

Ron Jackson, President
Stafford L. Shenett, Sr., District 1
Toni Jones, District 2
Timothy Tatum, District 3



Dana D. Anderson, District 4
Tanglyn Madden, District 5
Richard Trojanski, District 6
Edwina Agee, District 7

PUBLIC NOTICE

DATE: December 7, 2023
TO: Members of City Council
Mayor Annette M. Blackwell
Directors, Chiefs, Department Heads
FROM: Council President Ron Jackson
RE: **Special Meeting of Council**

In accordance with Article VII, Section 3, of the Charter of the City of Maple Heights, a **Special Meeting of Council** will be held on **Tuesday, December 19, 2023 at 7:00 p.m.** in the 2nd Floor Council Chambers, Maple Heights City Hall, 5353 Lee Road, Maple Heights, Ohio, to discuss the following:

- **ORDINANCE NO. 2023-114 – AN ORDINANCE AMENDING ORDINANCE NO. 2022-121 (“SALARY ORDINANCE”) TO ADD/DELETE CERTAIN JOB POSITIONS IN THE FINANCE AND HUMAN SERVICES DEPARTMENTS AND FIXING THE SALARY FOR THESE POSITIONS, EFFECTIVE DECEMBER 6, 2023, AND DECLARING AN EMERGENCY.**
- **RESOLUTION NO. 2023-118 -- A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF MAPLE HEIGHTS, PURSUANT TO ARTICLE VII, SECTION 20 OF THE CITY CHARTER AND CHAPTER 718 OF THE OHIO REVISED CODE, THE QUESTION OF AMENDING SECTIONS 891.012(b) AND 891.013 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO PROVIDE FOR THE INCREASE OF THE CITY'S MUNICIPAL INCOME TAX RATE FROM THE CURRENT RATE OF 2.50% TO A RATE OF 3.00% FOR A PERIOD OF TEN (10) YEARS COMMENCING JULY 1, 2024 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF SALARIES AND WAGES OF FULL-TIME EMPLOYEES OF THE DEPARTMENT OF SERVICE, AND FULL-TIME EMPLOYEES OF THE DIVISIONS OF POLICE AND FIRE WITHIN THE DEPARTMENT OF SAFETY; AND DECLARING AN EMERGENCY.**

/s/ Ron Jackson
Ron Jackson, Council President
Maple Heights City Council

ORDINANCE NO. 2023-114

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING ORDINANCE NO. 2022-121 (“SALARY ORDINANCE”) TO ADD/DELETE CERTAIN JOB POSITIONS IN THE FINANCE AND HUMAN SERVICES DEPARTMENTS AND FIXING THE SALARY FOR THESE POSITIONS, EFFECTIVE DECEMBER 6, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Article IV of the City Charter and Cod. Ord. Sec. 260.29, Council desires to fix the salaries and wages for all full-time and part-time non-bargaining unit employees for 2023; and

WHEREAS, Council passed **Ordinance No. 2022-121** fixing the salaries and wages for certain full-time and part-time non-bargaining unit job positions for 2023 (“the Salary Ordinance”); and

WHEREAS, the Finance Director has advised the Finance Committee of Council and the Council’s Committee of the Whole that she desires to eliminate the job positions of Payroll Coordinator and Purchasing Agent from the Salary Ordinance and to add the job position of Finance Specialist with a salary range of \$40,000 to \$65,873.60 to the Salary Ordinance, effective December 6, 2023; and

WHEREAS, the Mayor and the Human Resources Director desire to eliminate the job positions of Recreation Programs Coordinator, Human Services Coordinator, and Food Service Aide from the Salary Ordinance and to add the job position of Human Services Program Manager with a salary range of \$30,000 to \$65,873.60 to the Salary Ordinance, effective December 6, 2023.

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

Section 1. Council hereby authorizes the Salary Ordinance be amended, effective December 6, 2023, to eliminate the job positions of Payroll Coordinator and Purchasing Agent and to add the job position of Finance Specialist with a salary range of \$40,000 to \$65,873.60.

Section 2. Council hereby authorizes the Salary Ordinance be amended, effective December 6, 2023, to eliminate the job positions of Recreation Programs Coordinator, Human Services Coordinator, and Food Service Aide and to add the job position of Human Services Program Manager with a salary range of \$30,000 to \$65,873.60.

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 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 Ordinance constitutes an emergency measure necessary for the public safety, health and welfare and for the further reason that the new job positions affect the day-day operations of the City and must be timely filled, 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

RESOLUTION NO.: 2023-118

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF MAPLE HEIGHTS, PURSUANT TO ARTICLE VII, SECTION 20 OF THE CITY CHARTER AND CHAPTER 718 OF THE OHIO REVISED CODE, THE QUESTION OF AMENDING SECTIONS 891.012(b) AND 891.013 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO PROVIDE FOR THE INCREASE OF THE CITY'S MUNICIPAL INCOME TAX RATE FROM THE CURRENT RATE OF 2.50% TO A RATE OF 3.00% FOR A PERIOD OF TEN (10) YEARS COMMENCING JULY 1, 2024 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF SALARIES AND WAGES OF FULL-TIME EMPLOYEES OF THE DEPARTMENT OF SERVICE, AND FULL-TIME EMPLOYEES OF THE DIVISIONS OF POLICE AND FIRE WITHIN THE DEPARTMENT OF SAFETY; AND DECLARING AN EMERGENCY

WHEREAS, the City of Maple Heights, Ohio (the "City") currently levies a municipal income tax at the rate of 2.50% on all persons residing in, or earning or receiving income in, the City; and

WHEREAS, despite 2021-2023 increases in the salaries and wages of full-time employees of the Department of Service, and full-time employees of the Divisions of Police and Fire within the Department of Safety, which increases were the first pay increases in nearly ten years, these full-time employees remain significantly underpaid in relation to full-time employees in surrounding Cuyahoga County municipalities, resulting in the City having difficulty retaining these employees and attracting new employees, thereby jeopardizing the health, welfare and safety of the residents of the City; and

WHEREAS, in order to retain and attract employees in these Departments it is necessary to significantly increase their current salaries and wages, which the City cannot currently do without a significant increase in revenues; and

WHEREAS, in order to significantly increase revenues to retain and attract employees in these Departments it is necessary to increase the City's municipal income tax rate from 2.50% to 3.00% for a period of ten years for the purpose of providing funds for the payment of salaries and wages of these full-time employees of the Department of Service and full-time employees of the Divisions of Police and Fire within the Department of Safety, necessitating amendment of Sections 891.012(b) and 891.013 of the City's Codified ordinances; and

WHEREAS, pursuant to Section 891.081 of the City's Codified Ordinances the 100% credit for municipal income taxes paid by residents of the City to another municipality will still apply to this increase in the tax rate without need to amend Section 891.081; and

WHEREAS, Article VII, Section 20 of the City Charter provides that Council lacks authority to levy taxes in excess of the limitations set in the Ohio Constitution and laws of the State of Ohio without a vote of the people; and

WHEREAS, Section 718.04(C)(2), Ohio Revised Code, provides that no municipal corporation shall levy a tax on income at a rate in excess of one percent without having obtained the approval of the excess by a majority of the electors of the municipality voting on the question at a general, primary, or special election.

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

Section 1. The question of approving the passage of an ordinance to amend Sections 891.012(b) and 891.013 of the City's Codified ordinances to increase the City's municipal income tax rate from 2.50% to 3.00% for the period July 1, 2024 through June 30, 2034 for the purpose of providing funds for the payment of salaries and wages of full-time employees of the Department of Service and full-time employees of the Divisions of Police and Fire within the Department of Safety, shall be submitted to the electors of the City, pursuant to Article VII, Section 20 of the City Charter and Chapter 718 of the Ohio Revised Code, at the Presidential primary election to be held March 19, 2024, which election shall be held at the regular places of voting in the City as established by the Board of Elections of Cuyahoga County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law.

Section 2. The proposed **Ordinance No. 2023-XX** to be submitted to the electors of the City for their approval under this Resolution is attached hereto as *Exhibit A* (the "Income Tax Ordinance"), which is incorporated in this Resolution by reference and shall be a part of this Resolution.

Section 3. The ballot for the March 19, 2024 Presidential primary election shall be entitled "Amendments of Ordinances Relating to Taxable Income" and the question to be submitted on the ballot shall be:

Shall the Ordinance providing for an increase in the municipal income tax rate from the rate of 2.50% to 3.00% for the period July 1, 2024 through June 30, 2034 for the purpose of providing funds for the payment of salaries and wages of full-time employees of the Department of Service and full-time employees of the Divisions of Police and Fire within the Department of Safety, be passed?

FOR THE INCOME TAX	
AGAINST THE INCOME TAX	

The Mayor and the Director of Law are each authorized to further or differently summarize the language of the proposed amendment for purposes of creating an appropriate ballot if requested or required by the Cuyahoga County Board of Elections, the Ohio Secretary of State, or others.

Section 4. The Clerk of Council is instructed to certify a copy of this Resolution and the Income Tax Ordinance to the Board of Elections of Cuyahoga County before the close of business on December 20, 2023. The Clerk of Council is further authorized to take all other action required by law relative to the submission of said Issue at that election.

Section 5. If the electors should fail to approve the passage of the Income Tax Ordinance at the election on March 19, 2024, such failure shall not in any way affect any rights or obligations of the City, any taxpayer, or any other person, official, or entity with respect to the existing 2.50% municipal income tax authorized by Chapter 891 of the City's Codified Ordinances.

Section 6. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason so that it can be timely filed with the Board of Elections in order to submit the question of the levy for its stated essential purpose to the electors at the March 19, 2024 election, 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-XX

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING SECTIONS 891.012(b) AND 891.013 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO PROVIDE FOR THE INCREASE OF THE CITY'S MUNICIPAL INCOME TAX RATE FROM THE CURRENT RATE OF 2.50% TO A RATE OF 3.00% FOR A PERIOD OF TEN (10) YEARS COMMENCING JULY 1, 2024 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PAYMENT OF SALARIES AND WAGES OF FULL-TIME EMPLOYEES OF THE DEPARTMENT OF SERVICE, AND FULL-TIME EMPLOYEES OF THE DIVISIONS OF POLICE AND FIRE WITHIN THE DEPARTMENT OF SAFETY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council finds that despite 2021-2023 increases in the salaries and wages of full-time employees of the Department of Service, and full-time employees of the Divisions of Police and Fire within the Department of Safety, which increases were the first pay increases in nearly ten years, these full-time employees remain significantly underpaid in relation to full-time employees in surrounding Cuyahoga County municipalities, resulting in the City having difficulty retaining these employees and attracting new employees, thereby jeopardizing the health, welfare and safety of the residents of the City; and

WHEREAS, this Council finds that in order to retain and attract employees in these Departments it is necessary to significantly increase their current salaries and wages, which the City cannot currently do without a significant increase in revenues; and

WHEREAS, this Council finds that in order to significantly increase revenues to retain and attract employees in these Departments it is necessary to increase the City's municipal income tax rate from 2.50% to 3.00% for a period of ten years for the purpose of providing funds for the payment of salaries and wages of these full-time employees of the Department of Service and full-time employees of the Divisions of Police and Fire within the Department of Safety, necessitating amendment of Sections 891.012(b) and 891.013 of the City's Codified ordinances; and

WHEREAS, pursuant to Section 891.081 of the City's Codified Ordinances the 100% credit for municipal income taxes paid by residents of the City to another municipality will still apply to this increase in the tax rate without need to amend Section 891.081.

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

Section 1. Section 891.012(b) of the City's Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

“891.012 PURPOSES OF TAX; RATE.

* * *

(b) Said tax shall be levied, collected and paid with respect to definitions in Section 891.03 and income subject to tax pursuant to Sections 891.041 through 891.043, Sections 891.051 through 891.053, and Sections 891.061 through 891.065 ~~for tax years beginning on or after January 1, 2016 at a rate of two and one half percent~~ at a rate of three percent (3%) for the period beginning on July 1, 2024 and ending on June 30, 2034 and at the rate of two and one half percent (2 ½ %) for periods prior to July 1, 2024 and after June 30, 2034.”

Section 2. Section 891.013 of the City’s Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

“891.013 ALLOCATION OF FUNDS.

Two and one-half percent of the levied tax shall be allocated to the General Fund for any and all municipal purposes and for the period beginning on July 1, 2024 and ending on June 30, 2034, one-half percent of the levied tax shall be allocated into a Special Revenue Fund designated by the Director of Finance to provide funds for the payment of salaries and wages of full-time employees of the Department of Service and full-time employees of the Divisions of Police and Fire within the Department of Safety.”

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 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 Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that this Ordinance must be immediately effective to enable the City to levy and collect the municipal income tax at the rate provided in this Ordinance to provide funds for payment of salaries and wages of employees herein, 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