

**CITY OF MAPLE HEIGHTS  
COUNCIL MEETING AGENDA**

**Maple Heights Senior Center - 7:00 PM**

**April 6, 2022**

1. **Caucus: 6:30 pm** All Members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilman Richard Trojanski, District 6
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum**
6. **Approval of Minutes:** March 2, 2022 (Regular Meeting of Council)  
March 16, 2022 (Regular Meeting of Council)

7. **Communications:**
8. **Council Committee Reports:**
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:**

**2022-25 AN ORDINANCE AMENDING SECTION 1062.07(e) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING THE USE OF THE PAVILIONS AT STAFFORD PARK, AND DECLARING AN EMERGENCY.**

**Reading 2 (Blackwell)**

**2022-28 A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR CONTRACTS AWARDED IN 2022, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-29 A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2022-PZ-07 TO DENY THE APPLICATION OF JASON YOUNG FOR APPROVAL OF A VARIANCE FROM THE REQUIREMENTS OF SECT. 1298.35(C) OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO CONSTRUCT A 10' X 16' DECK ON THE FRONT OF THE HOUSE THAT IS NOT SIMILAR TO OTHER HOUSES IN THE NEIGHBORHOOD ON PROPERTY LOCATED IN A**

**RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) ZONING  
DISTRICT AT 16901 RAYMOND STREET.**

**Reading 1 (Council as a Whole)**

**2022-30 A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) RECREATIONAL TRAILS PROGRAM AND/OR CLEAN OHIO TRAILS FUND PROGRAM FOR THE JACKSON BOULEVARD RECREATIONAL TRAIL PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-31 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK POOL LOCKER ROOM REHABILITATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-32 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK FITNESS NETWORK STATION INSTALLATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-33 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE SOUTHWEST QUADRANT SEWER REPAIRS PHASE 1 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

- 12. Expenditures over \$25,000.00:**
- 13. Mayor's Report:**
- 14. Council/Council President's Reports:**
- 15. Adjournment:**

**ORDINANCE NO.: 2022-25**

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

**MOTION FOR ADOPTION BY:**

**AN ORDINANCE AMENDING SECTION 1062.07(e) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING THE USE OF THE PAVILIONS AT STAFFORD PARK, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor desires to require a deposit in the amount One Hundred Fifty Dollars and Zero Cents (\$150.00) at the time of registration for the use of a City pavilion at Stafford Park with a refund in the amount of Twenty-Five Dollars and Zero cents (\$25.00) to the resident, provided no damage has been done to City property and the pavilion has been cleaned properly after usage.

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

**Section 1.** **Section 1062.07(e)** of the Codified Ordinances of the City of Maple Heights entitled FEES is hereby amended to read as follows:

“A deposit in the amount of One Hundred Fifty Dollars and No Cents (\$150.00) shall be required at the time of registration for a City pavilion at Stafford Park. Of this amount, Twenty-five Dollars and Zero Cents (\$25.00) will be refundable only after the City’s Service Department has determined no damage was made to City property, and the pavilion has been cleaned properly after usage. All Maple Heights residents shall be required to show proof of residency at the time of registration. The deposit is required of all registrants.”

**Section 2.** Section 1062.07(e) of the Codified Ordinances as it previously existed is hereby repealed and amended accordingly.

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

**Section 4.** This Ordinance constitutes an emergency measure necessary for the daily operation of municipal departments, and to reduce expenses in order to preserve the City’s financial strength, 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: \_\_\_\_\_, 2022

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

Approved as to legal form:

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

\_\_\_\_\_  
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. 2022-28**

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

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR CONTRACTS AWARDED IN 2022 AND DECLARING AN EMERGENCY.**

**WHEREAS**, it is the responsibility of the City of Maple Heights to maintain and operate the roadways in the City for the safety of the community; and

**WHEREAS**, the Ohio Department of Transportation ("ODOT") invites all local governments and political subdivisions to partner with ODOT for the cooperative purchase of rock salt for 2022; and

**WHEREAS**, as a member of the State Cooperate Purchasing Program, the City of Maple Heights is eligible to participate in the ODOT program and was a program participant in previous salt contracts presently in effect; and

**WHEREAS**, in order to participate in this program, the City of Maple Heights must complete and submit the purchasing participation agreement for the purchase of Sodium Chloride (rock salt), attached hereto as Exhibit A.

**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 and Service Director to enter into the purchasing participation agreement, attached hereto as Exhibit A, with the Ohio Department of Transportation, for the purchase of sodium chloride to be awarded in 2022.

**Section 2:** The City of Maple Heights is hereby bound by all terms and conditions as established by ODOT in the participation agreement attached hereto as Exhibit A. Furthermore, the City agrees to directly pay vendors, for items it receives pursuant to the aforementioned contract.

**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 it is necessary to meet the April 29, 2022 participation deadline, 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: \_\_\_\_\_, 2022

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

Approved as to legal form:

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

\_\_\_\_\_  
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 AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022**

**WHEREAS**, the City of Maple Heights, County of Cuyahoga, (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and

**d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and**

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29 **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE**, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date  
\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date  
\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date  
\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date  
\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN APRIL 29, 2022.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

**RESOLUTION NO. 2022-29**

**INTRODUCED BY:** Council as a Whole

**MOTION FOR ADOPTION BY:**

**A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2022-PZ-07 TO DENY THE APPLICATION OF JASON YOUNG FOR APPROVAL OF A VARIANCE FROM THE REQUIREMENTS OF SECT. 1298.35(C) OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO CONSTRUCT A 10' X 16' DECK ON THE FRONT OF THE HOUSE THAT IS NOT SIMILAR TO OTHER HOUSES IN THE NEIGHBORHOOD ON PROPERTY LOCATED IN A RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) ZONING DISTRICT AT 16901 RAYMOND STRET.**

**WHEREAS**, in **Case No. 2022-PZ-07** the City's Planning and Zoning Commission issued a decision denying the application of Jason Young for approval of a Variance from the requirements of Sec. 1298.35(C) of the MH Codified Ordinances to construct a 10' x 16' deck on the front of the house which is not similar to other houses in the neighborhood on property located in a Residential Single Family-Medium Density (RSF-M) Zoning District at 16901 Raymond Street, Maple Heights, Ohio; and

**WHEREAS**, Sec. 1262.03(F) of the MH Codified Ordinances provides: "Council has the authority to review and overrule any decision of the Planning & Zoning Commission, by ordinance or resolution, passed by two-thirds (2/3) vote of the members elected to Council within forty-five (45) business days of the date of the decision, provided that \* \* \* the applicant notifies the Secretary to the Planning & Zoning Commission and the Chief Building Official of his or her objection in writing within five (5) business days of the date of the decision of the Planning & Zoning Commission. The decision of Council in such matters is final and shall not be subject to appeal except to a court of competent jurisdiction in conformance with state and federal law."; and

**WHEREAS**, the Applicant timely filed an appeal of the P&Z Decision to Council pursuant to Sec. 1262.03(F) and the Applicant presented its appeal to Council at its March 2, 2022 Council meeting for review and consideration.

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

**Section 1.** The decision of the City's Planning and Zoning Commission in **Case No. 2022-PZ-07** denying the application of Jason Young for approval of a Variance from the requirements of Sect. 1298.35(C) of the MH Codified Ordinances to construct a 10' x 16' deck on the front of the house which is not similar to other houses in the neighborhood on property located in a Residential Single Family-Medium Density (RSF-M) Zoning District at 16901 Raymond Street, Maple Heights, Ohio is hereby overruled.

**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.** Pursuant to Codified Ordinance Sections 1262.03(F) this Resolution, provided it receives the affirmative vote of five (5) or more members elected to Council, shall take effect and be in force immediately upon its passage.

PASSED: \_\_\_\_\_, 2022

\_\_\_\_\_  
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 and 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.: 2022-30**

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

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) RECREATIONAL TRAILS PROGRAM AND/OR CLEAN OHIO TRAILS FUND PROGRAM FOR THE JACKSON BOULEVARD RECREATIONAL TRAIL PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, the State of Ohio, through the Ohio Department of Natural Resources (ODNR), administers financial assistance for public recreation purposes, through the Recreational Trails Program and/or the Clean Ohio Trails Fund Program; and

**WHEREAS**, the City of Maple Heights desires financial assistance under the Recreational Trails Program and/or the Clean Ohio Trails Fund Program to build a multi-purpose trail on Jackson Boulevard from Clement Avenue to South Boulevard.

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

**Section 1.** The Mayor and City Engineer are hereby authorized to prepare and file an application with the Ohio Department of Natural Resources (ODNR) and to provide all information and documentation required to become eligible for possible funding for the Jackson Boulevard Recreation Trail Project.

**Section 2.** The Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and further upon the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon the City Director of Finance.

**Section 3.** The City of Maple Heights does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Recreational Trails Program and/or the Clean Ohio Trails Fund Program.

**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 is hereby declared 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 it is necessary to prepare and file the application with the Ohio Department of Natural Resources (ODNR) on or before April 15, 2022 and submit executed legislation on or before May 15, 2022 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: \_\_\_\_\_, 2022

\_\_\_\_\_  
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.: 2022-31**

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

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK POOL LOCKER ROOM REHABILITATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Service Director and the Recreation Director have determined that various components of the sprayground and pool house at Stafford Park are presently inoperable or otherwise in a state of disrepair; and

**WHEREAS**, the Service Director and the Recreation Director have determined that the Stafford Park sprayground and pool house can be made operable for Summer 2022 but would require improvements to be made prior to becoming fully functional; and

**WHEREAS**, the Engineer has recommended that the repairs to the existing Stafford Park sprayground and pool house commence as soon as possible to avoid anticipated supply chain disruptions and/or labor shortages due to the number of pools/spraygrounds and aquatic facilities which are being reopened for Summer 2022, after being shuttered in Summer 2020 and Summer 2021 due to the COVID-19 pandemic; and

**WHEREAS**, on October 20, 2021, by **Resolution No. 2021-127**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the repairs to the existing Stafford Park pool sprayground and pool house; and

**WHEREAS**, on March 10, 2022, bids for the Stafford Park Pool Locker Room Rehabilitation Project were opened and inspected by the City Engineer to determine the lowest and best bid, with all bids rejected for the reason that they exceeded the Engineer's Estimate by greater than Ten Percent (10%); and

**WHEREAS**, the project was rebid and on March 31, 2022, bids for the Stafford Park Pool Locker Room Rehabilitation 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 Jadco Construction Services Inc., for the Stafford Park Pool Locker Room Rehabilitation Project, for a cost not to exceed Forty-Nine Thousand Four Hundred Dollars and Zero Cents (\$49,400.00), as more fully described in the bid record on file in the Office of the Finance Director of 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 to allow for a Summer 2022 opening, 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: \_\_\_\_\_, 2022

\_\_\_\_\_  
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.: 2022-32**

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

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK FITNESS NETWORK STATION INSTALLATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor and the Human Services Director had sought funding from various county, state and federal agencies for the set-up, operation and management of the Stafford Park Pool Sprayground for the Summer 2020 and Summer 2021 seasons; and

**WHEREAS**, the Ohio Development Services Agency had approved the release of Fifty-Eight Thousand Dollars and Zero Cents (\$58,000.00) from the General Revenue Fund, Appropriation Line Item 195503, for fiscal year 2020 and 2021, to the Maple Heights Aquatic Facility for costs associated with the opening and operation of the existing sprayground located at Stafford Park; and

**WHEREAS**, on May 20, 2020, by **Resolution No. 2020-50**, Council authorized the Mayor to enter into a Grant Agreement with the Ohio Development Services Agency to accept funding of up to the amount of Fifty-Eight Thousand Dollars and Zero Cents (\$58,000.00) for the set-up, operation and management of the Stafford Park Pool Sprayground through August 31, 2021; and

**WHEREAS**, due to the ongoing COVID-19 pandemic, and the potential health risks to the public that existed at the time of the development of the 2021 Recreation Program, the City of Maple Heights elected to not open the Stafford Park Pool Sprayground for the 2021 summer season; and

**WHEREAS**, the Ohio Development Services Agency had approved the proposed modification of the Grant Agreement to allow for the release of Fifty-Eight Thousand Dollars and Zero Cents (\$58,000.00) from the General Revenue Fund, Appropriation Line Item 195503, to the City of Maple Heights for costs associated with the construction of an outdoor fitness network, with security cameras, located at Stafford Park; and

**WHEREAS**, on July 7, 2021, by **Resolution No. 2021-71**, Council authorized the Mayor to enter into a modified Grant Agreement with the Ohio Development Services Agency and accept funding of up to the amount of Fifty-Eight Thousand Dollars and No Cents (\$58,000.00) to assist with the implementation of services as required for the construction of an outdoor fitness network, with security cameras, to be located at Stafford Park. Furthermore, Council authorized the City Engineer to begin the preparation of plans and specifications for the Stafford Park Outdoor Fitness Network Project and to provide for bidding said Project so that the City could complete the Project in a timely manner; and

**WHEREAS**, the City Engineer had recommended that the City of Maple Heights immediately move forward with the purchase of outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project, using a portion of the Ohio Development Services Agency funding award, to ensure that such equipment would be available for installation by a qualified contractor in the Fall of 2021; and

**WHEREAS**, the City Engineer sought seven (7) price proposals and received six (6) price proposals for the supply of outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project and determined that Gopher Outdoor Sports, has submitted the lowest and best proposal, which proposal was in the total amount of Sixteen Thousand Six Hundred Forty-Two Dollars and Zero Cents (\$16,642.00); and

**WHEREAS**, the Mayor had entered into the contract with Gopher Outdoor Sports for the purchase of outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project and such equipment was delivered to the City of Maple Heights Service Garage; and

**WHEREAS**, the City Engineer sought eleven (11) price proposals and received four (4) price proposals for the installation of the outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project and determined that Nerone and Sons, Inc., had submitted the lowest and best proposal, which proposal was in the total amount of Twenty-Nine Thousand One Hundred Dollars and Zero Cents (\$29,100.00).

**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 enter into a contract with Nerone and Sons, Inc., in the amount not to exceed Twenty-Nine Thousand One Hundred Dollars and Zero Cents (\$29,100.00), to install the outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project, as more fully described in the price proposal on file in the Office of the City Engineer.

**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 to allow for a Summer 2022 opening, 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: \_\_\_\_\_, 2022

\_\_\_\_\_  
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. 2022-33**

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

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE SOUTHWEST QUADRANT SEWER REPAIRS PHASE 1 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, on October 6, 2019, by **Resolution No. 2019-90**, Council authorized and directed the Mayor to enter into a 2020 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Mendota Avenue, Corkhill Avenue, Woodbrook Avenue, Florence Drive and Ladd Lane; and

**WHEREAS**, the City of Maple Heights has been awarded One Million One Hundred Thirty-Five Thousand One Hundred Eighty Dollars and Zero Cents (\$1,135,180.00) by the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Mendota Avenue, Corkhill Avenue, Woodbrook Avenue, Florence Drive and Ladd Lane; and

**WHEREAS**, the terms of the Member Community Infrastructure Program (MCIP) agreement for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project required the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the storm and sanitary sewer improvement project on various streets including Mendota Avenue, Corkhill Avenue, Woodbrook Avenue, Florence Drive and Ladd Lane in the City of Maple Heights; and

**WHEREAS**, the Ohio Department of Public Works has committed to directly disburse 70% of the project construction costs for both labor and materials, up to Four Hundred Twenty Thousand Four Hundred Twelve Dollars and Zero Cents (\$420,412.00), as required to complete storm and sanitary sewer improvements on various streets including Mendota Avenue, Corkhill Avenue, Woodbrook Avenue, Florence Drive and Ladd Lane as well as the recently completed sewer repairs on Dunham Road between Schreiber Road and Turney Road; and

**WHEREAS**, the City of Maple Heights has entered into an agreement with the Cuyahoga County Department of Public Works to maintain and operate the entire City of Maple Heights-owned storm and sanitary sewer systems, also designated as County Sewer District No.9; and

**WHEREAS**, the Cuyahoga County Department of Public Works has established a schedule of just and equitable rates to be collected from the owners of all parcels within the City that have accessibility to storm and sanitary sewers; and

**WHEREAS**, upon collection by the County Treasurer, such storm and sanitary sewer system monies have been placed in a distinct fund to the credit of Sewer District No. 9; and

**WHEREAS**, the Cuyahoga County Department of Public Works has committed to utilize Maple Heights Sewer District 9 funds to supplement Northeast Ohio Regional Sewer District, Ohio Public Works Commission and local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project which include the repair of storm and sanitary sewers on various streets including Mendota Avenue, Corkhill Avenue, Woodbrook Avenue, Florence Drive and Ladd Lane as required to complete the project; and

**WHEREAS**, on March 31, 2022, the bids for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project which included the repair of storm and sanitary sewers on various streets including Mendota Avenue, Corkhill Avenue, Woodbrook Avenue, Florence Drive and Ladd Lane, 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 Fabrizi Trucking and Paving Co., Inc., for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project, for a cost not to exceed Eight Hundred Sixty-Four Thousand One Hundred Fourteen Dollars and Zero Cents (\$864,114.00) as more fully described in the bid record on file in the Office of the Finance Director of 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 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: \_\_\_\_\_, 2022

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Ron Jackson, Council President

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Annette M. Blackwell, Mayor

Approved as to legal form:

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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: \_\_\_\_\_

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Leonette Cicirella Johnson, Clerk of Council