



## CLEVELAND HEIGHTS

**Monday, July 7, 2022 Minutes**

**SPECIAL CITY COUNCIL MEETING**

5:45 – 7:05 p.m.

Vice President Cobb presiding

Roll Call:      Present:      Moore, Mattox, Cuda, Larson, Cobb  
                    Absent:      Hart, Russell

Also Present: Mayor Seren, Chief Britton, Chief Freeman, Hanna, Wagner

\***MOTION** to enter into Executive Session to consider the terms of a sale or lease of City-owned real property.

Moved by Councilor Moore, Seconded by Councilman Mattox

Roll Call:      Ayes: Mattox, Cuda, Larson, Moore, Cobb  
                    Nays: None

**Motion Passed**

\***MOTION** to amend the agenda to allow for public comment on Ordinance 105-2022.

Moved by Councilor Moore, Seconded by Councilor Larson

Roll Call:      Ayes: Cuda, Larson, Moore, Mattox, Cobb  
                    Nays: None

**Motion Passed**

**LEGISLATION**

**First Readings**

*a. First Readings - Consideration of Adoption Requested*

**RESOLUTION NO. 101-2022 (F), *First Reading*.** A Resolution approving a petition for the adoption of a public services and improvements plan for the Cedar Fairmount Special Improvement District, Inc.

Motion to Adopt by Councilor Larson, Seconded by Councilor Moore

Roll Call:      Ayes: Mattox, Cuda, Moore, Larson, Cobb  
                  Nays: None

**Legislation Passed**

Councilor Larson asked a procedural question about the plan that had already been approved that were answered by Assistant Law Director Wagner.

**RESOLUTION NO. 102-2022 (PD), *First Reading*.** A Resolution supporting the Mayor's application for grant funding under the State of Ohio Department of Development 2022 Brownfield Remediation Program to demolish the former Hillside Dairy/Former Police Annex; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Moore

Roll Call:      Ayes: Mattox, Cuda, Moore, Larson, Cobb  
                  Nays: None

**Legislation Passed**

Councilor Larson said she's thrilled to see this is happening and it's truly a boost to the neighborhood.

**RESOLUTION NO. 103-2022 (PD), *First Reading*.** A Resolution authorizing the Mayor to enter into a lease agreement with WXZ CPV LLC; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Mattox, Seconded by Councilor Larson

Roll Call:      Ayes: Mattox, Cuda, Moore, Larson, Cobb  
                  Nays: None

**Legislation Passed**

**RESOLUTION NO. 104-2022 (AS), *First Reading*.** A Resolution appointing Whitney Crook as Clerk of Council; and declaring the necessity that this legislation become immediately effective as an emergency measure.

Motion to Adopt by Councilman Cuda, Seconded by Councilor Moore

Roll Call:      Ayes: Mattox, Cuda, Moore, Larson, Cobb  
                    Nays: None

**Legislation Passed**

Councilor Larson said she's happy to be here and glad it is happening. Councilman Cuda said he's pleased they found someone with experience who can hit the ground running and said it's a great first step in getting an independent co-equal branch of government. Councilor Moore said they were all extremely impressed by Ms. Crook's credentials and composure and ability to think on her feet. She thinks Ms. Crook will benefit the City a great deal. Vice President Cobb echoed all his Council member's comments. He said he felt confident based on their glowing remarks that the absent Council members would have also voted yes if they were here tonight.

***b. First Reading Only***

**ORDINANCE NO. 105-2022 (AS), First Reading** An Ordinance amending Section 137.06, "Positions in Classified Service", of the Codified Ordinances of the City of Cleveland Heights to remove the positions of Chief and Assistant Chief from the classified service of the City; and declaring the necessity that this Ordinance become immediately effective as an emergency measure.

**Legislation Introduced**

Patrick King said they appreciate the opportunity to speak to Mayor and the Council and they just found out about the legislation that day. He wanted to talk to them on behalf of the local 402 and as fire department leadership. He said he's been with the fire department for 28 years, the last 9 and ½ as battalion chief. He said when you look at public safety, they take an oath to protect and serve the citizens of the community and they take that very seriously. He said we have excellent public safety services in the City. He said the reason the civil service rules are in place is to provide the Chiefs with protection and give them the ability to be independent. They are in place to take politics out of public safety. He said they are not in favor of the legislation and they are not in favor of any changes to the civil service rules. He said whoever takes over leadership needs to be able to speak freely and be able to represent what is best for the citizens of the community. He said when you take away the civil service protection, they become at will employees. He said in order to protect the citizens to the best of their abilities, they need those protections.

Matt Hayes said there are no better candidates to lead the Cleveland Heights Fire Department than the people already in the Cleveland Heights Fire Department. He said given the complete leadership change that the department will be going through, it's imperative that the next Fire Chief come from within the department.

Patrick King said Assistant Chief Bryan and Chief Freeman are retiring this year and he wanted to make Council aware there are four Battalion Chiefs with over 110 years of experience

that are more than capable of running the department on an interim basis. He said there should be no rush on this issue.

Chief Britton said he also just learned about this. He said as a 27-year veteran of the department, and for each and every position he's held, he's taken that oath to the community and to the members of the Police Department. He said civil service offers him that he can do his duties to the best of his abilities and he can perform his duties speaking openly and candidly and ultimately come to a rational decision when it comes to public safety. He said there is something that needs to be said about dedication of service, loyalty, dedication of first responders. He said for the immediate future, in terms of emergency, they have candidates here that can be developed into positions of leadership down the road. He said opening it up outside of the civil service would diminish motivation and dedication. He'd like more time on his end to research how this will benefit the City as a whole.

Chief Freeman wanted to echo everything that's been said so far. He said he's been with the department for over 30 years. He said one thing you do by taking this outside of the City is take away the potential that's here.

Judy Miles, the President of the Civil Service Commission, said since she's been on the Commission they've gone from standard meetings to being a little bit more vulnerable with the numerous vacancies so they've wanted to give the best flexibility to get the right candidates. She said there are real considerations to taking the two top positions out of the civil service and those should be waived.

Mayor Seren said this was placed on the special meeting agenda with the request for first reading adoption because of the urgency in casting a net for a new Fire Chief. He said he received the Fire Chief's official retirement announcement two days ago. He said there is urgency moving forward. He said this has been a years long conversation. He said this specific legislation is one piece of a longer conversation.

Councilman Cuda said they hear two discussions that barely overlapped. He said he had so many questions and wanted to honor Council President's wishes that they discuss this at the Committee of the Whole.

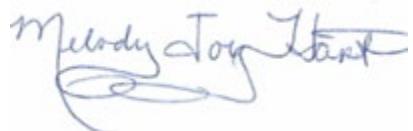
Councilor Moore said she agreed Council President Hart and Councilwoman Russell would want to be part of these conversations. She said she has a lot of homework to do to understand what Civil Service is or means. She said she would like this to be discussed in the next Committee of the Whole meeting.

Councilor Larson said she agreed that she doesn't have enough information and she is not prepared to vote tonight.

Vice President Cobb said this is a big policy change being proposed and they need more time to give it consideration and thought. He said two Council Members are not present tonight, one being a labor leader, and he believes they deserve to have the opportunity to weigh in and be heard on. He also said they all need to educate themselves more on the civil service process and rules.

**NEXT REGULAR MEETING OF COUNCIL: MONDAY, AUGUST 1, 2022**

Respectfully submitted,



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Melody Joy Hart  
President of Council



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Addie Balester  
Clerk of Council