

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

May 3, 2023

1. **Caucus: 6:30 pm** All Members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilman Timothy Tatum, District 3
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum:**
6. **Approval of Minutes:** April 19, 2023 Regular Meeting of Council
7. **Communications:**
 - a. Letter of Appeal Regarding Planning and Zoning Case No. 2023-PZ-10
 - b. Letter of Appeal Regarding Planning and Zoning Case No. 2023-PZ-18
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:

2023-32 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS WITH CUYAHOGA COUNTY FOR THE PLANNING AND CONSTRUCTION FOR THE RESURFACING OF ROCKSIDE ROAD FROM EAST 141ST STREET TO SECTOR DRIVE IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-33 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM WITH TIM LALLY CHEVROLET FOR FOUR (4) CHEVROLET TAHOES PPV 4WD, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-34 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF MAPLE HEIGHTS FOR DESIGN OF WASTEWATER FACILITIES, DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND AUTHORIZING

**THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT
THERETO, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

2023-35 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIXMO, INC. TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FIRE STATION NO. 1 AND NO. 2 ROOF REPAIR PROJECTS IN THE CITY OF MAPLE HEIGHTS, INCLUDING THE PREPARATION OF PLANS AND SPECIFICATIONS AND ADVERTISING FOR BIDS FOR REPAIR WORK, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-36 A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE STAFFORD PARK RESTORATION PROJECT, PHASE 2 IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-37 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR FABRIZI TRUCKING AND PAVING CO. INC. INCREASING THE CONTRACT BY \$14,774.09, FOR THE NORTHEAST QUADRANT SEWER REPAIRS PHASE 3 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-38 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR FABRIZI TRUCKING AND PAVING CO. INC. DECREASING THE CONTRACT BY \$48,918.21, FOR THE SOUTHWEST QUADRANT SEWER REPAIRS PHASE 1 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-39 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR TC CONSTRUCTION CO., INC. DECREASING THE CONTRACT BY \$17,672.29, FOR THE 2022 CONCRETE ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-40 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE FRANKLIN AVENUE WATERMAIN REPLACEMENT PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

**2023-41 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 5 FOR METIS
CONSTRUCTION SERVICE INCREASING THE CONTRACT BY \$29,800.87,
FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION PROJECT
IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

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

Rockside Road

ORDINANCE NO: 2023-32

DATE: May 3, 2023

An emergency ordinance enacted by the City of Maple Heights, Cuyahoga County, Ohio hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the COUNTY.

WHEREAS, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

The resurfacing of Rockside Road from East 141st Street to Sector Drive.

NOW THEREFORE, be it ordained by the Council of the City of Maple Heights:

A. CONSENT

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to construct the above described improvement in accordance with plans, specifications and estimates approved by the COUNTY.

B. COOPERATION

1. That the MUNICIPALITY will cooperate with the COUNTY in the resurfacing of **Rockside Road from East 141st Street to Sector Drive**.
2. That the MUNICIPALITY will arrange for the preparation of construction plans and specifications, including necessary engineering reports for improvement, under current Cuyahoga County standards for construction of County roads and bridges.
3. That the COUNTY will arrange for the supervision and administration of the construction project.

C. FUNDING

1. That the MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY portion of the project.
2. That if the project is financed with State or Federal-aid funds, eligible costs of the improvement shall be financed from the aforesaid funds.
3. That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages specified in the Ordinance.
4. Within the corporate limits of the MUNICIPALITY, the MUNICIPALITY will be responsible for forty percent (40%), and the COUNTY will be responsible for sixty percent (60%), of the cost of

the preparation of construction plans and specifications, including necessary engineering reports for the improvement.

5. Within the Corporate limits of the MUNICIPALITY, the MUNICIPALITY shall contribute fifty percent (50%) of the Non-Federal Share of the cost of construction, and construction supervision.
6. That the MUNICIPALITY agrees to deposit with the Treasurer of Cuyahoga County the MUNICIPALITY'S share of the estimated cost of the project or agrees to enter into an escrow agreement with the County of Cuyahoga, Ohio prior to an award of a contract for the improvement.

D. MAINTENANCE

That upon completion of said improvement, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance; and
2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the improvement in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

E. TRAFFIC

That upon completion of said improvement said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
2. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
3. That stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and

4. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
5. The MUNICIPALITY shall regulate parking in the following manner: Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

F. RIGHT-OF-WAY

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the aforesaid improvement shall be made available therefore.
2. That in the event any additional right-of-way is required, the COUNTY will arrange for the acquisition.

G. UTILITIES

1. That the MUNICIPALITY will make arrangements with and obtain agreements from all privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary rearrangements immediately after notification by said MUNICIPALITY.
2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.
3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement.
4. That the construction, reconstruction, an/or rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

H. MISCELLANEOUS

1. That if the COUNTY is formally requested by a MUNICIPAL RESOLUTION to include the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the improvement), sidewalks, alternate bid items, or other items in the improvement that are in

addition to those now existing and not provided for elsewhere in this Agreement, the COUNTY will do so, provided that this construction meets with the approval of the County and the MUNICIPALITY involved in this improvement; and that the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering, and construction supervision.

2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, G-1, G-3, and G-4 and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certifications or obligations made or agreed to in said Sections F-1, G-1, G-3, and G-4 hereinabove.
3. For the purpose of this Ordinance, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. By enacting this Ordinance, the MUNICIPALITY agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The MUNICIPALITY also agrees on behalf of the aforementioned entities and persons, to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic signature policy of Cuyahoga County.

I. AUTHORITY TO SIGN

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.
2. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the County of Cuyahoga, Ohio for approval to use County Motor Vehicle License Tax Funds for the improvement.

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, 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 _____, 20____

Attest: _____

Mayor

President of Council

CERTIFICATE OF COPY

State of Ohio)
County of Cuyahoga) SS.
City of Maple Heights)

I, Leonette Cicirella Johnson, as Clerk of the City of Maple Heights, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said municipality on the _____ day of _____, 20____, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No. _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal,
this _____ day of _____, 20____.

Clerk

City of Maple Heights, Ohio

MUNICIPAL SEAL

RESOLUTION NO.: 2023-33

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM WITH TIM LALLY CHEVROLET FOR FOUR (4) 2023 CHEVROLET TAHOES PPV 4WD, AND DECLARING AN EMERGENCY.

WHEREAS, Council has authorized cooperative purchasing through the competitive bids obtained by the State of Ohio Department of Administrative Services Cooperative Purchasing Program; and

WHEREAS, the Police Chief has advised Council that the City is in need of four (4) new vehicles for the patrol officers in the Police Department, the purchase of which can be made through the State of Ohio's Cooperative Purchasing Program; and

WHEREAS, Council desires to authorize the procurement of four (4) new vehicles for the patrol officers in the Police Department with the specifications recommended by the Police Chief through the State Cooperative Purchasing Program.

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 Tim Lally Chevrolet for the purchase of four (4) 2023 Chevrolet Tahoes PPV 4WD in the base amount of \$42,845 each (*which amount is less than the State Bid suggested price of \$45,490*), as more fully described in the specifications under State Contract No. RSI010764, Index No. GDC050, effective 10/1/2022 as part of the State of Ohio's Cooperative Purchasing Program.

Section 2: The Mayor is further authorized to enter into a purchase agreement with Tim Lally Chevrolet to upfit the four (4) 2023 Chevrolet Tahoes PPV 4WD at a cost of \$14,194.45 each per the City's Fiscal Policies on purchasing adopted and approved by Council.

Section 3: The Finance Director is hereby authorized to appropriate to a proper account a sum sufficient to cover the cost of said purchase agreements referred to in Sections 1 and 2 above, in the total amount of \$57,039.45 for each vehicle or secure appropriate financing options for the total amount of \$57,039.45 for each vehicle, subject to the City's Fiscal Policies adopted and approved by Council.

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 constitutes an emergency measure necessary for the public safety, health and welfare and for the further reason that the vehicles are on special hold with Tim Lally Chevrolet and if not purchased by May 5, 2023 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

RESOLUTION NO.: 2023-34

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF MAPLE HEIGHTS FOR DESIGN OF WASTEWATER FACILITIES, DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights seeks to make improvements to its existing wastewater facilities by improving sanitary sewers; and

WHEREAS, the City of Maple Heights intends to apply for a 2023 Water Pollution Control Loan Fund (WPCLF) Design Loan for the design of the Lee Road and Raymond Street Sewer Improvements Project; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the governing authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; and

WHEREAS, the City of Maple Heights is a local government eligible to receive Principal Forgiveness Funding for an eligible activity through the WPCLF Program Year 2023 Final Program Management Plan dated January 27, 2023; and

WHEREAS, a community eligible to receive Principal Forgiveness Funding through the WPCLF may be awarded Principal Forgiveness Funding for one (1) project per program year, which the City of Maple Heights has applied to the construction of the Schreiber Road Sewer Improvements & SSO Elimination Project for Program Year 2023; and

WHEREAS, the City of Maple Heights remains eligible to receive Design Loan funding to design the Lee Road and Raymond Street Sewer Improvement Project for a term of five years or less with a zero-percent (0%) interest rate; and

WHEREAS, The Mayor and Engineer have advised Council that 2023 WPCLF funds may be available through the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) and the Ohio Water Development Authority (OWDA) in an amount not exceeding Six Hundred Thousand Dollars and Zero Cents (\$600,000.00) for the design of the Lee Road and Raymond Street Sewer Improvements Project.

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 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 Design Loan Program for the following project:

Lee Road and Raymond Street Sewer Improvements

Section 2. The dedicated source of repayment will be Maple Heights Water Fund 219.

Section 3. 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 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 constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to timely submit the grant application, 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.: 2023-35

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SIXMO, INC. TO PROVIDE PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR THE FIRE STATION NO. 1 AND NO. 2 ROOF REPAIR PROJECTS IN THE CITY OF MAPLE HEIGHTS, INCLUDING THE PREPARATION OF PLANS AND SPECIFICATIONS AND ADVERTISING FOR BIDS FOR REPAIR WORK, AND DECLARING AN EMERGENCY.

WHEREAS, the Cuyahoga County Council, per Resolution No. R2022-0273, awarded funding from the District 8 ARPA Community Grant Fund in the amount of \$480,000.00 to the City of Maple Heights for the Maple Heights Fire Station No. 1 Roof Repair Project; and

WHEREAS, the Cuyahoga County Council, per Resolution No. R2022-0274, awarded funding from the District 8 ARPA Community Grant Fund in the amount of \$80,000.00 to the City of Maple Heights for the Maple Heights Fire Station No. 2 Roof Repair Project; and

WHEREAS, on November 2, 2022, by **Resolution No. 2022-99**, Council authorized the Finance Director to accept and deposit funding from the District 8 ARPA Community Grant Fund in the total amount of \$560,000.00 into the Local Fiscal Recovery Fund, to be used for the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects; and

WHEREAS, Quality Control Inspection, Inc. ("QCI"), at the request of, and on behalf of the City Engineer, prepared and sent out a request for Statement of Qualifications and Fee Proposals to three firms, SIXMO, Inc., P.S.I., and TransSystems, seeking architectural and engineering services related to the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects; and

WHEREAS, SIXMO, Inc. was the only firm to provide a Statement of Qualifications and Fee Proposal to QCI; and

WHEREAS, QCI met with the Mayor, City Engineer, Service Director, Asst. Service Director, Fire Captain, and Finance Director to review SIXMO, Inc.'s Statement of Qualifications and Fee Proposal; and

WHEREAS, QCI, the Mayor, City Engineer, Service Director, Asst. Service Director, Fire Captain, and Finance Director recommend that the City accept SIXMO, INC.'s Statement of Qualifications and Fee Proposal and enter into a professional services contract with SIXMO, Inc. to provide architectural and engineering services related to the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects;

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 authorized to enter into a professional services contract with SIXMO, Inc., to provide architectural and engineering services related to the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects, including the preparation of plans and specifications and advertising for bids for the repair work, for a percentage of construction costs fee basis of 8.8%, as more fully described in SIXMO, Inc.'s Statement of Qualifications and Fee Proposal on file in the Office of the Finance Director.

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 complete the project in a timely manner so that the District 8 ARPA Community Grant funding schedule can be maintained, 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.: 2023-36

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE STAFFORD PARK RESTORATION PROJECT, PHASE 2 IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 16, 2022, by **Resolution No. 2022-108**, Council authorized and directed the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2022 Community Development Block Grant Program; and

WHEREAS, the City of Maple Heights has been notified that the Cuyahoga County Council is now considering legislation to award \$150,000.00 under the 2022 Community Development Block Grant Program, through the Cuyahoga County Department of Development, for the Stafford Park Restoration Project, Phase 2 which will help to fund improvements at Stafford Park including the construction of a shelter / band stand for community recreational use; and

WHEREAS, when awarded, the Cuyahoga County Department of Development will require funds under the 2022 Community Development Block Grant Program to be expended before September 30, 2023; and

WHEREAS, Council deems it necessary and in the best interests of the health, safety and welfare of all of the City residents to proceed with improvements to Stafford Park and provide for recreational opportunities for all resident.

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 and directed to begin the preparation of plans and specifications and to, upon notice of funding award by the Cuyahoga County Department of Development, provide advertising for bids for the Stafford Park Restoration Project, Phase 2 in the City of Maple Heights.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the public health and general welfare of the residents of the City, and to complete the project in a timely manner in compliance with the CDBG grant requirements, 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. 2023-37

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR FABRIZI TRUCKING AND PAVING CO., INC, INCREASING THE CONTRACT BY \$14,774.09, FOR THE NORTHEAST QUADRANT SEWER REPAIRS PHASE 3 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on October 7, 2015, by **Resolution No. 2015-63**, Council authorized 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 Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview in the City of Maple Heights; and

WHEREAS, the Ohio Public Works Commission contributed Three Hundred Forty-Nine Thousand Nine Hundred Fifty Dollars and Zero Cents (\$349,950.00), for Phase 1 and Phase 2 of the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on November 7, 2018, by **Resolution No. 2018-96**, Council authorized the Mayor to enter into a 2019 Member Community Infrastructure Program (MCIP) Agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Manhole Sewer Separation Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, the City of Maple Heights was awarded Five Hundred Ninety-Nine Thousand Nine Hundred Fifty Dollars and Zero Cents \$599,950.00 by the Northeast Ohio Regional Sewer District (NEORS) for Phase 1 and Phase 2 of the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; 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 provide Sewer District No. 9 funds in the amount of up to Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) as the required local funding match for storm and sanitary sewer improvement projects on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on September 4, 2019, by **Resolution No. 2019-75**, the City of Maple Heights entered into a contract with Fabrizi Trucking and Paving Co., Inc., for the Northeast Quadrant Sewer Repairs Phase 1 Project, which was completed in Spring 2020, and

WHEREAS, on September 16, 2020, by **Resolution No. 2020-82**, the City of Maple Heights entered into a contract with United Survey, Inc., for the Northeast Quadrant Sewer Repairs Phase 2 Project, which was completed in Summer 2021, and

WHEREAS, on February 23, 2021, by **Resolution No. 2021-17**, Council authorized the Mayor to enter into a 2021 Member Community Infrastructure Program (MCIP) Agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Manhole Sewer Separation Project in the City of Maple Heights which included additional repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, the City of Maple Heights had been awarded One Million Twenty-One Thousand Eight Hundred Eighty-Seven Dollars and Zero Cents (\$1,021,887.00) by the Northeast Ohio Regional Sewer District (NEORS) for the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, the Ohio Public Works Commission is contributing up Fifty-Three Percent (53%) of the cost, up to a maximum of One Million Four Hundred Thirty-Three Thousand One Hundred Thirteen Dollars and Zero Cents (\$1,433,113.00), for additional work to repair storm and sanitary sewers and resurface various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on November 11, 2021, the bids for the Northeast Quadrant Sewer Repairs Phase 3 Project, which included the repair of storm and sanitary sewers on Hansen, Raymond, Franklin, and Gardenview, were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on December 1, 2021, by **Resolution No. 2021-138**, Council authorized the Mayor, to enter into a contract with Fabrizi Trucking and Paving Co., Inc., for the Northeast Quadrant Sewer Repairs Phase 3 Project, for a cost not to exceed Two Hundred Thirty-One Thousand Six Hundred Thirty-Two Dollars and Zero Cents (\$231,632.00); and

WHEREAS, the City Engineer has determined that the quantity adjustments to contract line items for actual work performed, when combined with the cost of work items not included within the original

contract documents, will increase the contract for the Northeast Quadrant Sewer Repairs Phase 3 Project in the amount of Fourteen Thousand Seven Hundred Seventy-Four Dollars and Nine Cents (\$14,774.09).

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 Change Order No. 1 for Fabrizi Trucking and Paving Co., Inc to increase the contract for the Northeast Quadrant Sewer Repairs Phase 3 Project in the amount of Fourteen Thousand Seven Hundred Seventy-Four Dollars and Nine Cents (\$14,774.09) to close out the project contract as recommended by 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 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. 2023-38

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR FABRIZI TRUCKING AND PAVING CO., INC, DECREASING THE CONTRACT BY \$48,918.21, 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 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; and

WHEREAS, on April 6, 2022, by **Resolution No. 2022-33**, Council authorized 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); and

WHEREAS, the City Engineer has determined that the quantity adjustments to contract line items for actual work performed, when combined with the cost of work items not included within the original contract documents, will decrease the contract for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the amount of Forty-Eight Thousand Nine Hundred Eighteen Dollars and Twenty-One Cents (\$48,918.21).

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 Change Order No. 1 for Fabrizi Trucking and Paving Co., Inc to decrease the contract for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the amount of Forty-Eight Thousand Nine Hundred Eighteen Dollars and Twenty-One Cents (\$48,918.21) to close out the project contract as recommended by 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 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.: 2023-39

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR TC CONSTRUCTION CO., INC., DECREASING THE CONTRACT BY \$17,672.29, FOR THE 2022 CONCRETE ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

WHEREAS, the Service Director had informed the Mayor and the Engineer that the pavement conditions on various streets located within the City of Maple Heights makes it necessary to perform repairs, reconstruction and preventative maintenance on various streets within the City; and

WHEREAS, Council deemed it necessary and in the best interests of the health, safety and welfare of all of the City residents to perform routine repairs and preventative maintenance on various streets within the City of Maple Heights; and

WHEREAS, on March 16, 2022, by **Resolution No. 2022-26**, Council authorized the City Engineer to coordinate with the Service Director to update the street inventory which rates pavement conditions for streets based on ODOT's PCR Manual for the Mayor and Council's use in developing and authorizing a road repair program in the City of Maple Heights; and

WHEREAS, on March 22, 2022, the Cuyahoga County Department of Public Works informed the Mayor that the Department will reimburse the City for up to \$101,000.00 in material costs expended on County Routes included under a road repair program in the City of Maple Heights; and

WHEREAS, the City Engineer had updated the street inventory which rates pavement conditions, including preliminary estimates of cost for pavement repairs, and made a recommendation for the streets, which were determined to be in greatest need of repair, for consideration by the Mayor and Council in authorizing a road repair program; and

WHEREAS, on June 15, 2022, by **Resolution No. 2022-58**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the 2022 Pavement Repair Program in the City of Maple Heights; and

WHEREAS, on August 25, 2022, the bids for the 2022 Concrete Roadway Repair Program were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on September 21, 2022, by **Resolution No. 2022-85**, Council authorized the Mayor to enter into a contract with TC Construction Co., Inc. for the 2022 Concrete Roadway Repair Program, for a cost not to exceed One Hundred Three Thousand Six Hundred Eighty Dollars and Zero Cents (\$103,680.00); and

WHEREAS, the City Engineer has determined that the quantity adjustments to contract line items for actual work performed, when combined with the cost of work items not included within the original contract documents, will decrease the contract for the 2022 Concrete Roadway Repair Program in the amount of Seventeen Thousand Six Hundred Seventy-Two Dollars and Twenty-Nine Cents (\$17,672.29).

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 Change Order No. 1 for TC Construction Co., Inc., to decrease the contract for the 2022 Concrete Roadway Repair Program in the amount of Seventeen Thousand Six Hundred Seventy-Two Dollars and Twenty-Nine Cents (\$17,672.29) to close out the project contract as recommended by 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 health and welfare of the residents of the City, and so that the remaining funds can be properly allocated, 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. 2023-40

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 FRANKLIN AVENUE WATERMAIN REPLACEMENT PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights, upon application of the City Engineer, was awarded a grant in the amount of Seven Hundred Eighty-Three Thousand Seven Hundred Sixty-Eight Dollars and Zero Cents (\$783,768.00) for the Franklin Road Watermain Replacement Project; and

WHEREAS, on October 6, 2021, by **Resolution No. 2021-16**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Franklin Avenue Watermain Replacement Project in the City of Maple Heights; and

WHEREAS, the Ohio Public Works Commission is contributing up to Fifty-Three Percent (53%) of the cost, up to a maximum of One Million Four Hundred Thirty-Three Thousand One Hundred Thirteen Dollars and Zero Cents (\$1,433,113.00), for additional work to repair storm and sanitary sewers and resurface various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on April 27, 2023 the bids for the Franklin Avenue Watermain Replacement 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 Catts Construction, Inc., for the Franklin Avenue Watermain Replacement Project, for a cost not to exceed One Million Six Hundred Ninety-Eight Thousand Three Hundred Ninety-Five Dollars and Thirty-Four Cents (\$1,698,395.34), as more fully described in the bid record on file in the Office of the Finance Director in the City of Maple Heights.

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

Section 3. It is found and determined that all formal actions of this Council concerning and

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

Section 4. This Resolution constitutes an emergency measure necessary for the public welfare and to ensure the timely completion of the construction project 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. 2023-40
Page Two

RESOLUTION NO. 2023-41

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 5 FOR METIS CONSTRUCTION SERVICE, INCREASING THE CONTRACT BY \$29,800.87 FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on November 20, 2019, by **Resolution No. 2019-100**, Council authorized the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2020 Community Development Block Grant Program (CDBG); and

WHEREAS, on November 20, 2019, by **Resolution No. 2019-101**, Council authorized the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2020 Community Development Supplemental Grant Program (CDSG); and

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

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

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

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

WHEREAS, on April 15, 2020, by **Resolution No. 2020-38**, Council authorized the City Engineer and Architect Calvin M. Singleton, Jr., of Calvin Singleton and Associates, to begin the preparation of plans and specifications and to provide advertising for bids for the Maple Heights City Hall ADA Improvements Project; and

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

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

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

WHEREAS, on February 11, 2021, the bids for the revised City Hall New Vestibule & Elevator Addition Project were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on February 17, 2021, by **Resolution No. 2021-22**, the Council of the City of Maple Heights authorized the Mayor to enter into a contract with Metis Construction Services for the City Hall New Vestibule & Elevator Addition Project, for a cost not to exceed Two Hundred Sixty-Seven Thousand Seven Hundred Seventy-Nine Dollars and Zero Cents (\$267,779.00), and

WHEREAS, on May 5, 2021, by **Resolution No. 2021-44**, the Council of the City of Maple Heights authorized Change Order No. 1 for Metis Construction Services, to increase the contract for the City Hall New Vestibule & Elevator Addition Project, in the amount of Six Thousand Nine Hundred Thirty Dollars and Zero Cents (\$6,930.00), to provide for work to construct the project material/equipment lay down and staging area; and

WHEREAS, on November 18, 2020, by **Resolution No. 2020-104**, Council authorized the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2021 Community Development Block Grant Program (CDBG); and

WHEREAS, on November 18, 2020, by **Resolution No. 2020-105**, Council authorized the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga

County Department of Development for the 2021 Community Development Supplemental Grant Program (CDSG); and

WHEREAS, the City of Maple Heights has been awarded \$150,000.00 by the Cuyahoga County Department of Development under the 2021 Community Development Block Grant Program (CDBG) and \$50,000.00 under the 2021 Community Development Supplemental Grant Program (CDSG) for the Maple Heights City Hall ADA Improvements Project which will help to fund improvements to City Hall to make it accessible to persons with disabilities pursuant to the Americans With Disabilities Act (ADA); and

WHEREAS, on July 7, 2021, by **Resolution No. 2021-70**, the Council of the City of Maple Heights authorized Change Order No. 2 for Metis Construction Services, to increase the contract for the City Hall New Vestibule & Elevator Addition Project, in the amount of One Hundred Nineteen Thousand Four Hundred One Dollars and Fifty Cents (\$119,401.50), to provide for the permanent installation of an automatic door opener for the front entrance to City Hall, accepting Alternate Bid Items No. 2 and No. 3 that were included within the bidding documents for Phase 1 of the City Hall Vestibule & Elevator Addition Project but not awarded due to budgetary constraints, and the acceptance of an alternate exterior block material, and

WHEREAS, on September 1, 2021, by **Resolution No. 2021-97**, the Council of the City of Maple Heights authorized Change Order No. 3 for Metis Construction Services, to increase the contract for the City Hall New Vestibule & Elevator Addition Project, in the amount of Eighty-Seven Thousand Two Hundred Seventy-Three Dollars and Seventy Cents (\$87,273.70), to provide for roof removal/replacement work assigned to the owner under the original contract documents, relocation of conflicting electrical lines discovered during construction, the construction of a security vestibule at the second floor corridor entrance, and the reconstruction of the first and second floor bathrooms as required to conform to the Americans With Disabilities Act (ADA), and

WHEREAS, on October 20, 2021, by **Resolution No. 2021-126**, the Council of the City of Maple Heights authorized Change Order No. 4 for Metis Construction Services, to increase the contract for the City Hall New Vestibule & Elevator Addition Project, in the amount of Nine Thousand One Hundred Twenty-Eight Dollars and Seventy Cents (\$9,128.70), to provide for additional work be performed to replace the existing City Hall building backflow preventor, pressure reducing valve, and add additional isolation valves so that work may proceed on the ADA compliant bathrooms on both the first and second floors of City Hall; and

WHEREAS, the City Engineer had recommended that additional work be performed to repair/replace the existing City Hall building foundation underdrain, install an elevator shaft fire alarm and monitoring system, provide safety grating for the mechanical room pit opening, modify the

corridor finish work, relocate hydroponic piping and add a transformer so that work could be completed on the elevator vestibule, and the ADA compliant bathrooms on both the first and second floors.

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 Change Order No. 5 for Metis Construction Services, to increase the contract for the City Hall New Vestibule & Elevator Addition Project, in the amount of Twenty-Nine Thousand Eight Hundred Dollars and Eighty-Seven Cents (\$29,800.87), to provide for work to construct the additional items as outlined within this Resolution as directed by 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 3. This Resolution constitutes an emergency measure necessary for the health and welfare of the residents of the City, and so that the project can be closed out promptly, 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

City of Maple Heights Council Expenditures over \$25,000.00 Wednesday, May 3, 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
Total Cost for Approval:								\$0.00			
GRAND TOTAL										\$0.00	

All Approved _____ YES _____ NO _____
 Pull Out # _____ Additions # _____
 Pull Out # _____ Additions # _____
 Pull Out # _____ Additions # _____

Council President

Disclosure: Purchase Orders over \$10,000.00

03/01/23	N/A	Service Director	270.6100.56001	SCMR	Streets	Asphalt Supplies	N/A	N/A	\$15,000.00	Kolosong	Blanket for Asphalt for City Streets
04/12/23	N/A	Police Chief	252.7100.55059	Amb. Billing	Police	Membership Dues	N/A	N/A	\$20,000.00	SEALE- SouthEast Area Law Enforcement	SEALE Dues
04/17/23	N/A	Mayor's Office	100.7160.55015	General	Lands & Buildings	Professional Services	N/A	N/A	\$13,934.00	Express Blinds	Window Blinds City Hall Offices