

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center

March, 7, 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. Addendum: | |
| 6. Approval of Minutes: | September 6, 2017 (Regular Meeting of Council) |
| 7. Council Committee Reports: | |
| 8. Department Reports: | |
| 9. Citizen's Comments: | 3-minute limitation |
| 10. Legislation: | |

2018-14 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AUTO MECHANICS LOCAL 1363-AFL-CIO FOR THE PERIOD JANUARY 1, 2018 THROUGH DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2018-15 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2018-16 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A NEW MEMBER PARTICIPATION AGREEMENT WITH CHAGRIN VALLEY DISPATCH COUNCIL FOR THE PROVISION OF DISPATCH SERVICES TO THE CITY EFFECTIVE JULY 1, 2018, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2018-21 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONVERSATION DISTRICT (SWCD) AND THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORSD) TO PROVIDE U.S. EPA PHASE II STORMWATER SERVICES FOR THE 2018 CALENDAR YEAR, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2018-22 A RESOLUTION AUTHORIZING THE ENGINEER AND THE SERVICE DIRECTOR TO APPLY TO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORSD) FOR COMMUNITY COST-SHARE PROGRAM FUNDS AND UPON APPROVAL TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF PHASE 2 OF THE NEW SALT STORAGE FACILITY AT THE DUNHAM ROAD SERVICE CENTER IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

**2018-23 A RESOLUTION DESIGNATING MARCH 2018 AS “MULTIPLE SCLEROSIS
EDUCATION AND AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS,
AND DECLARING AN EMERGENCY.**

Reading 1 (Jackson)

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

RESOLUTION NO.: 2018-14

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AUTO MECHANICS LOCAL 1363-AFL-CIO FOR THE PERIOD JANUARY 1, 2018 THROUGH DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director and Law Director have negotiated terms for a collective bargaining agreement for the time period January 1, 2018 through December 31, 2020 with representatives of the International Association of Machinists and Aerospace Workers, Auto Mechanics Local 1363-AFL-CIO for a bargaining unit consisting of full-time mechanics and park technicians employed by the City, which terms have been reviewed by Council;

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 is authorized to execute a collective bargaining agreement between the City of Maple Heights and the International Association of Machinists and Aerospace Workers, Auto Mechanics Local 1363-AFL-CIO in the form on file with the Law Department, setting forth wages, hours, and other terms and conditions of employment for full-time mechanics and park technicians to be effective as of January 1, 2018, except for any specific terms in the agreement which may have a different effective date, and to remain in effect through December 31, 2020. During the pendency or after the passage of this Resolution, the Law Director is authorized to correct any typographical, ministerial or *de minimus* items in the collective bargaining agreement that do not materially alter its intended results.

Section 2. 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 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that authorization of employment terms and conditions is immediately necessary so as not to interfere with the day to day operations of the City, 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

Resolution No. 2018-14
Page Two

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. 2018-15

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director has prepared a budget for the appropriation of monies for current expenses and other expenditures of the City of Maple Heights for the fiscal year ending December 31, 2018 (“2018 Appropriations Budget”), which is on file in the office of the Finance Director and attached hereto as Exhibit A and incorporated as if fully rewritten herein.

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

Section 1. Council hereby approves and adopts the 2018 Appropriations Budget, which is on file in the office of the Finance Director and attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide for the current expenses and other expenditures of the City of Maple Heights during the fiscal year ending December 31, 2018.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, 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 the City’s Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the City and for the further reason that the 2018 Appropriations Budget must be immediately adopted to insure the financial integrity of the City and presented to the Fiscal Commission by March 22, 2018. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

PASSED: _____, 2018

Ron Jackson, President of Council

Annette M. Blackwell, Mayor

Ordinance No. 2018-15
Page Two

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. 2018-16

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A NEW MEMBER PARTICIPATION AGREEMENT WITH CHAGRIN VALLEY DISPATCH COUNCIL FOR THE PROVISION OF DISPATCH SERVICES TO THE CITY EFFECTIVE JULY 1, 2018, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor, with the advice and consultation of the Police and Fire Departments, is recommending that the City accept the offer of the Chagrin Valley Dispatch Council (CVD) and join with the other 16 municipalities in the CVD for the regional provision of dispatch services to the City, effective July 1, 2018, as set forth in the attached New Member Participation Agreement, which Agreement is attached as Exhibit A, and incorporated as if fully rewritten herein.

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 is authorized to enter into the New Member Participation Agreement with the Chagrin Valley Dispatch Council, which agreement is attached hereto as Exhibit A and incorporated as if fully rewritten herein

Section 2. 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 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that CVD needs to plan for the participation of the City well in advance of the July 1, 2018 projected start date, 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

Resolution No. 2018-16
Page Two

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.: 2018-21

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT (SWCD) AND THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) TO PROVIDE U.S. EPA PHASE II STORM WATER SERVICES FOR THE 2018 CALENDAR YEAR, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights is an operator of a small municipal separate storm sewers system (MS4) which was required to, and did obtain, by March 10, 2003, National Pollutant Discharge Elimination System permit (MS4 Permit) coverage, through the Ohio EPA, for storm water discharge as a result of U.S. EPA's Storm Water Phase II Rule; and

WHEREAS, the Storm Water Phase II Rule is part of the U.S. EPA's effort to preserve, protect, and improve the nation's water resources from polluted storm water runoff, Phase II is intended to further reduce adverse water quality and aquatic habitat conditions by instituting the use of controls on the unregulated sources of storm water discharges that have the greatest likelihood of causing environmental degradation. The Phase II rule automatically covers on a nationwide basis all small municipal separate storm sewer systems (MS4s) located in "urbanized areas" as delineated by the Census Bureau; and

WHEREAS, MS4s are required to design a storm water management plan to reduce the discharge of pollutants to the maximum extent practicable. The Phase II Rule defines a small MS4 storm water management program as comprised of six (6) minimum control measures that, when administered in concert, are expected to result in reduction of the discharge of pollutants into receiving water bodies. Operators of regulated small MS4s are required to design their programs to do the following: reduce the discharge of pollutants to the "maximum extent practicable" (MEP), protect water quality and satisfy the appropriate water quality requirements of the Clean Water Act. Implementation of the MEP standard will require the development and implementation of best management practices and the achievement of measurable goals to satisfy each of the following six (6) minimum control measures (MCM):

MCM 1. Public Education and Outreach

Distributing educational materials and performing outreach to inform citizens about the impacts polluted storm water runoff discharges can have on water quality.

MCM 2. Public Participation/Involvement

Providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a storm water management panel.

MCM 3. Illicit Discharge Detection and Elimination

Developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (includes developing a system map and informing

the community about hazards associated with illegal discharges and improper disposal of waste).

MCM 4. Construction Site Runoff Control

Developing, implementing and enforcing an erosion and sediment control program for construction activities that disturb one (1) or more acres of land (controls could include silt fences and temporary storm water detention ponds).

MCM 5. Post-Construction Runoff Control

Developing, implementing and enforcing a program to address discharges of post-construction storm water runoff from new development and redevelopment areas. Applicable controls could include preventive actions such as protecting sensitive areas (e.g., wetlands) or the use of structural BMPs such as grassed swales or porous pavement.

MCM 6. Pollution Prevention/Good Housekeeping

Developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and techniques (e.g., regular street sweeping, reduction in the use of pesticides or street salt, or frequent catch-basin cleaning); and

WHEREAS, the City of Maple Heights is a member of the Northeast Ohio Regional Sewer District (NEORS) and the NEORS is required to provide Phase II storm water regulation support services to member communities for MCM Nos. 1, 2, 3 and 6 and is further authorized to provide such services through service providers such as the Cuyahoga Soil and Water Conservation District (SWCD); and

WHEREAS, the NEORS has recognized SWCD as a preferred service provider which will work with NEORS and the City to plan and provide a conservation program that includes public education and involvement, and which will implement the Public Involvement and Public Education (PIPE) program, which program meets and exceeds the requirements of MCM Nos. 1 and 2; and

WHEREAS, the City desires to extend, for a period of twelve (12) calendar months, the Memorandum of Understanding (MOU) previously entered into with NEORS and SWCD for the calendar year 2017, to retain the services of SWCD, and participate with SWCD, in meeting the requirements of MCM Nos. 1 and 2, and provide an annual report to the Ohio EPA, all as more fully set forth in the MOU, which is attached hereto as Exhibit A, and incorporated as if fully rewritten herein; and

WHEREAS, per the MOU, the City agrees to grant an annual conservation appropriation to SWCD, in an amount not to exceed \$5,500.00 for the calendar year 2018, and NEORS agrees to provide the City with an appropriation in the amount of \$5,500.00, which the City shall use to pay SWCD to implement the services set forth in the MOU for the calendar year 2018.

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

Section 1. The Mayor is hereby authorized and directed to extend, for a period of twelve (12) calendar months, the Memorandum of Understanding (MOU) previously entered into with NEORSD and SWCD for the calendar year 2017, which is attached hereto as Exhibit A, and incorporated as if fully rewritten herein, and to grant an annual conservation appropriation to SWCD, in an amount not to exceed \$5,500.00 for the calendar year 2018, conditioned upon the City receiving from NEORSD an appropriation in the amount of \$5,500.00, which the City shall use to pay SWCD for the calendar year 2018 to implement the services set forth in the MOU.

Section 2. 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 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to allow the services set forth in the MOU to immediately commence, 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.: 2018-22

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE ENGINEER AND THE SERVICE DIRECTOR TO APPLY TO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS AND UPON APPROVAL TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF PHASE 2 OF THE NEW SALT STORAGE FACILITY 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 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 the 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, the City Engineer and the Service Director are required to submit an application directly to the NEORS for the disbursement of Community Cost-Share Program funds prior to performing any services associated with the construction of a new salt storage facility in order to receive funds for such services.

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

Section 1. The City Engineer and the Service Director are hereby authorized and directed to apply to the NEORSD for the disbursement of Community Cost-Share Program funds to be used for services associated with the design and construction of PHASE 2 of the new salt storage facility at the Dunham Road Service Center in the City of Maple Heights.

Section 2. Upon receiving approval from the NEORSD for the disbursement of Community Cost-Share Program funds, the City Engineer is hereby authorized and directed to begin the preparation of plans and specifications and to provide advertising for bids for the construction of PHASE 2 of the new salt storage facility at the Dunham Road Service Center in the City of Maple Heights.

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 begin the project in a timely manner in the spring months, 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.: 2018-23

INTRODUCED BY: Council President Ron Jackson

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DESIGNATING MARCH 2018 AS “MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, Multiple Sclerosis (MS) is a chronic, unpredictable disease in which myelin, the protective insulation surrounding nerve fibers, is damaged and replaced by scars of hardened sclerotic tissue, resulting in interference with the transmission of nerve signals; and

WHEREAS, the common symptoms of MS include fatigue, weakness, spasticity, balance problems, bladder and bowel problems, numbness, vision loss, tremors and depression, not all which affect all MS patients, and the course of the disease varies greatly from person to person; and

WHEREAS, it is estimated that between 350,000 and 500,000 people in the United States have been diagnosed with MS, and that more than two million individuals live with the disease worldwide; and

WHEREAS, MS is more common in women than in men, and most commonly diagnosed in individuals between the ages of 20 and 50, but it can develop in young children, teens, and older adults; and

WHEREAS, although the exact cause of MS is still unknown, researchers hypothesize that a combination of factors may be involved which are being tested including immunologic reactions, viral or other infectious agents, and environmental and genetic factors among the possible causes; and

WHEREAS, although most individuals with MS have a normal or near-normal life expectancy, many individuals with MS require mobility aids because of fatigue, weakness, or balance problems, or to assist with conserving energy; and

WHEREAS, even though there is no cure for MS, many therapeutic and technological advances now help individuals manage their symptoms, and medications can slow the underlying course of MS; and

WHEREAS, National MS Education and Awareness Month is an effort to raise the public’s awareness of MS and promote an understanding of the scope of the disease, thereby assisting those with MS to make more educated decisions about their health care; and

WHEREAS, the Legislature recognizes the importance of understanding MS, including its causes and health effects, and of supporting and encouraging education programs and research to develop effective therapies and find a cure.

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

Section 1. Council of the City of Maple Heights hereby requests that the Mayor shall annually issue a Proclamation calling upon public officials and the citizens of this City to observe the month with appropriate activities and programs.

Section 2. 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 3. This Resolution constitutes an emergency measure necessary for the safety, health and welfare of the City, and to educate the public about Multiple Sclerosis, 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

CHAGRIN VALLEY DISPATCH COUNCIL
NEW MEMBER PARTICIPATION AGREEMENT

WITH THE CITY OF MAPLE HEIGHTS

This Chagrin Valley Dispatch Council New Member Participation Agreement is made this ____ day of _____, 2018 by and between the City of Maple Heights, an Ohio political subdivision, ("City") and the Chagrin Valley Dispatch Council ("CVD").

WHEREAS, on the 10th day of June, 2013, eight Ohio political subdivisions: Village of Bentleyville, Chagrin Falls Township, Village of Chagrin Falls, Village of Hunting Valley, Village of Moreland Hills, Orange Village, Village of South Russell, and Village of Woodmere, executed the Restated and Amended Agreement of the Chagrin Valley Dispatch Council, Exhibit "A" attached hereto; and

WHEREAS, on May 21, 2013, the Village of Gates Mills became a participating member of the CVD, on August 27, 2013, the Village of Highland Hills became a participating member of the CVD, on April 3, 2014, the Village of North Randall became a participating member of CVD; on December 5, 2014, the City of Euclid became a participating member of the CVD; on January 6, 2016, the Village of Bratenahl became a participating member of the CVD; on August 1, 2016, the City of Solon became a participating member of the CVD; on May 10, 2017, the City of Bedford became a participating member of the CVD; on December 19, 2018, the City of Brecksville became a participating member of the CVD; on December 19, 2018, the City of Broadview Heights became a participating member of the CVD; on January 11, 2018, the City of Independence became a participating member of the CVD; on January 11, 2018, the City of Seven Hills became a participating member of the CVD; and

WHEREAS, City desires to become a participating member in said Restated and Amended Agreement dated June 10, 2013, with such membership to be effective July 1, 2018, with its dispatch services to be provided by the CVD's Regional Communication Center at University Hospital's Bedford Medical Center location (hereinafter "RCC").

WHEREAS, the CVD desires to accept City as a new member upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the covenants herein contained, City and the CVD agree as follows:

1. Effective July 1, 2018, City is hereby included as a Member of said Restated and Amended Agreement upon City's authorization and execution of this CVD New Member Participation Agreement.
2. As such New Member, payment of dues by City to the CVD shall be as follows:
 - a. 2018 One-Time Facilities and Equipment
Component of Capital Charge Share: \$353,178.00
 - Total One-Time Capital Charge Share: \$353,178.00

- i. 2018 One-Time Facilities and Equipment Component of Capital Charge Share to be paid in five (5) installments as follows:

July 1, 2018	\$70,635.60
July 1, 2019	\$70,635.60
July 1, 2020	\$70,635.60
July 1, 2021	\$70,635.60
July 1, 2022	\$70,635.60

(No interest is being charged to the City due to current low interest rates; however, this does not set a precedent for any future members.)

Notwithstanding anything to the contrary in Article XIII of the Restated and Amended Agreement Continuing the Chagrin Valley Dispatch Council as attached hereto as Exhibit "A," City specifically agrees not to withdraw as a Member of the CVD and to remain as a Member of the CVD until it has completely paid said 2018 One-Time Facilities and Equipment Component of Capital Charge Share due hereunder.

- b. 2018 Operating Cost Share (\$305,210.00 prorated amount due for 7-1-2018 through 12-31-18) \$610,420.00
- c. In addition, continuing Monthly Dues payable by City shall be determined and shall be assessed City as set forth in Paragraph VII A. of said Restated and Amended Agreement for all years of City's such membership thereafter.
- d. One month's working capital advance equal to one month's dues of is payable upon the upon the effective date of this Agreement, with such advance to be returned to Member as applied to its last monthly payment due the CVD should Member withdraw from the CVD. \$ 50,868.33

- 3. The City hereby accepts the terms by its authorization and execution of this New Member Participation Agreement.
- 4. Unless specifically modified herein, it is agreed by the City and the CVD that all terms and conditions of the Restated and Amended Agreement Continuing the Chagrin Valley Dispatch Council as attached hereto as Exhibit "A" and incorporated herein

shall be amended and remain in full force and effect with City included therein as a Member by the terms hereof.

5. This Chagrin Valley Dispatch Council New Member Participation Agreement and all the terms hereof are specifically contingent upon said Agreement being approved by the Maple Heights City Council and by the Chagrin Valley Dispatch Council.

IN WITNESS WHEREOF, the parties have executed this CVD New Member Participation Agreement on the date first written above.

WITNESS:

CITY OF MAPLE HEIGHTS:

Annette M. Blackwell, Mayor

WITNESS:

CHAGRIN VALLEY DISPATCH COUNCIL:

Mayor Susan Renda, President

Approved as to form only:

Approved as to form only:

Frank Consolo, Law Director
City of Maple Heights

David J. Matty, Director of Law
Chagrin Valley Dispatch Council

MEMORANDUM OF UNDERSTANDING
Between the Cuyahoga Soil and Water Conservation District
and the
Northeast Ohio Regional Sewer District
and the
City of Maple Heights

This Memorandum of Understanding ("MOU") is made this 26th day of October, 2016 ("Effective Date"), between the Cuyahoga Soil and Water Conservation District (SWCD) and the Northeast Ohio Regional Sewer District (NEORS), pursuant to the authority of Board of Trustees Resolution No. 277-16, adopted October 6, 2016, and City of Maple Heights for providing technical assistance in implementing soil and water conservation measures.

Purpose – Implementation of conservation education, stewardship, and public involvement activities that also corresponds to the City's Municipal Separate Storm Sewer System (MS4) permit.

Recognizing the need for effective collaboration in raising awareness through education, stewardship opportunities and public involvement and working to change the perceptions and behaviors of the public for a cleaner, healthier environment, such as what is required in the National Pollutant Discharge Elimination System (NPDES) permit, the City of Maple Heights, the Cuyahoga Soil and Water Conservation District (SWCD), and NEORS accept this agreement as the document which describes the process for exchange. Cooperation between these units of government facilitates better awareness of environmental issues and potential solutions for a healthier environment. In providing conservation *education* assistance and expertise to the City, the SWCD hopes to influence citizens to better protect and conserve soil and water resources. The Ohio Revised Code, Chapter 1515, describes the District's authority for engaging in this MOU.

Additionally, NEORS is required to provide Phase II stormwater regulation support services to member communities for Minimum Control Measure Nos. 1,2,3, and 6 under NEORS's Regional Stormwater Management Code (Title V), and is further authorized to provide such services through agreements with service providers such as the SWCD.

The SWCD, NEORS, and the City have mutually agreed to this scope of assistance related to education, stewardship and public involvement for the conservation of soil and water resources.

Cuyahoga SWCD Conservation Program

The SWCD will work with the City to provide a conservation program that includes public education and public involvement, such as that listed in the City's Storm Water Management Plan, local watershed action plan, and/or balanced growth plans, or others as mutually agreed upon. The goal of the education, stewardship and public involvement program is to reach diverse stakeholders, including City residents, City staff, school children, etc. through the following services:

1. SWCD staff will coordinate activities and facilitate program implementation with feedback from the City's designee and/or through an annual stakeholder meeting.

2. SWCD staff will attend City council meetings, as requested.
3. SWCD will assist the City in planning and promotion of a local pollution prevention or clean water event and assist in identifying partnerships with various community stakeholders. Events may include stream clean ups, drain stenciling, water festivals or other activities to engage the public.
4. SWCD will create a variety of educational materials, including brochures, fact sheets, newsletters, newsletter articles, web-based information for the City's use, special mailings, educational posters and school programs, such as age-specific student programs and teacher workshops related to conservation concerns, including watershed issues, soils and water.
5. SWCD will provide opportunities for student involvement in local, state and national programs and competitions.
6. On the City's behalf, the SWCD will participate in the Northeast Ohio Public Involvement and Public Education Work group (NEO PIPE). Products produced by the NEO PIPE Work Group will be shared with the City.
7. The SWCD will seek opportunities to maximize impact and minimize additional program costs related to printing large quantities of selected materials that become available to the public.
8. The SWCD will provide an annual report of all activities undertaken, including copies of all fliers, notices, and types of stakeholders reached, attendance records and any data collected.

City of Maple Heights Role

1. The City will designate someone to serve as the liaison to the Cuyahoga SWCD and to help provide guidance regarding conservation education and public involvement and with coordination of activities such as improvement days, storm drain stenciling, and watershed planning activities.
2. The City will help to identify potential leaders, including civic leaders, civic groups, senior organizations, fraternal groups, scout leaders, school liaisons, business leaders and anyone else that should be contacted through an outreach program.
3. The City will disseminate program information in a timely manner.
4. The City will assume full responsibility for completion and submittal of their required annual reports.

Agreed Procedures

- The City agrees to grant an annual conservation appropriation to the SWCD, not to exceed \$5,500 per twelve-month period following the Effective Date and the Cuyahoga SWCD agrees to use the grant funds to provide a conservation program for the City.
- The City will provide a resolution to the SWCD that acknowledges this working agreement and provides documentation to facilitate dispersal of funds to the SWCD on an annual basis.
- That the SWCD is a conservation technical and education service agency and therefore is not

granted regulatory authority in the Ohio Revised Code.

- That the working relationship will be defined to include lines of communications with appropriate departments. The SWCD and the City will meet at least once a year to coordinate a work plan and exchange information with the goal of developing a multi-disciplinary approach to resource management.
- SWCD will provide a written annual report, relevant to its role, as outlined in this MOU.
- That credit will be given jointly to the SWCD and the City in any conservation publications produced.
- That all parties will review quality of service and address concerns as they arise.
- The City recognizes the SWCD's obligation to make its reports and other written materials available to the public on request in accordance with the Ohio Public Records Act.
- All services of the SWCD are offered on a non-discriminatory basis without regard to race, age, marital status, handicap or political persuasion.

Coordination between NEORS and SWCD

52. In accordance with Title V of NEORS's Regional Stormwater Management Code, NEORS will provide an appropriation in the amount of \$5,500 to the City, which shall use such appropriation to pay the Cuyahoga SWCD to carry out the services set forth in this MOU, the District's Request for Proposals (Exhibit A) and SWCD's Proposal (Exhibit B).

53. NEORS and SWCD shall jointly plan annual MCM #1 and MCM #2 activities.

54. SWCD shall provide the District with monthly reports of services provided to each community.

Term, Renewal, Termination


The term of this MOU shall commence on the date (the "Initial Effective Date") SWCD receives written notice from the City, in a form approved by SWCD and in accordance with Sections 5705.41 and 5705.44 of the Ohio Revised Code, as applicable, indicating that the City has agreed to grant funds, in an amount agreed to by the parties, to support SWCD's general operations for the following 12-month period (the "Initial City Notice"). The parties acknowledge, understand, and agree that any such funding shall be for the purposes of the SWCD's providing Phase II services for a period of 12 calendar months following the Initial Effective Date (the "Initial MOU Term") and that this MOU shall terminate on the 12-month anniversary of the Initial Effective Date in the event the City and NEORS do not renew this MOU as set forth herein.

This MOU may be renewed by City for any 12-month period following the Initial MOU Term (a "Subsequent MOU Term") provided that the SWCD and NEORS receive written notice, as described above (a "Subsequent City Notice"), not less than 30 days prior to expiration of the Initial MOU Term (the date the District receives a Subsequent City Notice, a "Subsequent Effective Date"), and shall continue to renew for any 12-month period provided that the SWCD receives a Subsequent City Notice not less than 30 days prior to expiration of any Subsequent MOU Term then in effect. Such renewal shall be conditioned upon NEORS obtaining any necessary approvals from its Board of Trustees.

This MOU may be amended or terminated at any time by mutual consent of all parties, or the agreement may be terminated by any party giving thirty (30) day's advance written notice to the others.

In witness thereof, the Memorandum executed and agreed to on the latest day, month and year written below:

Cuyahoga Soil & Water
Conservation District



By: Ruth Skuly
Chair

Date: 2/22/17

Northeast Ohio Regional Sewer District



By: Kyle Dreyfus-Wells
Chief Executive Officer

Date: 3/2/17

City of Maple Heights



By: Hon. Annette Blackwell
Mayor

Date: January 19, 2017



And: Darnell Brown, President
Board of Trustees

Date:

NORTHEAST OHIO REGIONAL SEWER DISTRICT
RESOLUTION NO. 277-16

AUTHORIZING ENTERING AGREEMENTS FOR 2017 AND 2018 WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT AND INTERESTED MEMBER COMMUNITIES FOR SERVICES IN SUPPORT OF MEMBER COMMUNITY COMPLIANCE WITH OHIO EPA NPDES GENERAL PERMIT FOR MUNICIPAL SEPARATE STORM SEWER SYSTEMS. COST: NOT-TO-EXCEED \$264,000.00 PER YEAR

WHEREAS, the District requests authorization to enter into tripartite cooperative agreements with the Cuyahoga Soil and Water Conservation District (SWCD) and a potential of 48 member communities to provide public education/outreach (Minimum Control Measure #1) and public involvement/participation (Minimum Control Measure #2) services to member communities in support of community compliance with the Ohio Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) General Permit for Municipal Separate Storm Sewer Systems (Phase II stormwater regulation); and

WHEREAS, expanding such services to the 48 member communities meets the requirements of Title V and strengthens water quality protection and raises awareness of pollution issues through closer coordination between Cuyahoga SWCD and District staff;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE NORTHEAST OHIO REGIONAL SEWER DISTRICT:

Section 1. That this Board hereby authorizes the District to enter into two (2)-year tripartite cooperative agreements with Cuyahoga SWCD and a potential of 48 member communities to provide public education/outreach (Minimum Control Measure #1) and public involvement/participation (Minimum Control Measure #2) services in support of member community compliance with Ohio EPA NPDES General Permit for Municipal Separate Storm Sewer Systems for 2017 and 2018 and to meet requirements of Title V of the Stormwater Management Code, for a total amount not to exceed Two Hundred Sixty-Four Thousand Dollars (\$264,000.00) per year.

Section 2. That this Board further finds that it is necessary and serves a public purpose in that it will provide public education/outreach and public involvement/participation services to member communities in Cuyahoga County.

Section 3. That this Board hereby authorizes the Chief Executive Officer, at the request of the Director of Watershed Programs, to execute all documents and do all things necessary to effectuate the terms and conditions of the agreement.

Section 4. That this Board declares that all formal actions of the Board concerning and relating to the adoption of this resolution and that all deliberations of the Board and any of its committees that resulted in said formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code

On motion of Mayor Stefanik, seconded by Mayor Bacci, the foregoing resolution was unanimously adopted on October 6, 2016.



Walter O'Malley, Secretary
Board of Trustees
Northeast Ohio Regional Sewer District

CONTRACT NO.

NORTHEAST OHIO REGIONAL SEWER DISTRICT

MEMORANDUM OF UNDERSTANDING

WITH

**CUYAHOGA SOIL AND WATER CONSERVATION
DISTRICT**

AND

CITY OF MAPLE HEIGHTS

FOR

**PHASE II TECHNICAL ASSISTANCE
IMPLEMENTING SOIL AND WATER
CONSERVATION MEASURES**

Total Approximate Cost: \$5,500.00

The legal form and correctness of the within contract are hereby approved.



CHIEF LEGAL OFFICER & GENERAL COUNSEL

March 1

, 2017

CERTIFICATION

It is hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the Treasury or in process of collection to the credit of the fund free from any obligation or certification now outstanding.



CHIEF FINANCIAL OFFICER

3/1/17

Date

, 2017