

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

April 5, 2023

- | | | |
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| 1. | Public Hearing: 6:00 pm | Proposed Rezoning – 5741 South Boulevard |
| 2. | Caucus: 6:30 pm | All Members of Council |
| 3. | Call to Order: | Council President Ron Jackson |
| 4. | Invocation/Pledge of Allegiance: | Councilwoman Edwina Agee, District 7 |
| 5. | Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 6. | Addendum: | |
| 7. | Approval of Minutes: | March 15, 2023 Regular Meeting of Council |
| 8. | Communications: | |
| 9. | Council Committee Reports: | |
| 10. | Department Reports: | |
| 11. | 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.

12. Legislation:

2023-21 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 2023 AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-22 AN ORDINANCE PROVIDING FOR AMENDMENT NO. 1 DATED APRIL 5, 2023 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2023, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-23 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE SCHREIBER ROAD SEWER IMPROVEMENTS & SSO ELIMINATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-24 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR FUNDS FROM THE RECREATIONAL TRAILS PROGRAM AND/OR CLEAN OHIO TRAILS FUND PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-25 AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE MATERIAL TERMS OF THE 2022 NATIONAL OPIOID SETTLEMENTS REACHED WITH TEVA, ALLERGAN, CVS, WALGREENS AND WALMART AND TO SIGN AND SUBMIT REQUIRED PARTICIPATION FORMS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-26 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH BUS SERVICE INCORPORATED FOR A 2022 STARLITE TRANSIT 350 HD BUS IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND NINE HUNDRED SIXTEEN DOLLARS AND ZERO CENTS (\$112,916.00) THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

MOTION: A MOTION PURSUANT TO CODIFIED ORDINANCE SECTION 1262.03(F) TO REFER CASE NO. 2023-PZ-10 BACK TO THE PLANNING AND ZONING COMMISSION FOR CONSIDERATION OF NEW EVIDENCE PRESENTED BY THE APPLICANT.

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

RESOLUTION NO. 2023-21

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 2023 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 2023; and

WHEREAS, as a member of the State Cooperative 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 2023.

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 May 1, 2023 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: _____, 2023

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

ORDINANCE NO. 2023-22

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

**AN ORDINANCE PROVIDING FOR AMENDMENT NO. 1 DATED APRIL 5, 2023
OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2023, AND
DECLARING AN EMERGENCY.**

WHEREAS, Council adopted a municipal budget pursuant to **Ordinance No. 2022-1055** for the fiscal year January 1, 2023 through December 31, 2023 setting forth certain annual appropriations; and

WHEREAS, the Finance Director has recommended to Council that amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated April 5, 2023, 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. 2022-105** shall be amended by the Council, as recommended by the Finance Director, in accordance with Amendment No. 1 dated April 5, 2023, which is attached hereto as Exhibit A (hereinafter referred to as "Exhibit A-Amendment No.1 dated April 5, 2023") and 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, 2023, the amended appropriations, as recommended by the Finance Director in Exhibit A-Amendment No. 1 dated April 5, 2023, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A-Amendment No. 1 dated April 5, 2023 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 ensure 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: _____, 2023

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.: 2023-23

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 SCHREIBER ROAD SEWER IMPROVEMENTS & SSO ELIMINATION PROJECT 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, 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 Schreiber Road as required to complete the project; and

WHEREAS, on February 15, 2023, by **Resolution No. 2023-15**, Council authorized and directed the Mayor to make application, sign and file all necessary contracts and documents with the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) for funding through the 2023 WPCLF Principal Forgiveness loan program for the Schreiber Road Sewer Improvements & SSO Elimination Project; and

WHEREAS, on March 30, 2023, the bids for the Schreiber Road Sewer Improvements & SSO Elimination 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, upon final approval of funding through the 2023 WPCLF Principal Forgiveness loan program, enter into a contract with Eclipse Co., LLC for the Schreiber Road Sewer Improvements & SSO Elimination Project, for a cost not to exceed Three Hundred Fifty Thousand Two Hundred Seventy Dollars and Zero Cents (\$350,270.00), 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 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: _____, 2023

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.: 2023-24

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR FUNDS FROM THE RECREATIONAL TRAILS PROGRAM AND/OR CLEAN OHIO TRAILS FUND PROGRAM 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 bike trail on Southgate Park 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 Council of Maple Heights approves the filing of this application for financial assistance under the Recreational Trails Program and/or the Clean Ohio Trails Fund Program to build a multi-purpose bike trail on Southgate Park Boulevard.

Section 2. The Mayor is hereby 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 inhabitants of the City, and for the further reason to timely submit the application, and provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____, 2023

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

ORDINANCE NO. 2023-25

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE MATERIAL TERMS OF THE 2022 NATIONAL OPIOID SETTLEMENTS REACHED WITH TEVA, ALLERGAN, CVS, WALGREENS AND WALMART AND TO SIGN AND SUBMIT REQUIRED PARTICIPATIONS FORMS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights, Ohio (hereinafter referred to as “the City”) is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the Parties Agreements, have drafted and the City has adopted, and hereby reaffirms its adoption of, a OneOhio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS, the MOU has been collaboratively drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, the Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially effectuation earlier resolution of the Opioid Litigation against Opioid Pharmaceutical Companies; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, pursuant to Ordinance No. 2021-152, Council approved the City's participation in nationwide settlements reached in 2021 to resolve all opioids litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors—McKesson, Cardinal Health, and AmerisourceBergen (“Distributors”)—and against manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson (collectively, “J&J”). These “2021 National Opioid Settlements” have been finalized, and payments have already begun. In all, the Distributors will pay up to \$21 billion over 18 years, and J&J will pay up to an additional \$5 billion over no more than nine years; and

WHEREAS, an additional national opioid settlement agreement dated November 22, 2022 was reached with TEVA, ALLERGAN, CVS, WALGREENS and WALMART (“2022 National Opioid Settlements”) to resolve governmental entity claims in the State of Ohio using the structure of the MOU; and

WHEREAS, assuming maximum participation nationwide, the 2022 National Opioid Settlements require:

TEVA to pay up to \$3.34 billion over 13 years and to provide either \$1.2 billion of its generic version of the drug Narcan over 10 years or \$240 million of cash in lieu of product, as each state may elect;
ALLERGAN to pay up to \$2.02 billion over 7 years;
CVS to pay up to \$4.90 billion over 10 years;
WALGREENS to pay up to \$5.52 billion over 15 years; and
WALMART to pay up to \$2.74 billion in 2023, and all payments to be made within 6 years.

WHEREAS, Council desires to accept and agree to the material terms of the proposed 2022 National Opioid Settlements and participate therein;

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

Section 1. The Mayor is hereby authorized to accept and agree to the material terms of the 2022 National Opioid Settlements and to sign and submit the individual Participation Forms concerning the TEVA, ALLERGAN, CVS, WALGREENS and WALMART settlements on behalf of the City of Maple Heights.

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 Participation Forms must be signed and submitted by April 18, 2023 to ensure the City can participate in and receive settlement funds. 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 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.: 2023-26
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 PURCHASE AGREEMENT WITH BUS SERVICE INCORPORATED FOR A 2022 STARLITE TRANSIT 350 HD BUS IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND NINE HUNDRED SIXTEEN DOLLARS AND ZERO CENTS (\$112,916.00) THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Cod. Ord. Sec. 210.05, the City is authorized to engage in cooperative purchasing through the competitive bids obtained by the State of Ohio Department of Transportation Cooperative Purchasing Program; and

WHEREAS, the Mayor and Human Services Director have advised Council that the City is in need of a new vehicle to provide transportation services for the City's Human Services Transportation Program, and the purchase of the vehicle can be made through the Ohio Department of Transportation's Cooperative Purchasing Program; and

WHEREAS, the City has received funding from NOACA through the Enhanced Mobility For Seniors And Individuals With Disabilities Program to be used towards the cost to purchase a new vehicle to provide transportation services for the City's Human Services Transportation Program; and;

WHEREAS, Council desires to authorize the purchase of a new vehicle with the specifications recommended by the Human Services Director through Bus Service Incorporated, an approved contractor in the Ohio Department of Transportation's Cooperative Purchasing Program, through Contract No. 248-22.

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 purchase agreement with Bus Services Incorporated, a copy of which is on file in the Finance Department, for the purchase of a 2022 Starlite Transit 350 HD Bus, VIN No. NKA31332, in the amount of One Hundred Twelve Thousand Nine Hundred Sixteen Dollars and Zero Cents (\$112,916.00), through the Ohio Department of Transportation Cooperative Purchasing Program, Contract No. 248-22.

Section 2: The Finance Director is hereby, authorized to appropriate to a proper account a sum sufficient to cover the cost of said purchase agreement referred to in Section 1 above, or secure appropriate financing options subject to the City's Fiscal Policies adopted and approved by Council.

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 safety, health and welfare and for the further reason that the vehicle is on special hold with Bus Service Incorporated and if not purchased immediately the hold will be released, 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: _____, 2023

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

City of Maple Heights Council Expenditures over \$25,000.00 Wednesday, April 5, 2023											
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
03/29/23		Service	270.600.56005	SCMR	Streets	Street Paint Supplies	\$844,617.83	\$48,657.00	\$795,960.83	American Roadway Logistics, Inc.	Roadway Line Striping City-wide / Mains and Intersections
								\$48,657.00			
Total Cost for Approval:											