came into speak tonight; they spoke on important issues, and we all need to work together and put aside personal feelings.

19) Adjournment

End: 10:04 p.m.

NEXT MEETING OF COUNCIL: SEPTEMBER 16, 2024

APPROVED: October 21, 2024



Tony Cuda
President of Council



Addie Balester
Clerk of Council