

**CITY OF MAPLE HEIGHTS  
COUNCIL MEETING AGENDA**

Maple Heights Senior Center

July 5, 2018

- |     |   |  |
|-----|---|--|
| 1.  | Caucus:   | All members of Council                             |
| 2.  | Call to Order:                                  | Council President Ron Jackson                      |
| 3.  | Invocation/Pledge of Allegiance:                | Councilman Terry Woody, Sr.                        |
| 4.  | Roll Call:                                      | Council Clerk Leonette Cicirella                   |
| 5.  | Planning and Zoning Commission<br>Appointments: |  |
| 6.  | Addendum:                                       |  |
| 7.  | Approval of Minutes:                            | May 16, June 6, 2018 (Regular Meetings of Council) |
| 8.  | Council Committee Reports:                      | Community Life and Education Committee             |
| 9.  | Department Reports:                             |  |
| 10. | Citizen's Comments:                             | 3-minute limitation                                |
| 11. | Legislation:                                    |  |

**2018-43 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF MAPLE HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE V, SECTION 4 TO PROVIDE THAT COUNCIL MUST APPROVE THE MAYOR'S APPOINTMENT AND REMOVAL OF THE DIRECTOR OF LAW; AND DECLARING AN EMERGENCY.**

Reading 2 (Shenett)

**2018-44 AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF MAPLE HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE IX, SECTION 1 TO REQUIRE THAT THE DIRECTOR OF LAW SHALL HAVE AT LEAST FIVE (5) YEARS' EXPERIENCE IN MUNICIPAL LAW; AND DECLARING AN EMERGENCY.**

Reading 2 (Shenett)

**2018-46 A RESOLUTION ACCEPTING A FUNDING AWARD FROM CUYAHOGA COUNTY UNDER THE 2018 COMPETITIVE MUNICIPAL BLOCK GRANT PROGRAM AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE LEE ROAD SOUTH PAVEMENT REPAIR PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2018-47 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW SALT STORAGE FACILITY (NO. 2) AT THE DUNHAM ROAD SERVICE CENTER IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2018-48 AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF MAPLE HEIGHTS, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019; SUBMITTING THE SAME TO THE BUDGET COMMISSION OF CUYAHOGA COUNTY; AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

- 12. Expenditures over \$1,000.00**
- 13. Mayor's Report**
- 14. Council & Council President's Report**
- 15. Adjournment**

**ORDINANCE NO.: 2018-43**

**INTRODUCED BY:** Councilman Stafford L. Shenett, Sr.

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:** Councilman Terry Woody, Sr.; Councilwoman Sharri Thomas;  
Councilwoman Edwina Agee

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF  
MAPLE HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT  
ARTICLE V, SECTION 4 TO PROVIDE THAT COUNCIL MUST APPROVE  
THE MAYOR'S APPOINTMENT AND REMOVAL OF THE DIRECTOR OF LAW;  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council has recommended to place the issue of amending the Charter at Article V, Section 4, before the electorate on November 6, 2018, in order to provide that Council must approve the Mayor's appointment and removal of the Director of Law; and

**WHEREAS**, pursuant to Charter, Article XX, Section 1, Council has the authority to submit this proposed amendment to the electorate by vote of two-thirds (2/3) of the members of the Council.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**SECTION 1:** There shall be submitted to a vote of the qualified electors of the City, at the general election to be held on Tuesday, the 6th day of November, 2018, as prescribed by general law, the question of the amendment of the Charter of the City of Maple Heights at Article V, Section 4, "MAYOR'S APPOINTING POWERS", so that, as amended, it shall read as follows (deleted items struck through and added items underlined):

"ARTICLE V  
THE EXECUTIVE

\* \* \*

SECTION 4. The Mayor shall have power to appoint and remove or suspend the Director of Service; ~~and the Director of Finance, and Director of Law.~~ The Director of Law shall be appointed annually by the Mayor with approval by the Council and may be removed only by affirmative vote of two-thirds (2/3) of the members of Council at any time during that period; provided that such removal shall not impair any contract rights which the Director of Law may possess. All other officers or employees whose appointment is not herein otherwise specifically provided for, and not otherwise provided for by law or ordinance, shall be appointed by the Mayor, and they shall serve until removed by the Mayor or until their respective successors are appointed and qualified. The appointment of directors of departments must have the approval of Council."

**SECTION 2:** The Board of Elections of Cuyahoga County be, and it is hereby, directed to provide for the voting upon said Amendment and the ballots for said election shall, at the top thereof, be entitled "Proposed Charter Amendment City of Maple Heights", and the question to be submitted on said ballot shall be substantially in the following words:

“Shall Article V, Section 4, of the Maple Heights Charter be amended in order to provide that Council must approve the Mayor’s appointment and removal of the Director of Law?”

**SECTION 3:** The Clerk of Council is directed to give notice of the above proposed Charter Amendment to the electors of the City in accordance with general law, and as soon as possible to certify a copy of this Ordinance to the Board of Elections of Cuyahoga County, Ohio, as provided by law.

**SECTION 4:** The Director of Finance is authorized and directed to appropriate from the general fund a sum sufficient to pay the cost of publishing said notice referred to in Section 3.

**SECTION 5.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 6.** This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary to timely submit the proposed Charter Amendment to the Board of Elections by September 7, 2018 for placement upon the ballot for the general election to be held on November 6, 2018, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2018

\_\_\_\_\_  
Ron Jackson, Council President

\_\_\_\_\_  
Annette M. Blackwell, Mayor

Approved as to legal form:

\_\_\_\_\_  
Frank Consolo, Director of Law

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

**ORDINANCE NO.: 2018-44**

**INTRODUCED BY:** Councilman Stafford L. Shenett, Sr.

**MOTION FOR ADOPTION BY:**

**AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF MAPLE HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE IX, SECTION 1 TO REQUIRE THAT THE DIRECTOR OF LAW SHALL HAVE AT LEAST FIVE (5) YEARS' EXPERIENCE IN MUNICIPAL LAW; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council has recommended to place the issue of amending the Charter at Article IX, Section 1, before the electorate on November 6, 2018, in order to require that the Director of Law shall have at least five (5) years' experience in municipal law; and

**WHEREAS**, pursuant to Charter, Article XX, Section 1, Council has the authority to submit this proposed amendment to the electorate by vote of two-thirds (2/3) of the members of the Council.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**SECTION 1:** There shall be submitted to a vote of the qualified electors of the City, at the general election to be held on Tuesday, the 6th day of November, 2018, as prescribed by general law, the question of the amendment of the Charter of the City of Maple Heights at Article IX, Section 1, "DEPARTMENT OF LAW", so that, as amended, it shall read as follows (deleted items struck through and added items underlined):

"ARTICLE IX  
DEPARTMENT OF LAW

**SECTION 1. QUALIFICATIONS OF DIRECTOR AND ASSISTANT PROSECUTOR.**

The Director of Law shall be an attorney admitted to practice in the State of Ohio and shall have been engaged in the active, full-time practice of law for a period of five (5) years or more experience in municipal law, next preceding the appointment. The municipal law requirement may only be waived by the affirmative vote of two-thirds (2/3) of the members of the Council."

**SECTION 2:** The Board of Elections of Cuyahoga County be, and it is hereby, directed to provide for the voting upon said Amendment and the ballots for said election shall, at the top thereof, be entitled "Proposed Charter Amendment City of Maple Heights", and the question to be submitted on said ballot shall be substantially in the following words:

"Shall Article IX, Section 1, of the Maple Heights Charter be amended in order to require that the Director of Law shall have at least five (5) years' experience in municipal law?"

**SECTION 3:** The Clerk of Council is directed to give notice of the above proposed Charter Amendment to the electors of the City in accordance with general law, and as soon as possible to certify a copy of this Ordinance to the Board of Elections of Cuyahoga County, Ohio, as provided by law.

**SECTION 4:** The Director of Finance is authorized and directed to appropriate from the general fund a sum sufficient to pay the cost of publishing said notice referred to in Section 3.

**SECTION 5.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 6.** This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary to timely submit the proposed Charter Amendment to the Board of Elections by September 7, 2018 for placement upon the ballot for the general election to be held on November 6, 2018, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2018

\_\_\_\_\_  
Ron Jackson, Council President

\_\_\_\_\_  
Annette M. Blackwell, Mayor

Approved as to legal form:

\_\_\_\_\_  
Frank Consolo, Director of Law

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

**RESOLUTION NO.: 2018-46**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:** Council President Ron Jackson; Councilman Stafford L. Shenett, Sr.;  
Councilwoman Toni Jones

**A RESOLUTION ACCEPTING A FUNDING AWARD FROM CUYAHOGA COUNTY UNDER THE 2018 COMPETITIVE MUNICIPAL BLOCK GRANT PROGRAM AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE LEE ROAD SOUTH PAVEMENT REPAIR PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, on June 15, 2018 the Mayor and the City Engineer filed an application for funding to the Cuyahoga County Department of Development for the Lee Road South Pavement Repair Project under the 2018 Community Development Block Grant Program; and

**WHEREAS**, the Cuyahoga County Department of Development has recommended to the Cuyahoga County Council that the City of Maple Heights be awarded \$150,000.00 for the Lee Road South Pavement Repair Project under the 2018 Competitive Municipal Block Grant Program which will include the repairs to the asphalt pavement on Lee Road South between Rockside Road and Turney Road and the repair/sealing of joints in the concrete pavement on Lee Road South between Turney Road and Woodbrook Avenue.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, that:

**Section 1.** The Mayor and/or City Engineer is hereby authorized and directed to accept the funding award for the Lee Road South Pavement Repair Project from Cuyahoga County and is hereby authorized to sign and file all necessary documents and contracts to facilitate and/or administer this award.

**Section 2.** The City Engineer is hereby authorized and directed to begin the preparation of plans and specifications and to provide advertising for bids for the Lee Road South Pavement Repair Project in the City of Maple Heights:

**Section 3.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 4.** This Resolution constitutes an emergency measure necessary for the health and welfare of the residents of the City, and to begin the project in a timely manner under the grant program and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2018

\_\_\_\_\_  
Ron Jackson, President of Council

\_\_\_\_\_  
Annette M. Blackwell, Mayor

Approved as to legal form:

\_\_\_\_\_  
Frank Consolo, Director of Law

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council



**RESOLUTION NO.: 2018-47**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE CONSTRUCTION OF A NEW SALT STORAGE FACILITY (NO. 2) AT THE DUNHAM ROAD SERVICE CENTER IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Maple Heights Service Director has informed the Mayor and the City Engineer that the existing cast in place concrete with wood truss roof salt storage facility located at the Dunham Road Service Center is in a state of disrepair and can no longer provide adequate protection against the Northeast Ohio climatic conditions; and

**WHEREAS**, the City of Maple Heights is currently operating under the Ohio EPA's National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit Coverage (Small MS4 General Permit) which gives authorization to discharge to the surface waters of Ohio; and

**WHEREAS**, the Ohio EPA's (NPDES) Storm Water General Permit for a Small MS4 (Municipal Separate Storm Water System) requires the City of Maple Heights to provide effective storm water management by using a holistic system management approach known as Best Management Practices (BMPs); and

**WHEREAS**, the Ohio EPA's BMPs encourage Pollution Prevention and Good Housekeeping at all municipal facilities including, but not limited to maintenance areas, storage yards, waste transfer stations and salt storage areas; and

**WHEREAS**, municipal activities such as winter road maintenance and in particular the storage of road salt can release pollutants into MS4s that ultimately discharge to the surface waters of Ohio; and

**WHEREAS**, the Northeast Ohio Regional Sewer District (NEORS) provides funding to Member Communities, including the City of Maple Heights, for community specific storm water management projects under the Community Cost-Share Program; and

**WHEREAS**, the City Engineer and the Service Director have been informed by NEORS that the construction of a new salt storage facility would effectively serve as a Pollution Prevention and Good Housekeeping BMP and thus qualify as a storm water management project eligible for Community Cost-Share Program funds; and

**WHEREAS**, on March 7, 2018, by Resolution 2018-22, Council authorized and directed the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Maple Heights Salt Storage Facility No. 2 Project in the City of Maple Heights; and

**WHEREAS**, the City Engineer and the Service Director were successful in their application to the NEORS for the disbursement of Community Cost-Share Program funds associated with the construction of a new salt storage facility in the amount of One Hundred Ninety-Four Thousand Dollars (\$194,000.00) for such services; and

**WHEREAS**, on June 29, 2018, the bids for the Maple Heights Salt Storage Facility Project were opened and inspected by the City Engineer to determine the lowest and best bid.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Maple Heights, County of Cuyahoga, State of Ohio that:

**Section 1.** The Council of the City of Maple Heights hereby authorizes the Mayor to enter into a contract with Caves Road Construction Co. for the Maple Heights Salt Storage Facility Project No. 2 for a cost not to exceed Two Hundred Two Thousand Nine Hundred Seventy-Two Dollars and Thirty Cents (\$202,972.30, as more fully described in the bid record on file in the Office of the Finance Director in the City of Maple Heights:

**Section 2.** The Council of the City of Maple Heights hereby authorizes and directs the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution:

**Section 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**Section 4.** This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City, and to execute the agreement in a timely manner, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2018

\_\_\_\_\_  
Ron Jackson, President of Council

\_\_\_\_\_  
Annette M. Blackwell, Mayor

Approved as to legal form:

\_\_\_\_\_  
Frank Consolo, Director of Law

ATTEST:

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

Resolution No. 2018-47

Page Three

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

**ORDINANCE NO.: 2018-48**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF MAPLE HEIGHTS, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019; SUBMITTING THE SAME TO THE BUDGET COMMISSION OF CUYAHOGA COUNTY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, on October 11, 2002, the Cuyahoga County Budget Commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (including schools) to adopt a Tax Budget as provided under O.R.C. Section 5705.281, but instead requires the filing of Alternative Tax Budget Information on an annual basis; and

**WHEREAS**, the Alternative Tax Budget Information for the City of Maple Heights, Ohio for the fiscal year beginning January 1, 2019 has been prepared and presented to the Council; and

**WHEREAS**, after due consideration, Council deems it advisable in the interest of the Municipality to adopt the Alternative Tax Budget Information.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Maple Heights, County of Cuyahoga, and State of Ohio that:

**SECTION 1.** The Alternative Tax Budget Information of the City of Maple Heights, Ohio for the fiscal year beginning January 1, 2019, heretofore prepared by the Mayor and Director of Finance and submitted to this Council, copies of which are on file in the offices of the Director of Finance and Clerk of Council, is hereby adopted as the official Alternative Tax Budget Information of the City of Maple Heights, Ohio, for the fiscal year beginning January 1, 2019.

**SECTION 2.** The Clerk of Council is authorized and directed to certify a copy of said Alternative Tax Budget Information and a copy of this Ordinance and transmit the same to the Budget Commission of Cuyahoga County, Ohio before July 20, 2018.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it must be certified to the Budget Commission of Cuyahoga County on or before July 20, 2018 to protect the financial resources of the City of Maple Heights, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and

approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2018

\_\_\_\_\_  
Ron Jackson, Council President

\_\_\_\_\_  
Annette M. Blackwell, Mayor

Approved as to legal form:

\_\_\_\_\_  
Frank Consolo, Director of Law

ATTEST: \_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

I, Leonette F. Cicirella, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette F. Cicirella, Clerk of Council

**BID TABULATION****MAPLE HEIGHTS SALT SHED STORAGE FACILITY #2****CITY OF MAPLE HEIGHTS****DATE: JUNE 29, 2018**

CVE JOB NO. 18154 Engineer's Estimate: \$185,000.00

**CAVES ROAD CONSTRUCTION  
CO.**

ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE
1	DEMOLITION & SITE PREPARATION	LUMP	1	\$42,200.00	\$42,200.00
2	ODOT 204 SUBGRADE COMPACTION	SY	221	\$22.50	\$4,972.50
3	SUBGRADE REMOVAL & REPLACEMENT *CONTINGENCY ITEM	CY	10	\$150.00	\$1,500.00
4	ODOT 304 AGGREGATE BASE	CY	60	\$165.00	\$9,900.00
5	ODOT 452 8" NON-REINFORCED PORTLAND CEMENT CONCRETE PAVEMENT	SF	3730	\$11.26	\$41,999.80
6	PRE CAST CONCRETE BLOCK FOUNDATION WALL	LUMP	1	\$22,000.00	\$22,000.00
7	TRUSS ARCH FABRIC STRUCTURE	LUMP	1	\$54,400.00	\$54,400.00
8	BOLLARDS	EACH	2	\$1,000.00	\$2,000.00
9	WOOD BUMPER CURB	LUMP	1	\$2,000.00	\$2,000.00
10	EROSION AND SEDIMENT CONTROL	LUMP	1	\$5,000.00	\$5,000.00
11	PROJECT CONTINGENCY	LUMP	1	\$5,000.00	\$5,000.00
12	INSPECTION FEE ALLOWANCE	LUMP	1	\$12,000.00	\$12,000.00
	<b>TOTAL PROJECT COST</b>			<b>TOTAL</b>	<b>\$202,972.30</b>
				DAYS TO COMPLETE: 75	
				EARLIEST START DATE: 7/16/2018	



**Dave Yost**  
Ohio Auditor of State

**Office of Auditor of State**  
88 East Broad Street  
Post Office Box 1140  
Columbus, OH 43216-1140

Auditor of State - Unresolved Findings for Recovery Certified Search

(614) 466-4514  
(800) 282-0370

I have searched The Auditor of State's unresolved findings for recovery database using the following criteria:

Contractor's Information:

Name: **Battisti , Robert**  
Organization: **Caves Road Construction Co.**  
Date: **6/29/2018 3:31:57 PM**

This search produced the following list of **25** possible matches:

Name/Organization	Address
Lawson, Robert S Jr	6652 Cheviot Rd. #2
Bates, Marvin	12 Tank Hill
Campbell, Robert	199 Portsmouth St.
Cannon, Jr., Robert	9038 Bedford Court
Cowman, Robert	2822 State Route 180
Gullette, Robert	
Haff, Robert	27400 Norris Rd.
Haney, Robert	32060 Moravian Trail Road
Henley, Robert	
Hupp, Robert	2032 Miracle Mile
IQ Solutions, LLC	1801 E. 9th St.
Lariccia, Robert	2961 Ridgeline Trail
Western Surety Company	19441 Mermill Road
Ohio Plan Risk Management	PO Box 227
Mieczkowski, Robert	532 Bantam Ridge Road
Moore, Robert	5979 Section Line Road
Morgan, Roberta E	6256 Cary Avenue
Ohio Plan Risk Management, Inc.	13333 Dandelion Lane
Owen, Robert	13 Forestdale Avenue
Owens, Robert	13 Forestdale Avenue
Pattison, Robert	505 Clearmount, SE
Robinson, Roberta	100 East Siebenthaler Avenue
Steigenwald, Robert	4248 Loubell Lane
Steigerwald, Robert	4248 Loubell Lane
Welch, Robert	419 Jacobs St.

The above list represents possible matches for the search criteria you entered. Please note that pursuant to ORC 9.24, only the person (which includes an organization) actually named in the finding for recovery is prohibited from being awarded a contract.

If the person you are searching for appears on this list, it means that the person has one or more findings for recovery and is prohibited from being awarded a contract described in ORC 9.24, unless one of the exceptions in that section apply.

If the person you are searching for does not appear on this list, an initialed copy of this page can serve as documentation of your compliance with ORC 9.24(E).

Please note that pursuant to ORC 9.24, it is the responsibility of the public office to verify that a person to whom it plans to award a contract does not appear in the Auditor of State's database. The Auditor of State's office is not responsible for inaccurate search results caused by user error or other circumstances beyond the Auditor of State's control.





22999 Forbes Road, Suite B • Cleveland, Ohio 44146-5667 • Phone: 440.439.1999 • Fax: 440.439.1969 • www.cvelimited.com

City of Maple Heights  
5353 Lee Road  
Maple Heights, Ohio 44137

July 2, 2018

Attention: Council

Re: Maple Heights Salt Shed Storage Facility No. 2 Project  
Bid Opening Results and Contract Award Recommendation

Dear Council,

Sealed bids were opened at 12:00 noon on Friday June 29, 2018 for the above referenced project. One bid of \$202,972.30 was received for the project from Caves Road Construction Co.. The Engineer's Estimate for the project was set at \$185,000.00. The bid from Caves Road Construction Co. exceeded the Engineer's Estimate by 9.71% which falls within the allowable 10.00% called out within the Ohio Revised Code.

The lowest and best bidder is therefore Caves Road Construction Co. with a bid amount of \$202,972.30. Caves Road Construction Co. was awarded the contract for the construction of Maple Heights Salt Shed Storage Facility No. 1 in 2017 and successfully completed the project in a timely fashion. As a result, I can recommend that Council authorize the Mayor to enter into a contract with Caves Road Construction Co. for the Maple Heights Salt Shed Storage Facility Project No. 2.

The earliest start date for the project was given as July 16, 2018 and the number of days to complete is 75 days. The City of Maple Heights agreement with the Northeast Ohio Regional Sewer District calls for project costs, up to \$194,000.00, to be reimbursed through the Community Cost Share Program. The Community Cost Share Agreement can be amended to account for the additional costs based on the bid results. I will begin the process to amend the Community Cost Share Agreement promptly upon the passage of the resolution to award the contract.

I will be attending the Council meeting caucus on Thursday July 5, 2018 to answer any questions that you may have regarding the bid process, bid results, and my subsequent recommendation for award. If you should have any questions prior to the meeting please feel free to call or email me directly.

Respectfully,

A handwritten signature in black ink, appearing to read 'Edward J. Hren', is written over a thin horizontal line.

Edward J. Hren, P.E.  
Maple Heights City Engineer

cc: Mayor Annette M. Blackwell  
Law Director Frank Consolo  
Finance Director Tracy Smith

# ALTERNATIVE TAX BUDGET INFORMATION

Political Subdivision/Taxing Unit \_\_\_\_\_ CITY OF MAPLE HEIGHTS \_\_\_\_\_

For the Fiscal Year Commencing \_\_\_\_\_ JANUARY 1, 2019 \_\_\_\_\_

Fiscal Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

## COUNTY OF CUYAHOGA

### **Background**

Substitute House Bill No. 129 (HB129) effective June 3, 2002, was enacted by the 124th General Assembly in part to allow a county budget commission to waive the requirement that a taxing authority adopt a tax budget for a political subdivision or other taxing unit, pursuant to Ohio Revised Code (ORC)

### **Ohio Revised Code Section 5705.281**

Under the amended version of this section pursuant to HB 129, a county budget commission, by an affirmative vote of a majority of the commission, including an affirmative vote by the county auditor, may waive the tax budget for any subdivision or other taxing unit. However, the commission may require the taxing authority to provide any information needed by the commission to perform its duties, including the division of the tax rates as provided under ORC Section 5705.04.

### **County Budget Commission Duties**

The county budget commission must still certify tax rates to each subdivision or other taxing unit, by March 1 for school districts and by September 1 for all other taxing authorities under ORC Section 5705.35, even when a tax budget is waived. Also, the commission is still required to issue an official certificate of estimated resources under ORC Section 5705.35 and amended official certificates of estimated resources under ORC Section 5705.36

Therefore, when a budget commission is setting tax rates based on a taxing unit's need, for purposes of ORC Sections 5705.32, 5705.34, and 5705.341, its determination must be based on that other information the commission asked the taxing authority to provide under ORC Section 5705.281, when the tax budget was waived. Also, an official certificate must be based on that other information the commission asked the taxing authority to provide.

### **County Budget Commission Action**

On October 11, 2002, during the Cuyahoga County Budget Commission meeting, the commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (Including Schools) to adopt a tax budget as provided under ORC Section 5705.281, but

### **Alternative Tax Budget Information Filing Deadline**

For all political subdivisions excluding school districts, the fiscal officer must file one copy of this document with the County Fiscal Officer on or before July 20th. For school districts the fiscal officer must file one copy of this document with the County Fiscal Officer on or before January 20th.

# **GUIDELINES FOR COMPLETING THE ALTERNATIVE TAX BUDGET INFORMATION**

## **SCHEDULE 1**

The general purpose of schedule 1 is to meet the requirement of Ohio Revised Code (ORC) Section 5705.04 which requires the taxing authority of each subdivision to divide the taxes levied into separate levies. For help use the schedule B issued by the budget commission for the current year and add any In column 1 list only those individual funds which are requesting general property tax revenue. In column 2 purpose refers to the following terms, inside, current expenses, and special levy for example. In column 4 levy type refers to renewal, additional, and replacement for example. In column 9 identify the amount of general property tax you wish to request.

## **NOTE:**

The general purpose of column 9 is to demonstrate the need to produce property tax revenues to cover the estimated expenditures for the budget year. ORC Section 5705.341 states in part;

"Nothing in this section or any section of the ORC shall permit or require the levying of any rate of taxation, whether within the 10 mill limitation or whether the levy has been approved by the electors, the political subdivision or the charter of a municipal corporation in excess of such 10 mill limitation, unless such rate of taxation for the ensuing fiscal year is clearly required by a budget properly and lawfully,

Property tax revenue includes real estate taxes, personal property taxes, homestead and rollback, and

## **SCHEDULE 2**

The general purpose of schedule 2 is to produce an Official Certificate of Estimated Resources for all In column 3, total estimated receipts should include all revenues plus transfers in excluding property tax must submit a list of all tax transfers.

## **SCHEDULE 3**

The general purpose of schedule 3 is to provide inside/charter millage for debt service. The basic security for payment of general obligation debt is the requirement of the levy of ad valorem property taxes within the 10 mill limitation imposed by Ohio law. Ohio law requires a levy and collection of ad

## **SCHEDULE 4**

The general purpose of schedule 4 is to provide for the proper amount of millage to cover debt service requirements on voted bond issues. Major capital improvement projects are sometimes financed through the use of voted bonds. The taxing authority seeks voter approval of general obligation bonds and of the levy of property taxes outside the indirect debt limitation in whatever amount is necessary to

## **SCHEDULE 5**

more details.

# DIVISION OF TAXES LEVIED

(Levies Inside & Outside 10 Mill Limitation, Inclusive Of Debt Levies)  
 (List All Levies Of The Taxing Authority)

## SCHEDULE 1

I	II	III	IV	V	VI	VII	VIII	IX
Fund	Purpose	Authorized By Voters On MM/DD/YY	Levy Type	Number Of Years Levy To Run	Tax Year Begins/ Ends	Collection Year Begins/ Ends	Maximum Rate Authorized	\$ AMOUNT Requested Of Budget Commission
GENERAL FUND	current exp	1932	continuing		1976		10.50	\$2,753,982.00
STREET LIGHTING	current exp	1955	continuing		1976		1.00	\$263,567.00
POLICE PENSION	special levy						0.30	\$78,270.00
FIRE PENSION	special levy						0.30	\$78,270.00
POLICE SERVICES LEVY	special levy	2017	renewal	5	2018-2022	2019-2023	2.00	\$528,135.00
FIRE SERVICES LEVY	special levy	2017	renewal	5	2018-2022	2019-2023	2.00	\$528,135.00
BOND RETIREMENT	current exp	1932	continuing				2.60	\$731,675.00
SENIOR CENTER	current exp	2015	additional	5	2015-2019	2016-2020	1.30	\$313,592.00
Totals							20.00	\$5,275,626.00

## STATEMENT OF FUND ACTIVITY

(List All Funds Individually)

2018 beginning balances

### SCHEDULE 2

i Fund BY Type	ii Beginning Estimated Unencumbered Fund Balance	iii Property Taxes and Local Government Revenue	iv Other Sources Receipts	v Total Resources Available for Expenditures	vi Total Estimated Expenditures & Encumbrances	vii Ending Estimated Unencumbered Balance
#100 GENERAL FUND	77,839.44	3,627,126.11	9,287,580.00	12,992,545.55	11,473,422.00	1,519,123.55
#201 COMPUTER FEE	76,142.57		10,000.00	86,142.57	36,370.00	49,772.57
#212 STREET LIGHTING	25,905.30	230,017.86	294,000.00	549,923.16	497,000.00	52,923.16
#215 POLICE PENSION	27,009.15	69,005.00	10,000.00	106,014.15	69,000.00	37,014.15
#216 FIRE PENSION	5,898.65	69,005.00	10,000.00	84,903.65	69,000.00	15,903.65
#219 SEWER MAINTENANCE	832,194.21		1,205,000.00	2,037,194.21	850,191.00	1,187,003.21
#224 INMATE COMMISSARY	30,027.05			30,027.05		30,027.05
#230 POLICE SERVICE LEVY	125.51	460,036.61	68,000.00	528,162.12	527,902.00	260.12
#235 FIRE SERVICE LEVY	79,576.47	460,036.61	68,000.00	607,613.08	494,582.00	113,031.08
#240 SENIOR PROGRAM	72,576.47	299,022.86	151,400.00	522,999.33	440,304.00	82,695.33
#251 SOLID WASTE	65,510.77		1,600,000.00	1,665,510.77	1,531,615.00	133,895.77
#252 AMBULANCE BILLING	33,131.16		715,000.00	748,131.16	661,963.00	86,168.16
#254 RECREATION DONATION	1,158.00			1,158.00		1,158.00
#270 SCMR	634,128.01		820,000.00	1,454,128.01	775,841.00	678,287.01
#271 STATE HIGHWAY	197,273.30		72,000.00	269,273.30	80,000.00	189,273.30
#272 MUNI MOTOR VEH	19,822.50			19,822.50		19,822.50
#274 DRUG LAW ENFORCEMENT	117,766.15		5,000.00	122,766.15	20,305.00	102,461.15
#280 ECONOMIC DEVELOPMENT/JOB CREAT	14,705.27		25,000.00	39,705.27		39,705.27
#289 HOUSING FORECLOSURE	264,479.91		50,000.00	314,479.91	100,000.00	214,479.91
#290 HOUSING REVITALIZATION	2,638.47			2,638.47		2,638.47
#295 SAFER GRANT FUND	0.54			0.54		0.54
#390 BOND RETIREMENT	15,865.83	731,675.00	458,331.00	1,205,871.83	1,183,843.76	22,028.07
#410 CAPITAL IMPROVEMENT FUND	39,884.53			39,884.53		39,884.53
#471 STREET IMPROVEMENT FUND	31,962.80			31,962.80		31,962.80
#480 HOME EXTERIOR MNT	0.55			0.55		0.55
#560 RECREATION BANNERS	2,150.85			2,150.85		2,150.85
#701 D.A.R.E. PROGRAM	9,058.27		800.00	9,858.27		9,858.27
#730 MAYOR'S COURT	154,515.18		400,000.00	554,515.18	395,500.00	159,015.18
#734 ARCHENG PLANS	4,366.77			4,366.77		4,366.77
#736 TRUST & AGENCY BOND	438,683.24		25,000.00	463,683.24	25,000.00	438,683.24
#741 ENTERPRISE PARK	590.44			590.44		590.44
#743 OBBS FEE FUND	6,355.69		3,500.00	9,855.69	3,200.00	6,655.69
GRAND TOTAL	3,281,343.05	5,945,925.05	15,278,611.00	24,505,879.10	19,235,038.76	5,270,840.34

# UNVOTED GENERAL OBLIGATION DEBT

(Include General Obligation Debt To Be Paid From Inside/Charter Millage Only)  
 (Do Not Include General Obligation Debt Being Paid By Other Sources)  
 (Do Not Include Special Obligation Bonds & Revenue Bonds)

2019 beginning balances

## SCHEDULE 3

I Purpose Of Bonds Or Notes	II Date Of Issue	III Final Maturity Date	IV Principal Amount Outstanding At The Beginning Of The Calendar Year	V Amount Required To Meet Calendar Year Principal & Interest Payments	VI Amount Receivable From Other Sources To Meet Debt Payments
VARIOUS PURPOSE 2010	06/23/10	12/01/30	\$9,564,068.20	\$1,183,294.00	\$458,331.00
<b>Totals</b>			<b>\$9,564,068.20</b>	<b>\$1,183,294.00</b>	<b>\$458,331.00</b>

# VOTED DEBT OUTSIDE 10 MILL LIMIT

(Bonds Or Notes Must Actually Be Issued In Order To Commence Collection Of Property Taxes For Debt Service)

## SCHEDULE 4

I Purpose Of Notes Or Bonds	II Authorized By Voters On MM/DD/YY	III Date Of Issue	IV Final Maturity Date	V Principal Amount Outstanding At The Beginning Of The Calendar Year	VI Amount Required To Meet Calendar Year Principal & Interest Payments	VII Amount Receivable From Other Sources To Meet Debt Payments
None						

# TAX ANTICIPATION NOTES

(Schools Only)

## SCHEDULE 5

Tax anticipation notes are issued in anticipation of the collection of the proceeds of a property tax levy. The amount of money required to cover debt service must be deposited into a bond retirement fund, from collections and distribution of the tax levy, in the amounts and at the times required to pay those debt charges as provided in the legislation authorizing the tax anticipation notes. (ORC Section 133.24)

The appropriation to the fund which normally receives the tax levy proceeds is limited to the balance available after deducting the amounts to be applied to debt service.

After the issuance of general obligation securities or of securities to which section 133.24 of the ORC applies, the taxing authority of the subdivision shall include in its annual tax budget, and levy a property tax in a sufficient amount, with any other monies available for the purpose, to pay the debt charges on the securities payable from property tax. (ORC Section 133.25)

	Name Of Tax Anticipation Note Issue	Name Of Tax Anticipation Note Issue
	N/A	
Amount Required To Meet Budget Year Principal & Interest Payments:		
Principal Due		
Principal Due Date		
Interest Due		
Interest Due Date		
Interest Due		
Interest Due Date		
Total		
Name Of The Special Debt Service Fund		

Amount Of Debt Service To Be Apportioned To The Following Settlements:		
February Real		
August Real		
June Tangible		
October Tangible		
Total		
Name Of Fund To Be Charged		