

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

September 6, 2023

- | | | |
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| 1. | Caucus: 6:30 pm | All Members of Council |
| 2. | Call to Order: | Council President Ron Jackson |
| 3. | Invocation/Pledge of Allegiance: | Councilman Stafford Shenett, District 1 |
| 4. | Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 5. | Addendum: | |
| 6. | Approval of Minutes: | July 5, 2023 Regular Meeting of Council |
| 7. | Communications: | |
| 8. | Council Committee Reports: | |
| 9. | Department Reports: | |
| 10. | Citizens' Comments: | Per Council Rule 220.01(c)(9) |

Comments from City residents will be entertained at Regular Council Meetings only, and shall be limited to four (4) minutes per person for comments on the agenda and comments of a general nature and no person shall be allowed to speak more than once. A person wishing to address Council shall first be recognized by the President of Council, and when recognized, shall come forward, state his or her name and address and state the subject matter which he or she wishes to discuss. Total resident comments shall be limited to 45 minutes for all comments. Under special circumstances, this rule can be extended or modified by a majority of Council present. No profanity or comments of a personal or inflammatory nature will be tolerated under any circumstances. The Presiding Officer shall permit a one (1) minute response from the Mayor or Council Member or Department Director to whom the Citizen's question is directed.

11. Legislation:

2023-69 A RESOLUTION CERTIFYNG TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR BOARDING UP HOUSES AND OTHER UNSAFE STRUCTURES PURSUANT TO CODIFIED ORDINANCE SECTIONS 680.06, 1440.27 AND 1440.28, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2023-70 A RESOLUTION DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE AND RUBBISH COLLECTION AND DISPOSAL WITHIN THE CITY OF MAPLE HEIGHTS AND CERTIFYING TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY OF MAPLE HEIGHTS FOR GARBAGE AND RUBBISH COLLECTIONS, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2023-71 A RESOLUTION CERTIFYNG TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR WEED AND GRASS CONTROL PURSUANT TO CODIFIED ORDINANCE SECTION 660.15 AND 680.05, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2023-76 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT TWO TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFE BUILT OHIO, LLC TO PROVIDE CONSULTING SERVICES IN CONNECTION WITH THE CITY'S BUILDING AND ZONING CODES, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2023-82 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE CUYANOGA COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE CUYAHOGA COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-83 A RESOLUTION PERMITTING AN EXCEPTION TO THE EMPLOYEE VACATION SCHEDULE SET FORTH IN COD. ORD. SECT. 260.05 AND AUTHORIZING THE MAYOR TO INCREASE THE VACATION TIME FOR SERVICE DIRECTOR CIRESI FROM TWO (2) WEEKS TO FOUR (4) WEEKS, EFFECTIVE JANUARY 1, 2024, WITH FUTURE INCREASES IN WEEKS OF VACATION TIME, NOT COVERED BY THE SCHEDULE SET FORTH IN COD. ORD. SECT. 260.05, BEING SUBJECT TO APPROVAL BY THE MAYOR AND COUNCIL, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-84 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR A POTENTIAL GRANT FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-85 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK PHASE II SHELTER/BANDSTAND INSTALLATION 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:**

RESOLUTION NO.: 2023-69

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR BOARDING UP HOUSES AND OTHER UNSAFE STRUCTURES PURSUANT TO CODIFIED ORDINANCE SECTIONS 680.06, 1440.27 AND 1440.28, AND DECLARING AN EMERGENCY.

WHEREAS, in compliance with Sections 680.06, 1440.27 and 1440.28 of the Codified Ordinances of the City of Maple Heights expenses were incurred for boarding up houses and unsafe structures upon lots in the City of Maple Heights, as more fully described in the Attachment on file with the Finance Director; and

WHEREAS, such expenses have not been paid by the owners of said lots.

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

Section 1. The expenses listed in the Attachment on file with the Finance Director, which is made a part hereof for all purposes, for boarding up houses and unsafe structures shall be certified to the Cuyahoga County Fiscal Officer for the purpose of making the same a lien upon such lots in the City of Maple Heights, Cuyahoga County, Ohio, to be collected as are other taxes and returned to the General Fund of the City of Maple Heights, pursuant to Sections 680.06, 1440.27 and 1440.28 of the Codified Ordinances of the City of Maple Heights.

Section 2. The Clerk of Council and the Finance Director are authorized to prepare and submit all necessary documents to accomplish the required written return to the County Fiscal Officer in a timely manner.

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 our residents, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September 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.: 2023-70

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE AND RUBBISH COLLECTION AND DISPOSAL WITHIN THE CITY OF MAPLE HEIGHTS AND CERTIFYING TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY OF MAPLE HEIGHTS FOR GARBAGE AND RUBBISH COLLECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 701.05 and 715.43 and Chapter 1060 of the Codified Ordinances of the City of Maple Heights permit the assessment for the collection and disposal of garbage and rubbish; and

WHEREAS, Codified Ordinances Section 1060.02(b) provides that the Finance Director establish an estimate of the next year's solid waste collection costs and projected fees for the purpose of establishing the applicable rates for the following year to be charged by the City of Maple Heights for garbage and rubbish collection; and

WHEREAS, the Finance Director has completed this estimate and has determined that the applicable monthly rate for 2024 is \$19.35 per residential unit and \$9.98 for each residential unit for qualified residents with a Homestead exemption as of June 1, 2023 and

WHEREAS, Codified Ordinances Section 1060.02(b)(5) provides that these charges be certified to the County Auditor in time for the charges to be added to the tax duplicate and collected in the next collection year.

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

Section 1. It is the determination of this Council, to proceed with the assessing for the cost and expense of garbage and rubbish disposal within the City in accordance with Ohio Revised Code Sections 701.05 and 715.43 and Chapter 1060 of the Codified Ordinances, upon the lands in the City of Maple Heights on file in the County Fiscal Officer's Office, for the 2023 tax duplicate and collection in the year 2024 at a monthly rate of \$19.35 for each residential unit and \$9.98 for each residential unit for qualified residents with a Homestead exemption as of June 1, 2023.

Section 2: Reimbursement of funds through collection of tax duplicates of said lands as outlined in Section 1 hereof shall be credited to the Solid Waste Collection Fund of the City of Maple Heights.

Section 3. The Finance Director is hereby authorized to send to the Auditor of the County of Cuyahoga certified copies of this Resolution in such numbers as are required.

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 and welfare of the residents of the city, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September 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.: 2023-71

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR WEED AND GRASS CONTROL PURSUANT TO CODIFIED ORDINANCE SECTIONS 660.15 AND 680.05, AND DECLARING AN EMERGENCY.

WHEREAS, in compliance with Sections 660.15 and 680.05 of the Codified Ordinances of the City of Maple Heights expenses were incurred for weed and grass control upon lots in the City of Maple Heights, as more fully described in the Attachment on file with the Finance Director; and

WHEREAS, such expenses have not been paid by the owners of said lots.

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

Section 1 The expenses listed in the Attachment on file with the Finance Director, which is made a part hereof for all purposes, for grass and weed control shall be certified to the Cuyahoga County Fiscal Officer for the purpose of making the same a lien upon such lots in the City of Maple Heights, Cuyahoga County, Ohio, to be collected as are other taxes and returned to the General Fund of the City of Maple Heights, pursuant to Sections 660.15 and 680.05 of the Codified Ordinances of the City of Maple Heights.

Section 2. The Clerk of Council and the Finance Director are authorized to prepare and submit all necessary documents to accomplish the required written return to the County Fiscal Officer in a timely manner.

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 our residents, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September 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.: 2023-76
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT TWO TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFE BUILT OHIO, LLC TO PROVIDE CONSULTING SERVICES IN CONNECTION WITH THE CITY'S BUILDING AND ZONING CODES, AND DECLARING AN EMERGENCY.

WHEREAS, SAFEbuilt Ohio, LLC currently provides the City with professional consulting services in connection with the City's Building and Zoning Codes through an agreement which provided services effective June 1, 2021; and

WHEREAS, on August 1, 2022, SAFEbuilt Ohio, LLC and the City instituted Amendment One to the agreement to perform services at a reduced rate on specified projects through September 30, 2022; and

WHEREAS, SAFEbuilt Ohio, LLC and the City desire to amend the agreement as set forth in Amendment Two attached hereto as Exhibit A and incorporated herein by reference.

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 Amendment Two to the Professional Services Agreement with SAFEbuilt Ohio, LLC to provide the City with professional consulting services in connection with the City's Building and Zoning Codes. A copy of the Agreement is available in the office of the Director of Planning and Development and incorporated as if fully rewritten herein.

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 so that the Amendment Two may be timely executed 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.: 2023-82

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE CUYAHOGA COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE CUYAHOGA COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY.

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2024; and

WHEREAS, the Budget Commission of Cuyahoga County has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten-mill tax limitation.

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

Section 1. The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

Section 2. There be and is hereby levied on the tax duplicate of the City the rate of each tax necessary to be levied within and without the ten-mill limitation as provided on Schedules "A" and "B" attached hereto.

Section 3. The Clerk of Council is hereby authorized to certify a copy of this Resolution and the Finance Director is authorized to forward said copy to the Fiscal Officer of Cuyahoga County.

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 peace, safety and general welfare of the City and for the further reason to immediately comply with the mandates of the County Fiscal Officer to file by September 29, 2023, 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.: 2023-83

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION PERMITTING AN EXCEPTION TO THE EMPLOYEE VACATION SCHEDULE SET FORTH IN COD. ORD. SECT. 260.05 AND AUTHORIZING THE MAYOR TO INCREASE THE VACATION TIME FOR SERVICE DIRECTOR CIRESI FROM TWO (2) WEEKS TO FOUR (4) WEEKS, EFFECTIVE JANUARY 1, 2024, WITH FUTURE INCREASES IN WEEKS OF VACATION TIME, NOT COVERED BY THE SCHEDULE SET FORTH IN COD. ORD. SECT. 260.05, BEING SUBJECT TO APPROVAL BY THE MAYOR AND COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, Service Director Tony Ciresi was originally employed by the City for 27 years, from June 1994 to September 2021, and was Service Director from March 2017 to September 2021, and had earned six (6) weeks of vacation time; and

WHEREAS, after leaving employment with the City in September 2021, Ciresi was re-employed by the City in August 2022, and re-appointed Service Director in November 2022; and

WHEREAS, pursuant to the vacation schedule set forth in Cod. Ord. Sect. 260.05, since Ciresi's re-employment period is currently only one (1) year, he is only entitled to two (2) weeks of vacation; and

WHEREAS, in recognition of Ciresi's prior 27 years of service with the City, and the fact that, as Service Director he is a Department Head, the Mayor desires to increase his available vacation time to four (4) weeks, effective January 1, 2024; and

WHEREAS, Council desires to permit an exception to the employee vacation schedule set forth in Cod. Ord. Sect. 260.05 and authorize the Mayor to increase the vacation time for Service Director Ciresi from two (2) weeks to four (4) weeks, effective January 1, 2024, with future increases in Ciresi's weeks of vacation time that are not covered by the schedule set forth in Cod. Ord. Sect. 260.05, being subject to approval by the Mayor and Council;

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

Section 1. Council hereby permits an exception to the employee vacation schedule set forth in Cod. Ord. Sect. 260.05 and authorizes the Mayor to increase the vacation time for Service Director Ciresi from two (2) weeks to four (4) weeks, effective January 1, 2024, with future increases in Ciresi's weeks of vacation time that are not covered by the schedule set forth in Cod. Ord. Sect. 260.05, being subject to approval by the Mayor and Council.

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 vacation time benefits for Ciresi must be established before January 1, 2024, 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.: 2023-84

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR A POTENTIAL GRANT FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Article VIII, Section 2(K) of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

WHEREAS, pursuant to section 164.06 of the Ohio Revised Code, the District One Public Works Integrating Committee has been created to accept, evaluate and recommend applications for State financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission (OPWC) has been created to accept and approve applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS, the City of Maple Heights has conducted a capital inventory and needs assessment and has determined that it is necessary to submit an application for financial assistance for a capital infrastructure improvement 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 to the District One Public Works Integrating Committee and the Ohio Public Works Commission (OPWC) for financial assistance for the following 2024 capital infrastructure improvement projects:

1. Lee Road Resurfacing Project – Broadway Avenue to Libby Road
2. Rockside Road Reconstruction Project
3. Southwest Sewer District Sewer Improvements Project - Phase 2

Section 2. The Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and further upon the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon the City Director of Finance.

Section 3. 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 is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City, and further to timely submit the application within the grant deadline, and provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____, 2023

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

I, Leonette Cicirella Johnson, Clerk of Council of the City of Maple Heights, County of Cuyahoga, State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2023-85

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSOR BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK PHASE II SHELTER/BANDSTAND INSTALLATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on November 16, 2022, by **Resolution No. 2022-108**, Council authorized 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; (CDBG) and

WHEREAS, the City of Maple Heights had been notified that the Cuyahoga County Council awarded \$150,000.00 under the 2022 Community Development Block Grant Program (CDBG), 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, the Cuyahoga County Department of Development requires funds under the 2022 Community Development Block Grant Program (CDBG) to be expended before September 30, 2023; and

WHEREAS, on May 3, 2023, by **Resolution No. 2023-36**, Council authorized the Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Stafford Park Restoration Project, Phase 2 in City of Maple Heights; and

WHEREAS, at the bid opening set for July 27, 2023 no bids were received for the Stafford Park Phase II Shelter/Bandstand Installation Project, a component part of the Stafford Park Restoration Project, Phase 2, and the City Engineer again advertised for bids; and

WHEREAS, on August 24, 2023 the bids for the Stafford Park Phase II Shelter/Bandstand Installation Project, a component part of the Stafford Park Restoration Project, Phase 2, 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 The Vallejo Company for the Stafford Park Phase 2 Shelter/Bandstand Installation Project, for a cost not to exceed One Hundred Fourteen Thousand Six Hundred Seventy-Five Dollars and Zero Cents (\$114,675.00), as more fully described in the bid record on file in the Office of the Finance Director in the City of Maple Heights.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City, and to complete the project in a timely manner in compliance with the 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. 2023-85

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