



For Immediate Release

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Cities of Cleveland Heights and Shaker Heights Announce Joint Hiring of Special Legal Counsel to Conduct Due Diligence on Lower Lake Issue

Cities Undertake Joint Review of Options regarding Lower Lake and the Dam

SHAKER HEIGHTS, OH (January 28, 2026) – The cities of Cleveland Heights and Shaker Heights have engaged attorney Mark Wallach, of counsel with the law firm of McCarthy, Lebit, Crystal & Liffman Co., LPA, to conduct a due diligence review of the Northeast Ohio Regional Sewer District’s decision that it will not replace Lower Lake dam, located in the Shaker Parklands. Wallach brings deep subject-matter expertise to this work, including an understanding of NEORSD’s stormwater management program.

The cities believe it is important to have an independent review of the basis and impact of the Sewer District’s recent determination that the Lower Lake dam does not provide stormwater management or sufficient flood control benefits, and its conclusion that it will pay only for removal of the dam and Lake and other expenses that the District deems to be within the scope of its stormwater program parameters. In addition, the cities understand that we are at a critical juncture and that the review of NEORSD’s position regarding dam replacement and any options that include the preservation of the lake must occur as soon as possible in order that deficiencies with the dam identified by the Ohio Department of Natural Resources (ODNR) can be addressed in a timely fashion.

Following initial information-gathering and legal analysis, there may be a need for technical assistance to review engineering data and analysis provided by ODNR and NEORSD, which may require engagement of a consultant for that purpose. The overall goal of this effort is to ensure a clear and complete understanding of the relevant information and how it impacts the decisions which must be made with regard to Lower Lake dam, and to develop a level of knowledge and understanding regarding the decisions which need to be made to address this important regional asset.

Separately, the cities are undertaking a full review and analysis of options and alternatives regarding Lower Lake and the dam. These two areas of focus, together, reflect the commitment of both cities to avoid making a premature and irreversible decision without a full vetting of the facts and conclusions that led to the District’s recommendation, and a comprehensive review of the full range of potential options for the dam and Lake – while recognizing the urgency of the current condition



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of the dam. The cities will continue to work collaboratively with the Sewer District and each other in exploring options and planning for the future of the Lower Lake dam and surrounding area.

Both cities emphasize that no decisions have been reached at this time. Instead, this joint effort reflects their shared commitment to good and responsible stewardship and to an outcome that serves the best interests of Heights area residents now and in the future. The cities remain committed to providing maximum transparency and opportunities for public input as the process of addressing the condition of Lower Lake dam moves forward. It is expected that all three entities will have multiple public meeting presentations, discussions and hearings to ensure that the public is informed and meaningfully involved.

Statements from City Leadership

Mayor David Weiss, City of Shaker Heights, said, “Lower Lake is a valued and shared asset, and our collective residents deserve a careful, thorough, and transparent process as we consider its future. By working collaboratively with Cleveland Heights, engaging specialized expertise, and exploring all possible alternatives, we are ensuring that decisions are grounded in sound information, fiscal responsibility, and a genuine understanding of community priorities.”

Mayor Jim Petras, City of Cleveland Heights, said, “This is a complex issue with long-term implications for our community and our finances. Our responsibility is to listen, to ask hard questions, and to balance the needs and preferences of our residents with our responsibility to serve as responsible stewards of taxpayer dollars. Partnering with Shaker Heights in this work reflects our shared commitment to public service and thoughtful, fully informed decision-making.”

Additional information about upcoming city council discussions and opportunities for public input will be shared as the process moves forward.

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