

ORDINANCE NO. 190-2025(COTW), *First Reading*

By Vice President Russell

An Ordinance declaring a vacancy in the office of Mayor, confirming that pursuant to the City Charter, Council President Tony Cuda shall thereupon become Mayor and cease to be a member of Council; and declaring the necessity that this Ordinance become immediately effective as an emergency measure.

WHEREAS, Article IV, Section 10 of the Charter of the City of Cleveland Heights provides that if the Mayor is removed from office, then the Council shall declare the office of Mayor vacant, and the Council President shall become Mayor and shall cease to be a member of Council; and

WHEREAS, Article IV, Section 11 of the Charter provides that in the event a majority of the votes cast at a recall election on the question of removal of the Mayor are affirmative, the Mayor shall be deemed removed from office upon the certification of the official canvass of that election to the Council and the vacancy in the office shall be filed according to the remaining provisions of Article IV; and

WHEREAS, on September 9, 2025, a majority of the voters in a recall election on the question of the removal of Mayor Kahlil Seren cast their votes in the affirmative, in favor of removal; and

WHEREAS, on October 1, 2025, the Cuyahoga County Board of Elections certified to the City Council the official canvass of the September 9, 2025 recall election and Mayor Seren was removed from office upon Council's receipt of that certification.

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

SECTION 1. As a result of the October 1, 2025 certification of the official canvass of the results of the recall election held September 9, 2025, Mayor Kahlil Seren has been removed from office and Council hereby declares that the office of Mayor is vacant.

SECTION 2. Pursuant to Article IV, Section 10 of the City Charter, Council President Tony Cuda shall become Mayor of the City of Cleveland Heights upon such declaration of vacancy in the office of Mayor, and shall simultaneously cease to be a member of City Council. Mr. Cuda shall become Mayor effective October 1, 2025, and he shall serve the balance of the unexpired four-year term of Mayor which began January 1, 2022.

SECTION 3. Due to Mr. Cuda's ceasing to be a member of Council, a vacancy on City Council is created on October 1, 2025, which shall be filled by appointment in

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accordance with the provisions of Article III, Section 4 of the Charter for the unexpired term ending December 31, 2025.

SECTION 4. This Council finds and determines that all formal actions of this Council concerning and 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 committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 5. 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, or by posting the full text of this Ordinance on the City of Cleveland Heights website.

SECTION 6. It is necessary that this Ordinance 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 declare the vacancy in the office of Mayor due to the recall election of September 9, 2025 and for the Council President to immediately become Mayor, pursuant to the City Charter. 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.



TONY CUD
Council President



ADDIE BALESTER
Clerk of Council

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PASSED: October 1, 2025

Presented to Mayor: 10/01/2025

Approved: 10/07/2025

A handwritten signature in black ink, appearing to read 'T. Cuda', is written above a horizontal line.

TONY CUD
Mayor