

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA (Amended)**

Maple Heights Senior Center – 7:00 PM

December 18, 2019

- | | | |
|-----|----------------------------------|---|
| 1. | Caucus: 6:30 pm | All members of Council |
| 2. | Call to Order: | Council President Ron Jackson |
| 3. | Invocation/Pledge of Allegiance: | Councilwoman Edwina Agee, District 7 |
| 4. | Roll Call: | Council Clerk Leonette Cicirella |
| 5. | Special Presentation: | Mayor Annette M. Blackwell |
| 6. | Special Presentation: | Councilwoman Edwina Agee, District 7 |
| 7. | Addendum: | |
| 8. | Approval of Minutes: | November 27, 2019 (Special Meeting of Council)
December 4, 2019 (Regular Meeting of Council) |
| 9. | Communications: | |
| 10. | Council Committee Reports: | |
| 11. | Department Reports: | |
| 12. | Citizens' Comments: | 3-minute limitation |
| 13. | Legislation: | |

2018-18, As Amended AN ORDINANCE AMENDING SECTIONS 1486.02 AND 1486.03 OF THE CODIFIED ORDINANCES OF THE CITY CONCERNING RENEWAL OF RENTAL REGISTRATIONS AND TENANT RENTAL LICENSES AND ESTABLISHING FEES, AND DECLARING AN EMERGENCY.

This legislation is currently in the Housing/Economic Development Committee.

2019-104 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2019-110 A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO CHANGE THE FISCAL YEAR 2018 ADVANCE OF MONIES FROM THE GENERAL FUND TO THE POLICE LEVY FUND TO A TRANSFER OF MONIES FROM THE GENERAL FUND TO THE POLICE LEVY FUND, THEREBY REQUIRING NO REIMBURSEMENT TO THE GENERAL FUND, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2019-111 A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO CHANGE THE INTERNAL AUDIT CLASSIFICATIONS OF THE FOLLOWING FISCAL YEAR 2018 EXPENDITURES OUT OF THE GENERAL FUND TO CERTAIN SPECIAL REVENUE FUNDS FROM ADVANCES TO TRANSFERS, THEREBY REQUIRING NO REIMBURSEMENT TO THE GENERAL FUND, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2019-113 AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2019, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-114 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL OF OHIO (MMO) FOR THE PROVISION OF HEALTHCARE INSURANCE COVERAGE TO FULL-TIME CITY EMPLOYEES EFFECTIVE JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

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

CITY OF MAPLE HEIGHTS COUNCIL MEETING

Maple Heights Senior Center
15901 Libby Road, Maple Heights, OH 44137

December 18, 2019

7:00 p.m.

ADDENDUM FOR
REGULAR COUNCIL MEETING
OF DECEMBER 18, 2019

LEGISLATION:

RESOLUTION NO. 2019-115

**A RESOLUTION AUTHORIZING THE COMMUNITY LIFE AND EDUCATION
COMMITTEE TO EXPEND PUBLIC FUNDS TO HOST A CITY-WIDE
HOLIDAY PARTY WITH A TOY GIVEAWAY FOR THE CITY'S YOUNG
CHILDREN, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

ORDINANCE NO. 2019-104

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, 2020, 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, 2020 ("2020 Appropriations Budget").

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 2020 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, 2020.

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 2020 Appropriations Budget must be immediately adopted to insure the financial integrity of the City and presented to the County Fiscal Officer by December 31, 2019.. 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: _____

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. 2019-110

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO CHANGE THE FISCAL YEAR 2018 ADVANCE OF MONIES FROM THE GENERAL FUND TO THE POLICE LEVY FUND TO A TRANSFER OF MONIES FROM THE GENERAL FUND TO THE POLICE LEVY FUND, THEREBY REQUIRING NO REIMBURSEMENT TO THE GENERAL FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director, pursuant to Codified Ordinance Sect. 240.11(a), made an advance of \$30,544.57 from the General Fund to the Police Levy Fund for fiscal year end 2018; and

WHEREAS, the Finance Director has recommended to Council that she be authorized to change the "advance" to a "transfer", thereby eliminating the need for the Police Levy Fund having to reimburse the General Fund before the end of 2019.

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

Section 1. Council authorizes the Finance Director to change the 2018 year end "advance" of \$30,544.57 from the General Fund to the Police Levy Fund to a "transfer" of \$30,544.57 from the General Fund to the Police Levy Fund, thereby eliminating the need for the Police Levy Fund having to reimburse the General Fund before the end of 2019.

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 the 2018 advance must be changed to a transfer before the end of 2019 to avoid reimbursement requirements, 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: _____, 2019

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. 2019-111

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO CHANGE THE INTERNAL AUDIT CLASSIFICATIONS OF THE FOLLOWING FISCAL YEAR 2018 EXPENDITURES OUT OF THE GENERAL FUND TO CERTAIN SPECIAL REVENUE FUNDS FROM ADVANCES TO TRANSFERS, THEREBY REQUIRING NO REIMBURSEMENT TO THE GENERAL FUND, AND DECLARING AN EMERGENCY.

WHEREAS, Council passed **Ordinance No. 2018-106** on December 27, 2018 which amended the 2018 appropriations budget and which provided for certain transfers from the General Fund to certain Special Revenue Funds; and

WHEREAS, the transfers approved by Council in the 2018 appropriations budget were inadvertently classified as “advances” in the City’s internal audit system; and

WHEREAS, the Finance Director has recommended to Council that the internal audit classification be corrected from “advances” to “transfers”, thereby eliminating the need for the Special Revenue Funds at issue having to reimburse the General Fund before the end of 2019.

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

Section 1. Council authorizes the Finance Director to change the internal audit classifications of the following fiscal year 2018 expenditures out of the General Fund to certain Special Revenue Funds from “advances” to “transfers”, thereby requiring no reimbursement to the General Fund before the end of 2019:

1) Change advance of \$50,100.00 from General Fund to Street Lighting Fund to a transfer of \$50,100.00 from General Fund to Street Lighting Fund, thereby requiring no reimbursement from the Street Lighting Fund to the General Fund;

2) Change advance of \$12,300.00 from General Fund to Ambulance Billing Fund to a transfer of \$12,300.00 from General Fund to Ambulance Billing Fund, thereby requiring no reimbursement from the Ambulance Billing Fund to the General Fund;

3) Change advance of \$12,100.00 from General Fund to EMS Grant Fund to a transfer of \$12,100.00 from General Fund to EMS Grant Fund, thereby requiring no reimbursement from the EMS Grant Fund to the General Fund.

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 the 2018 advances must be changed to transfers before the end of 2019 to avoid reimbursement requirements, 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: _____, 2019

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. 2019-113

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2019, AND DECLARING AN EMERGENCY.

WHEREAS, Council adopted a municipal budget pursuant to **Ordinance No. 2018-107 As Amended**, for the fiscal year January 1, 2019 through December 31, 2019 setting forth certain annual appropriations, which appropriations were amended by **Ordinances Nos. 2019-47**, passed June 5, 2019, **2019-89**, passed October 16, 2019 and **2019-98**, passed November 20, 2019; and

WHEREAS, the Finance Director has recommended to Council that further amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated December 18, 2019, which is incorporated as if fully rewritten herein, are necessary to account for certain additional expenditures.

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

Section 1. The annual appropriations of the City, established by **Ordinance No. 2018-107, As Amended**, which appropriations were amended by **Ordinances Nos. 2019-47**, passed June 5, 2019, **2019-89**, passed October 16, 2019, and **2019-98**, passed November 20, 2019, shall be further amended by Council, as recommended by the Finance Director, in accordance with Exhibit A dated December 18, 2019, which is incorporated as if fully rewritten herein, and such amended budget is hereby adopted.

Section 2. To provide for operating expenditures during the fiscal year ending December 31, 2019, the amended appropriations, as recommended by the Finance Director in Exhibit A, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A dated December 18, 2019 to the Cuyahoga County Fiscal Officer.

Section 3. 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 4. 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 amended appropriations must be immediately made to insure the financial integrity of the City's budget and presented to the County Fiscal Officer. 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: _____

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.: 2019-114

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL OF OHIO (MMO) FOR THE PROVISION OF HEALTHCARE INSURANCE COVERAGE TO FULL-TIME CITY EMPLOYEES EFFECTIVE JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

WHEREAS, the City's healthcare insurance consultant, The Fedeli Group ("Fedeli"), advised the Mayor, Finance Director and Law Director that Medical Mutual of Ohio (MMO), the City's current health insurance provider presented the best proposal for a healthcare insurance plan for the City's full-time employees through a health savings account (HSA) insurance plan with deductible amounts of \$2,800 for single coverage plans and \$5,600 for family coverage plans, at the same coverage and benefit levels currently in effect, for the 12-month period, January 1, 2020 through December 31, 2020; and

WHEREAS, the Mayor, Finance Director and Law Director, recommend that the current monthly co-pay amounts of \$100 for single plan coverage and \$200 for family plan coverage, paid by the employees to the City to offset the cost of health insurance, be instead paid by the employees into their respective HSA account in order to partially fund their deductible with the City contributing the remaining amount necessary to fully fund the deductible for each employee.

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

Section 1. Council hereby authorizes the Mayor to accept the MMO proposal for an HSA healthcare insurance plan for the City's full-time employees with annual deductible amounts of \$2,800 for single coverage plans and \$5,600 for family coverage plans, at the same coverage and benefit levels currently in effect, for the 12-month period, January 1, 2020 through December 31, 2020.

Section 2. Council further authorizes the Mayor and Finance Director to take all action necessary, including enacting policies and procedures, so that the current monthly co-pay amounts of \$100 for single plan coverage (\$1200 per year) and \$200 for family plan coverage (\$2,400 per year), paid by the employees to the City to offset the cost of health insurance, be instead paid by the employees into their respective HSA account in order to partially fund their annual deductible, with the City contributing the remaining monthly amount necessary to fully fund the annual deductible for each employee's HSA plan, but in no event shall the City pay more than \$133.34 per month (\$1,600 per year) towards the funding of the annual deductible for an employee's single coverage HSA plan or more than \$266.67 per month (\$3,200 per year) towards the funding of the annual deductible for an employee's family coverage HSA plan.

Section 3. Council further authorizes the Mayor and Finance Director to take all action necessary, including enacting policies and procedures, so that the City can advance funds into an employee's HSA account to be used towards satisfying the employee's annual HSA deductible should the employee be faced with a healthcare crisis which requires the employee to pay more than the amount currently available in the employee's HSA account to meet the required annual deductible, but in no event shall the City advance more than the respective \$2,800 and \$5,600 annual deductible amounts for single and family HSA plans.

Section 4. 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 5. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that the current healthcare insurance expires on December 31, 2019, 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: _____, 2019

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. 2019-115

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE COMMUNITY LIFE AND EDUCATION COMMITTEE TO EXPEND PUBLIC FUNDS TO HOST A CITY-WIDE HOLIDAY PARTY WITH A TOY GIVEAWAY FOR THE CITY'S YOUNG CHILDREN, AND DECLARING AN EMERGENCY.

WHEREAS, the Community Life and Education Committee desires to use public funds to host a holiday party for the whole community on December 21, 2019 featuring non-alcoholic refreshments and snacks and other amenities, including a toy giveaway for the young children in the City; and

WHEREAS, the decision to expend public funds must be memorialized by a duly enacted ordinance or resolution and may have prospective effect only; and

WHEREAS, Auditor of State Bulletin 2003-005 states "the Auditor of State's Office will require that expenditures of public funds for coffee, meals, refreshments, or other amenities have prior authorization by the appropriate legislative authority;" and

WHEREAS, Ohio Attorney General Opinion 82-006 cites with approval the Ohio Supreme Court case of State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) to provide guidance as to what may be construed as a public purpose as follows: First, the expenditure is required for the general good of all inhabitants; Secondly, the primary objective of the expenditure is to further a public purpose;

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

Section 1. Council finds that a community Holiday Party hosted by the Community Life and Education Committee on December 21, 2019, featuring non-alcoholic refreshments, snacks and other amenities, including a toy giveaway for the young children in the City, and to which the general public is invited will advance the good of all of the inhabitants of the City and the use of public funds for the Holiday Party is hereby authorized.

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 the 2019 Holiday Party will be taking place on December 21, 2019, 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: _____, 2019

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