

RESOLUTION NO. 144-2025 (CRR), *First  
Reading*

By Mayor Seren

A Resolution amending Resolution No. 012-2025 for the purpose of authorizing the expenditure of an additional Five Thousand, Two Hundred Sixty-Three and 92/100 Dollars (\$5,263.92) under the agreement with Frank Novak & Sons, Inc. to furnish the labor, material, and equipment necessary for sandblasting, painting, and related services for the purpose of repairing the Cumberland pool; repealing Resolution No. 012-2025 in its entirety; and declaring the necessity that this legislation be effective immediately as an emergency measure.

WHEREAS, the concrete surfaces and caulking of Cumberland Pool require repair, sealing, and caulking to remedy water leakage in order for the pool to open for the 2025 season;

WHEREAS, Council passed Resolution No. 012-2025 on January 21, 2025, authorizing the Mayor to execute such a contract in an amount not to exceed One Hundred Ninety-Seven Thousand, Eight Hundred Sixty-One and 00/100 Dollars (\$197,861.00)

WHEREAS, the vendor was required to perform work on nights and weekends in order to complete the scope of work prior to Cumberland Pool's advertised opening date of June 16, 2025, which necessitated a change order in the amount of Five Thousand, Two Hundred Sixty-Three and 92/100 Dollars (\$5,263.92);

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

SECTION 1. Section 1 of Resolution No. 012-2025 is hereby amended to read as follows:

Notwithstanding any provision of Codified Ordinances Chapter 171 to the contrary, the Mayor is hereby authorized to execute a contract with Frank Novak & Sons, Inc., for the purpose of furnishing the labor, materials, and equipment necessary for the sandblasting, painting, and other services related to the repair of the Cumberland Pool, in an amount not to exceed One Hundred Ninety-Seven Thousand, Eight Hundred Sixty-One and 00/100 Dollars (\$197,861.00) Two Hundred Three Thousand, One Hundred Twenty-Four and 92/100 Dollars (\$203,124.92). The agreement shall contain such 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. All remaining sections of Resolution No. 012-2025 not amended herein shall continue in full force and effect as if rewritten in their entirety herein.

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SECTION 3. Resolution No. 012-2025 is hereby repealed in its entirety.

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

SECTION 5. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution on the City of Cleveland Heights website.

SECTION 6. 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 fully process the change order to fully compensate the vendor for the service performed. 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 Council



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ADDIE BALESTER  
Clerk of Council

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PASSED: July 7, 2025

Presented to Mayor: 07/08/2025 \_\_\_\_\_ Effective Date: 07/18/2025 \_\_\_\_\_

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KAHLIL SEREN  
Mayor

\*Effective date per Article IV, Section 5 of the Codified Ordinances of the City of Cleveland Heights