

ORDINANCE NO.: 2023-92

INTRODUCED BY: Council President Ron Jackson

MOTION FOR ADOPTION BY:

**AN ORDINANCE AMENDING COUNCIL'S RULES OF ORDER
CONCERNING "COMMENTS FROM CITY RESIDENTS" SET FORTH
IN SECTION 220.01(c)(9) OF THE CODIFIED ORDINANCES OF THE
CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

WHEREAS, the Council President has recommended an amendment to the Council's Rules Of Order concerning "Comments from City residents" set forth in Section 220.01(c)(9) of the City's Codified Ordinances.

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

Section 1. Section 220.01(c)(9) of the Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

"220.01 RULES OF ORDER.

* * *

(c) Duties and Privileges of Council.

* * *

9) Comments from City of Maple Heights (hereinafter referred to as "City") residents, owners of property within the City; and authorized representatives of governmental offices, non-profit organizations, and businesses located and operating within the City. ~~Comments from City residents, owners of property within the City; and authorized representatives of governmental offices, non-profit organizations, and businesses located and operating within the City~~ (hereinafter referred to as "a Person"), will be entertained at regular Council meetings only, and shall be limited to four minutes per person during comments on the agenda and comments of a general nature and no person shall be allowed to speak more than once. A Person wishing to ~~address~~ provide comment ~~Council shall, prior to the start of the regular Council meeting, first register by completing a sign in sheet providing their~~ 1) name, 2) property address within the City and residence address if different, 3) the name of the governmental office, non-profit organization, or business, they represent, and 4) the subject upon which they intend to give comment. ~~All registration information is a public record. be recognized by The President~~ Clerk of Council shall call Persons to give their comment in the order in which they registered on the sign in sheet. and ~~When called, the Person recognized, shall come forward, state his or her name and address and state the subject matter which he or she wishes to discuss and give their comment.~~ Total resident comments ~~The total amount of time during the meeting to provide 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.

Section 2. The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended Section 220.01(c)(9) in the current print and electronic editions of the City's Codified Ordinances.

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 Council's rules of procedure must be timely updated, 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.: 2023-94

INTRODUCED BY: MAYOR ANNETTE M. BLACKWELL

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING SECTION 276.01 OF THE CITY'S CODIFIED ORDINANCES TO INCREASE THE COMPENSATION FOR MEMBERS OF THE CIVIL SERVICE COMMISSION FROM A RATE OF SEVENTY-FIVE DOLLARS (\$75) PER MEETING TO NINETY DOLLARS (\$90) PER MEETING, EFFECTIVE JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the Finance Committee of Council have recommended an amendment to Section 276.01 of the City's Codified Ordinances to increase the compensation for members of the Civil Service Commission from a rate of Seventy-Five Dollars (\$75) per meeting to Ninety Dollars (\$90) per meeting, effective January 1, 2024.

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

Section 1. Section 276.01 of the City's Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

“276.01 COMPENSATION.

Effective January 1, 2024, Mmembers of the Civil Service Commission shall be compensated at the rate of ~~seventy-five~~ ninety dollars (~~\$75~~\$90.00) per meeting in which a quorum is present and business is conducted. No member shall be entitled to compensation for a meeting in which the member was not in attendance.”

Section 2. The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended Section 276.01 in the current print and electronic editions of the City's Codified Ordinances.

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 Council's rules of procedure must be timely updated, 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.: 2023-95

INTRODUCED BY: MAYOR ANNETTE M. BLACKWELL

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING SECTION 1262.03(A) OF THE CITY'S CODIFIED ORDINANCES, EFFECTIVE JANUARY 1, 2024, TO INCREASE THE COMPENSATION FOR MEMBERS OF THE PLANNING AND ZONING COMMISSION FROM A RATE OF SEVENTY-FIVE DOLLARS (\$75) PER MEETING TO NINETY DOLLARS (\$90) PER MEETING, AND THE RATE FOR THE CHAIRPERSON FROM EIGHTY-FIVE DOLLARS (\$85) PER MEETING TO ONE HUNDRED DOLLARS (\$100) PER MEETING AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the Finance Committee of Council have recommended an amendment to section 1262.03(A) of the City's Codified Ordinances, effective January 1, 2024, to increase the compensation for members of the Planning and Zoning Commission from a rate of Seventy-Five dollars (\$75) per meeting to Ninety dollars (\$90) per meeting, not to exceed Two Thousand One Hundred Sixty Dollars (\$2,160) per year, and the rate for the Chairperson from Eighty-Five Dollars (\$85) per meeting to One Hundred Dollars (\$100) per meeting, not to exceed Two Thousand Four Hundred Sixty Dollars (\$2,400) per year.

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

Section 1. Section 1262.03(A) of the City's Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

"1262.03 PLANNING AND ZONING COMMISSION

* * *

A. Compensation. Effective January 1, 2024, Salaries of the Planning & Zoning Commission shall be ~~Seventy-Five~~ Ninety Dollars (\$7590.00) per meeting held in which a quorum is present and business is conducted, not to exceed ~~One Thousand Eight Hundred Dollars (\$1,800.00)~~ Two Thousand One Hundred Sixty Dollars (\$2,160) per year. The salary of the Chairperson shall be ~~Eighty-Five~~ One Hundred Dollars (\$85 100.00) per meeting held in which a quorum is present and business is conducted, not to exceed ~~Two Thousand Forty Dollars (\$2,040.00)~~ Two Thousand Four Hundred Sixty Dollars (\$2,400) per year. No member shall be entitled to compensation for a meeting in which that member was not in attendance."

Section 2. The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended Section 1262.03(A) in the current print and electronic editions of the City's Codified Ordinances.

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 Council's rules of procedure must be timely updated, 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.: 2023-96
INTRODUCED BY: MAYOR ANNETTE M. BLACKWELL
MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING SECTION 1262.045(B)(2) OF THE CITY'S CODIFIED ORDINANCES TO INCREASE THE COMPENSATION FOR MEMBERS OF THE ARCHITECTURAL REVIEW BOARD FROM A RATE OF SIXTY DOLLARS (\$60) PER HOUR TO NINETY DOLLARS (\$90) PER HOUR, EFFECTIVE JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the Finance Committee of Council have recommended an amendment to Section 1262.045(B)(2) of the City's Codified Ordinances to increase the compensation for members of the Architectural Review Board from a rate of Sixty Dollars (\$60) per hour to Ninety Dollars (\$90) per hour, effective January 1, 2024.

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

Section 1. Section 1262.045(B)(2) of the City's Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

"1262.045 ARCHITECTURAL REVIEW BOARD

* * *

B. Membership.

* * *

2. The Architectural Review Board shall serve as an advisory board to the Planning and Zoning Commission. Effective January 1, 2024, ~~The~~ compensation for the members of the Board shall be sixty ninety dollars (~~\$60~~90.00) per hour, with the alternate serving pro bono until such time he or she is called to fill the three (3) Member Board."

Section 2. The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended Section 1262.045(B)(2) in the current print and electronic editions of the City's Codified Ordinances.

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 Council's rules of procedure must be timely updated, 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.: 2023-100

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH JAMES G. ZUPKA, C.P.A., INC., TO PREPARE AND FILE THE ANNUAL GAAP FINANCIAL STATEMENTS FOR THE CITY FOR THE YEAR ENDED DECEMBER 31, 2023 FOR AN ANTICIPATED TOTAL PROJECT COST OF \$13,600.00, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Finance Director, upon the recommendation of the Ohio Auditor of State, have requested that James G. Zupka, C.P.A, Inc. prepare and file the annual GAAP financial statements for the city for the year ended December 31, 2023; and

WHEREAS, James G. Zupka, C.P.A, Inc. has presented the Mayor and Finance Director with an agreement and schedule of fees to prepare and file the annual GAAP financial statements for the City for the year ended December 31, 2023 for an anticipated total project cost of \$13,600.00, which agreement and schedule of fees is on file in the Finance Department; and

WHEREAS, the Finance and Law Directors has reviewed the terms of the agreement and schedule of fees and recommends that Council authorize the Mayor to enter into the agreement.

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

Section 1. Council authorizes the Mayor to enter into an agreement and schedule of fees with James G. Zupka, C.P.A., Inc. to prepare and file the annual GAAP financial statements for the City for the year ended December 31, 2023, for an anticipated total project cost of \$13,600.00, which agreement and schedule of fees is on file in the Finance Department.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that preparation of the 2023 financial statements must begin and be filed on a timely basis and not be delayed, 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.: 2023-101

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO AUDITOR OF STATE AND INDEPENDENT PUBLIC AUDITOR CHARLES E. HARRIS & ASSOCIATES, INC., PURSUANT TO R.C. 117.11 AND 117.115, TO AUDIT THE CITY FOR THE FISCAL PERIODS JANUARY 1, 2023 THROUGH DECEMBER 31, 2027, FOR A COMBINED TOTAL FOR ALL PERIODS OF \$125,800.00, AND DECLARING AN EMERGENCY.

WHEREAS, on October 23, 2023, the Auditor of State (“AOS”) awarded the contract to audit the City of Maple Heights, pursuant to R.C. 117.11 and 117.115, for the fiscal periods January 1, 2023 through December 31, 2027, to independent public auditor, Charles E. Harris & Associates, Inc. (“the IPA”), in accordance with the items and conditions set forth in the AOS’s Request for Proposals dated September 27, 2023 (“the AOS RFP”) and the cost and technical proposals dated October 19, 2023 of the IPA (collectively referred to as “the IPA Proposal”); and

WHEREAS, the IPA has proposed that the total fee for the City for the 2023 audit is \$24,480.00, \$24,820.00 for the 2024 audit, \$25,160.00 for the 2025 audit, \$25,500.00 for the 2026 audit, and \$25,840.00 for the 2027 audit. The combined total for all of the audit years is \$125,800.00; and

WHEREAS, the AOS has requested that the IPA and the City enter into a Memorandum of Agreement dated October 23, 2023, which Memorandum of Agreement, together with the AOS RFP and the IPA Proposal constitute the integrated written agreement among the AOS, the IPA and the City, to be known as “the Contract”. Copies of the Memorandum of Agreement, the AOS RFP and the IPA Proposal are on file in the Finance Department; and

WHEREAS, the Finance Director has recommended that the City enter into the Contract with the AOS and the IPA, pursuant to R.C. 117.11 and 117.115, for the fiscal periods January 1, 2023 through December 31, 2027, to audit the City for a combined total cost of \$125,800.00 for all audit years.

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 the Contract with the AOS and the IPA, pursuant to R.C. 117.11 and 117.115, for the fiscal periods January 1, 2023 through December 31, 2027, to audit the City for a combined total cost of \$125,800.00 for all audit years, by signing the October 23, 2023 Memorandum of Agreement, and the Finance Director is authorized and directed to sign the Certification of Compliance attached to the Memorandum of Agreement.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date

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

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that the IPA must timely begin its audit, 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.: 2023-102
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO-SPONSORED BY:

A RESOLUTION APPROVING THE AMENDMENT OF ARTICLE V(I) OF THE BY-LAWS OF THE NORMA SELF-INSURANCE POOL, INC., AND DECLARING AN EMERGENCY.

WHEREAS, since the passage of the original By-Laws of the NORMA Self-Insurance Pool, Inc. in 1987, technology has developed to the point that virtual meetings, with full video and audio capabilities, are regularly utilized in both the private and public sector; and

WHEREAS, during the COVID-19 pandemic, Substitute HB 197 permitted public bodies to conduct meetings virtually using teleconferencing and/or video conferencing; and

WHEREAS, NORMA understands that it is not required to comply with the Ohio Sunshine Law embodied in RC § 121.22, and desires to utilize teleconferencing and/or video conferencing to conduct the meetings of the Board of Trustees from time to time; and

WHEREAS, that pursuant to Article V(i) of the By-Laws, the NORMA Board recommends that Article VI of the By-Laws be amended to add additional provisions to permit meetings to be held via teleconferencing and/or video conferencing, as is set forth in Exhibit A attached hereto (“Proposed Amendment”); and

WHEREAS, that pursuant to Article V(i)(2) of the By-Laws, the Proposed Amendment shall take effect only upon passage by at least two-thirds (2/3) of the legislative bodies of the Members.

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 of Maple Heights hereby accepts the recommendation of the Norma Board of Trustees and approves the Proposed Amendment in the form and substance as is attached hereto as Exhibit A.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to enable the City to continue in its efficient participation with the Norma Self-Insurance Pool, Inc., 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.: 2023-103

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COMPETITIVE RETAIL ELECTRIC SERVICE CONTRACT WITH NEXTERA ENERGY SERVICES OHIO, LLC FOR AN INITIAL TERM OF 36 MONTHS, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director, after analysis and review of the current rates and fees the City is paying for electric services to City buildings and properties, and consultation with NOPEC regarding lower rates and fees available from electric suppliers in the region, has recommended that the City enter into a Contract with NextEra Energy Services, Ohio, LLC for electric service to the City's buildings and properties for an initial term of 36 months with an estimated start month of December 2023. A copy of said Contract is on file in the Finance Department.

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

Section 1. Council authorizes the Mayor to enter into a Contract with NextEra Energy Services, Ohio, LLC for electric service to the City's buildings and properties for an initial term of 36 months with an estimated start month of December 2023. A copy of the Contract is on file in the Finance Department.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that cost savings be timely implemented, 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. 2023-104

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ACCEPT THE OCTOBER 30, 2023 QUOTATION BY VALLEY FREIGHTLINER, INC., FOR THE PURCHASE OF A FREIGHTLINER 108SD CAB AND CHASSIS IN THE AMOUNT OF \$109,819.00 THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, Council, in Cod. Ord. Sec. 210.05, has authorized cooperative purchasing through the competitive bids obtained by the State of Ohio Department of Transportation (ODOT) Cooperative Purchasing Program; and

WHEREAS, the Mayor and Service Director have advised Council that the City is in need of a new truck for snow plow purposes and the purchase of the truck can be made through the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program; and

WHEREAS, Council desires to authorize the purchase of a new truck with the specifications recommended by the Service Director through Valley Freightliner, Inc., an approved contractor in the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program, through Contract No. 023-24.

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

Section 1. The Mayor and Service Director are hereby authorized to accept the October 30, 2023 Quotation by Valley Freightliner, Inc., a copy of which is on file in the office of the Finance Director, for the purchase of a Freightliner 108SD cab and chassis in the amount of \$109,819.00 through the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program, Contract No. 023-24.

Section 2: The Finance Director is hereby authorized to appropriate a sum sufficient to cover the cost of the quotation set forth in Section 1.

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 orders for new vehicles must be timely placed to avoid delays in receiving, 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.: 2023-105

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE ADDING NEW SECTION 1282.02(O) TO THE ZONING CODE OF THE CITY OF MAPLE HEIGHTS PROVIDING FOR TRUCKING AND HAULING AS A PRINCIPALLY PERMITTED USE IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Planning and Development Director have recommended adding new Section 1282.02(O) to the City's Zoning Code to provide for Trucking and Hauling as a principally permitted use in the Central Business District (CBD) Zoning District.

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

Section 1. New Section 1282.02(O) is hereby added to Section 1282.02 of the City's Zoning Code as follows:

"1282.02 PRINCIPALLY PERMITTED USES.

* * *

(O) Trucking and Hauling."

Section 2: The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of new Section 1282.02(O) in the current print and electronic editions of the City's Codified Ordinances.

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 the Zoning Code must be timely updated, 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