

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

October 5, 2022

1. **Caucus: 6:30 pm** All Members of Council
 2. **Call to Order:** Council President Ron Jackson
 3. **Invocation/Pledge of Allegiance:** Councilwoman Toni Jones, District 2
 4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
 5. **Addendum**
 6. **Approval of Minutes:** September 21, 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 four (4) minutes per person for 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:**
- 2022-90 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO ADVERTISE FOR BIDS FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS PHASE 2 - DUNHAM ROAD PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**
- Reading 1 (Blackwell)**
- 2022-91 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENT DOCUMENTS FOR PUBLIC SANITARY SEWER FACILITIES OVER PRIVATE PROPERTIES ON SCHREIBER ROAD 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:**

RESOLUTION NO.: 2022-90

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO ADVERTISE FOR BIDS FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS PHASE 2- DUNHAM ROAD PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 3, 2021, by **Resolution No. 2021-131**, Council authorized and directed the Mayor to enter into a 2022 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Southwest Sewer District Sewer Repairs Phase 2 Project in the City of Maple Heights which included the field investigation, testing, other research, and preparation of plans and specifications for the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146, Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, the City of Maple Heights had been awarded Two Hundred Ninety-Two Thousand Three Hundred Twenty Dollars and Zero Cents (\$292,320.00) by the Northeast Ohio Regional Sewer District (NEORS) for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, through the 2022 Member Community Infrastructure Program (MCIP) agreement of cooperation with the Northeast Ohio Regional Sewer District (NEORS), the City of Maple Heights will be responsible for One Hundred Twenty Five Thousand Two Hundred Eighty Dollars and Zero Cents (\$125,280.00) of the cost of the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area will allow the City of Maple Heights to submit future funding applications to various public agencies, including the Northeast Ohio Regional Sewer District (NEORS) and the Ohio Public Works Commission (ORWC); and

WHEREAS, the City Engineer has informed the Mayor and Service Director that his engineering firm, Chagrin Valley Engineering (CVE), is prepared to begin the preparation of construction plans and specifications, including necessary engineering reports for the Southwest Sewer District Sewer Repairs Phase 2 Project and will utilize the services of AECOM to provide engineering services not provided by CVE including televising, dye investigation, and miscellaneous field testing, as a subcontractor, per the terms of the existing Engineering Services Agreement between the City of Maple Heights and CVE; and

WHEREAS, on February 2, 2022, by **Resolution No. 2022-15**, Council authorized the City Engineer to begin the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, the City Engineer has informed the Mayor and Service Director that the investigation and engineering reports for the Southwest Sewer District Sewer Repairs Phase 2 Project have identified sanitary sewer defects on Dunham Road, between Rockside Road and Turney Road, for which his engineering firm, Chagrin Valley Engineering (CVE), has prepared construction plans and specifications as required to advertise for bids to repair accordingly; and

WHEREAS, the Cuyahoga County Department of Public Works will begin the reconstruction and resurfacing of Dunham Road, from Turney Road to Granger Road, in Spring 2023; and

WHEREAS, the City Engineer has advised the Mayor and Service Director that the repairs to the sanitary defects on Dunham Road, between Rockside Road and Turney, should be completed prior to the reconstruction and resurfacing of Dunham 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 local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 2 Project – Dunham Road which includes the repair of identified sanitary sewer defects on Dunham Road, between Rockside Road and Turney Road.

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 is hereby authorized to advertise for bids for the repairs of storm and sanitary sewers on Dunham Road, between Rockside Road and Turney Road, as part of the Southwest Sewer District Sewer Repairs Phase 2 Project.

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 so that it can be completed prior to the reconstruction and resurfacing of Dunham Road, 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. 2022-91

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENT DOCUMENTS FOR PUBLIC SANITARY SEWER FACILITIES OVER PRIVATE PROPERTIES ON SCHREIBER ROAD IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on October 16, 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 Schreiber Road; 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 Schreiber Road; 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 Schreiber Road; 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 Schreiber 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 (NEORS), Ohio Public Works Commission (OPWC) 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 Schreiber Road as required to complete the project; and

WHEREAS, The City Engineer has advised the Mayor that he will require the purchase of various sewer easements along Schreiber Road in order to allow for the efficient construction of the Schreiber Road Sewer Improvements & SSO Elimination Project which is a component part of the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project; and

WHEREAS, for appropriate consideration, the owners of certain properties located on Schreiber Road within the City of Maple Heights have agreed to grant certain easements upon their properties on Schreiber Road to the City for purposes of placement of public sanitary sewer facilities; and

WHEREAS, this Council desires to authorize and to accept the easements.

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 be and is hereby authorized to execute and accept four (4) grants of easement from the owners of Schreiber Road Permanent Parcel Nos. 785-22-002, 785-22-004, 785-22-010 and 785-22-012, for public sanitary sewer facilities in a form as generally set forth in Exhibit A attached hereto and incorporated herein.

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

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

Resolution No. 2022-91

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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