



**PUBLIC NOTICE
CITY OF MAPLE HEIGHTS
CHANGE IN CONDUCTING OF COUNCIL MEETING**

In accordance with Sub. H. B. 404, signed into law by Gov. Mike DeWine on November 22, 2020, notice is hereby given of a change in the **Conducting of the February 17, 2021 Regular Meeting of Council for the City of Maple Heights, Ohio**. This Regular Meeting of Council will be conducted by video/teleconference. Council Members, Administrative Staff and the Public may access the meeting by the following methods:

By computer (if have a camera and microphone), tablet or smartphone:

1. Download the Go To Meeting App on your computer, tablet or smartphone:
<https://global.gotomeeting.com/install/165984597>
2. Once installed then download the link below onto your computer, tablet or smart phone to join the Council meeting:
<https://www.gotomeet.me/FrankConsolo>

By telephone:

1. Dial **1-646-749-3112**
2. Enter Access Code **165-984-597**

The video/teleconference meeting will begin with the Caucus Meeting at 6:30 p.m. followed by the Council Meeting at 7:00 p.m. Members of the public will only be allowed to speak during the Citizens' Comments portion of the Council Meeting.

**Leonette Cicirella Johnson
Clerk of Council
City of Maple Heights**

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

Via Video/Teleconference– 7:00 PM

February 17, 2021

1. **Caucus: 6:30 pm** All members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilwoman Dana D. Anderson, District 4
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum:**
6. **Approval of Minutes:** January 20, 2021 (Regular Meeting of Council)
February 3, 2021 (Regular Meeting of Council)
7. **Communications:**
8. **Council Committee Reports:** Community Life and Education Committee
9. **Department Reports:**
10. **Citizens' Comments:** Per Council Rule 220.01(c)(9)

Comments from City residents will be entertained at Regular Council Meetings only, and shall be limited to three (3) minutes per person during comments on the agenda and comments of a general nature and no person shall be allowed to speak more than once. A person wishing to address Council shall first be recognized by the President of Council, and when recognized, shall come forward, state his or her name and address and state the subject matter which he or she wishes to discuss. Total resident comments shall be limited to 45 minutes for all comments. Under special circumstances, this rule can be extended or modified by a majority of Council present. No profanity or comments of a personal or inflammatory nature will be tolerated under any circumstances. The Presiding Officer shall permit a one (1) minute response from the Mayor or Council Member or Department Director to whom the Citizen's question is directed.

11. Legislation:

2021-19 A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY ON SCHREIBER ROAD, PPN 786-15-035, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-20 A RESOLUTION AUTHORIZING THE COMMUNITY LIFE AND EDUCATION COMMITTEE TO EXPEND PUBLIC FUNDS AND ACCEPT PRIVATE DONATIONS TO HOST THE FOLLOWING 2021 COMMUNITY EVENTS: HOOP IT UP; TRUNK OR TREAT; GOBBLE GOBBLE TURKEY GIVEAWAY; AND YOUTH HOLIDAY PARTY, AND DECLARING AN EMERGENCY.

Reading 1 (Shenett, Madden and Agee)

2021-21 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS FOR YEAR 2021 MS4 STORMWATER MANAGEMENT AND TO COMPLETE WORK TO ENSURE THE CITY OF MAPLE HEIGHTS REMAINS COMPLIANT WITH THE OHIO EPA AND THE MS4 STORMWATER PERMIT REQUIREMENTS AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

**2021-22 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT TO PROVIDE FOR THE CITY HALL NEW VESTIBULE &
ELEVATOR ADDITION PROJECT IN THE CITY OF MAPLE HEIGHTS
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

- 12. Expenditures over \$3,500.00:**
- 13. Mayor's Report:**
- 14. Council/Council President's Reports:**
- 15. Adjournment:**

RESOLUTION NO. 2021-19

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY ON SCHREIBER ROAD PPN 786-15-035, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Land Reutilization Program, as established in Chapter 1226 of the City's Codified Ordinances, has acquired many unimproved residential lots deemed to be of value to adjacent homeowners and whose purchase of said lots would benefit residents of the immediate neighborhood; and

WHEREAS, Section 1226.02 of the City's Codified Ordinances requires that the Mayor and the Council first determine that the unimproved residential lots owned by the City are not needed for a municipal purpose prior to selling said lots; and

WHEREAS, the Mayor and Economic Development Director have determined that the following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

Schreiber Road PPN 786-15-035

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

Section 1. The following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

Schreiber Road PPN 786-15-035

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 immediately allow the sale of this unimproved residential lot(s) to adjacent homeowners to improve the neighborhood 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: _____, 2021

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

I, Leonette Cicirella Johnson, 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 Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2021-20

INTRODUCED BY: Councilman Stafford L. Shenett, Sr., Councilwoman Tanglyn Madden and
Councilwoman Edwina Agee

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE COMMUNITY LIFE AND EDUCATION COMMITTEE TO EXPEND PUBLIC FUNDS AND ACCEPT PRIVATE DONATIONS TO HOST THE FOLLOWING 2021 COMMUNITY EVENTS: HOOP IT UP; TRUNK OR TREAT; GOBBLE GOBBLE TURKEY GIVEAWAY; AND YOUTH HOLIDAY PARTY, AND DECLARING AN EMERGENCY.

WHEREAS, the Community Life and Education Committee desires to use public funds and accept private donations to host the following community-wide events in 2020: 1) Hoop It Up in August; 2) Trunk or Treat in October; 3) Gobble Gobble Turkey Giveaway in November; and 4) Youth Holiday Party in December; and

WHEREAS, each of the events is for the general good of all Maple Heights residents and the primary objective of each event is to further the public purposes of promoting good will, civic pride, harmony and understanding throughout the entire Maple Heights community by fostering interaction between residents and members of the City's Police and Fire Departments, Service Department, and other City staff and personnel in settings offering fun, food, non-alcoholic refreshments, and turkey and toy giveaways in celebration of residency in the City of Maple Heights; 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; and

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

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 each of the following 2021 Community Life & Education Committee hosted events is for the general good of all Maple Heights residents and the primary objective of each event is to further the public purposes of promoting good will, civic pride, harmony and understanding throughout the entire Maple Heights community by fostering interaction between residents and members of the City's Police and Fire Departments, Service Department, and other City staff and personnel in settings offering fun, food, non-alcoholic refreshments, and turkey and toy giveaways in celebration of their residency in the City of Maple

Heights and the use of public funds and acceptance of private donations for each of these events is hereby authorized:

1) Hoop It Up in August; 2) Trunk or Treat in October; 3) Gobble Gobble Turkey Giveaway in November; and 4) Youth Holiday Party in December.

Section 2. Private donations shall be kept track of by the Committee Chair by preparing a report describing the donor (name, address and contact information), the date of the donation, the amount of the donation, whether the donation was made by cash or check, and the event for which the donation is made. This report shall be submitted to the Finance Director along with the donation within two (2) business days after receipt of the donation. The Finance Director shall deposit the donation into the General Fund but must account for the donation by placing the amount of the donation in a line item within the General Fund designated exclusively for use of the event for which the donation was received.

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 public peace, safety and general welfare of the City and for the further reason that preparing budgets and plans for each of these events must begin as soon as possible, 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: _____, 2021

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

Resolution No. 2021-20

Page Two

I, Leonette Cicirella Johnson, 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 Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2021-21

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS FOR YEAR 2021 MS4 STORMWATER MANAGEMENT AND TO COMPLETE WORK TO ENSURE THE CITY OF MAPLE HEIGHTS REMAINS COMPLIANT WITH THE OHIO EPA AND THE MS4 STORMWATER PERMIT REQUIREMENTS AND DECLARING AN EMERGENCY.

WHEREAS, the Maple Heights Service Director and City Engineer have informed the Mayor that the City of Maple Heights needs to perform work in order to maintain compliance with the Ohio Environmental Protection Agency (OEPA) and the Small MS4 (Municipal Separate Storm Water System) permit; 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 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 service facilities, maintenance areas, storage yards, waste transfer stations and salt storage areas; and

WHEREAS, the existing service facility located at 5501 Dunham Road requires the construction of bins to store yard materials to prevent non-authorized stormwater discharges; and

WHEREAS, municipal activities such as waste collection and street sweeping require proper disposal of materials to ensure no pollutants are released into MS4s that ultimately discharge to the surface waters of Ohio; and

WHEREAS, the Maple Heights City Engineer has informed the Mayor that in 2021 it is necessary for work to be performed in the City associated with OEPA MS4 storm water permit requirements (2021 MS4 Stormwater Management); and

WHEREAS, the 2021 MS4 Stormwater Management work includes the following activities: 1) Annual Report Preparation; 2) Development of City Stormwater Management Plan; 3) Update Facilities Stormwater Pollution Prevention Plan (SWP3); 4) Review and Update City Ordinances; 5) Update City Storm Sewer Map; 6) Pay Membership Fees for Mill Creek Watershed Partnership and Tinkers Creek Watershed Partnership; 7.) Undertaking an Urban Tree Inventory and Planning Effort; and

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

WHEREAS, the City Engineer and the Service Director have been informed by NEORSRD that the proper disposal of street sweeping and other waste materials and constructing bins for stockpiling material, at the City of Maple Heights service facility and the 2021 MS4 Stormwater Management work 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 were successful in their application to the NEORSRD for the disbursement of Community Cost-Share Program funds associated with the bin construction, proper disposal of street sweeping and other waste materials, storage yard maintenance, non-authorized stormwater discharge assessment and OEPA MS4 storm water permit requirements (2021 MS4 Stormwater Management) work in the amount of One Hundred Twenty Five Thousand Dollars (\$125,000.00) 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 Mayor is hereby authorized to execute a Community Cost-Share Agreement and any other documents with the NEORSRD as required for the disbursement of Community Cost-Share Program funds in the total amount of One Hundred Twenty Five Thousand Dollars (\$125,000.00) to perform work in order to maintain compliance with the OEPA and the Small MS4 permit and to provide services associated with OEPA MS4 storm water permit requirements work (2021 MS4 Stormwater Management) in the City of Maple Heights.

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

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 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: _____, 2021

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

I, Leonette Cicirella Johnson, 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 Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2021-22

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 20, 2019, by **Resolution 2019-100**, Council authorized and directed the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2020 Community Development Block Grant Program (CDBG); and

WHEREAS, on November 20, 2019, by **Resolution 2019-101**, Council authorized and directed the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2020 Community Development Supplemental Grant Program (CDSG); and

WHEREAS, the City of Maple Heights has been awarded \$150,000.00 by the Cuyahoga County Department of Development under the 2020 Community Development Block Grant Program and \$50,000.00 under the 2020 Community Development Supplemental Grant Program for the Maple Heights City Hall ADA Improvements Project which will help to fund improvements to City Hall to make it accessible to persons with disabilities pursuant to the Americans With Disabilities Act (ADA); and

WHEREAS, the funds awarded for the Maple Heights City Hall ADA Improvements Project by the Cuyahoga County Department of Development under the 2020 Community Development Block Grant Program are required to be expended before March 31, 2021; and

WHEREAS, the funds awarded for the Maple Heights City Hall ADA Improvements Project by the Cuyahoga County Department of Development under the 2020 Community Development Supplemental Grant Program are required to be expended before July 31, 2021; and

WHEREAS, Council deems it necessary and in the best interests of the health, safety and welfare of all of the City residents to proceed with improvements to City Hall to make it accessible to persons with disabilities pursuant to the Americans With Disabilities Act (ADA); and

WHEREAS, on April 15, 2020, by **Resolution 2020-38**, Council authorized and directed the City Engineer and Architect Calvin M. Singleton, Jr., of Calvin Singleton and Associates, to begin the preparation of plans and specifications and to provide advertising for bids for the Maple Heights City Hall ADA Improvements Project; and

WHEREAS, on October 28, 2020, the bids for the City Hall New Vestibule & Elevator Addition Project were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, all of the bids for the City Hall New Vestibule & Elevator Addition Project opened on October 28, 2020 exceed the Engineer's estimate by more than ten percent (10%) and were rejected by the City Engineer; and

WHEREAS, the City Engineer and Architect Calvin M. Singleton, Jr., of Calvin Singleton and Associates, revised the plans and specifications and again advertised for bids for the City Hall New Vestibule & Elevator Addition Project; and

WHEREAS, on February 11, 2021, the bids for the revised City Hall New Vestibule & Elevator Addition 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 Metis Construction Services for the City Hall New Vestibule & Elevator Addition Project, for a cost not to exceed Two Hundred Sixty-Seven Thousand Seven Hundred Seventy-Nine Dollars and Zero Cents (\$267,779.00), 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 the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution.

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 public welfare and to ensure the timely completion of the construction within the grant deadlines 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: _____, 2021

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

I, Leonette Cicirella Johnson, 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 Cicirella Johnson, Clerk of Council

City of Maple Heights

Council Expenditures over \$3,500.00

Wednesday, February 17, 2021

Date Requested	APPROVAL NUMBER	Requested By	Fund/Dept. Account	Fund	Department	Account Name	Beginning Overall "Professional Services/ Other" Budget	Department Cost	Remaining Overall "Professional Services/ Other" Budget Balance	VENDOR	ITEM and DESCRIPTION	Add'l \$ Needed	Transfer from Budget Acct
2/9/2021	2021-019	Service Director	270.6100.55070	SCMR	Streets	Equipment	\$1,398,264.09	\$8,891.88	\$1,389,372.21	Mohawk Lifts LLC	Air/Hyd Jacking Beam for Lift Freight		
<i>Total Cost for Approval:</i>								\$8,891.88					

GRAND TOTAL \$8,891.88

2/3/2021	2021-018	Police Chief	252.1100.55072	Ambulance Billing	Police	Vehicle Repairs	\$282,001.37	\$7,198.00	\$274,803.37	Jay Buick	Approved by Council President, Ron Jackson 2/3/2021		
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All Approved

YES

NO

Pull Out #

Additions #

Pull Out #

Additions #

Pull Out #

Additions #

Council President