

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

April 17, 2024

- | | |
|--|--|
| 1. Caucus: 6:30 pm | All Members of Council |
| 2. Call to Order: | Council President Ron Jackson |
| 3. Invocation/Pledge of Allegiance: | Councilman Stafford L. Shenett, District 1 |
| 4. Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 5. Addendum: | |
| 6. Approval of Minutes: | April 3, 2024 Regular Meeting of Council |
| 7. Communications: | a. Letter of Appeal Regarding Planning and Zoning
Case No. 2024-PZ-04 |
| 8. Council Committee Reports: | |
| 9. Department Reports: | |
| 10. Comments from City Residents: | Per Council Rule 220.01(c)(9) |
| 11. Legislation: | |

2024-34 A RESOLUTION CHANGING THE REGULAR MEETING SCHEDULE OF COUNCIL FOR THE MONTHS OF JUNE, JULY AND AUGUST 2024, AND DECLARING AN EMERGENCY.

Reading 1 (Jackson)

2024-35 A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR CONTRACTS AWARDED IN 2024, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-36 A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ACCEPT THE DECEMBER 28, 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 COOPERATIVE PURCHASING PROGRAM, AND ACCEPT QUOTE NO. 178627 BY HENDERSON PRODUCTS, INC. FOR UPFITTING THE TRUCK WITH SNOW AND ICE CONTROL EQUIPMENT PACKAGE IN THE AMOUNT OF \$120,824.00, THROUGH NATIONAL PURCHASING PARTNERS GOVERNMENT COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-37 A RESOLUTION ACCEPTING AND APPROVING CUYAHOGA COUNTY'S 9-1-1 PLAN, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-38 A RESOLUTION SELECTING EUCLID MAYOR KIRSTEN HOLZHEIMER GAIL, PURSUANT TO OHIO REVISED CODE SECTION 128.06(B)(4), AS THE CHIEF EXECUTIVE OF A MUNICIPAL CORPORATION WITHIN CUYAHOGA COUNTY, TO BE THE CITY OF MAPLE HEIGHTS' CHOICE TO BECOME A MEMBER OF THE CUYAHOGA COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-39 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE HILLGROVE AVENUE WATERMAIN REPLACEMENT PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

MOTION: A Motion to deny the January 8, 2024 appeal of Vibe City from the January 8, 2024 Planning and Zoning Commission decision in Case No. 2023-PZ-47, which decision denied Vibe City's request for a variance to the wall sign size requirements of the Maple Heights' Zoning Code, for the reason that Vibe City has failed to appear to present and prosecute its appeal before Council.

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

RESOLUTION NO. 2024-34

INTRODUCED BY: Council President Ron Jackson

MOTION FOR ADOPTION BY:

A RESOLUTION CHANGING THE REGULAR MEETING SCHEDULE OF COUNCIL FOR THE MONTHS OF JUNE, JULY AND AUGUST 2024, AND DECLARING AN EMERGENCY.

WHEREAS, it is the desire of the Council, in accordance with Section 220.01(a)(1) of the Codified Ordinances of the City of Maple Heights, to change its regular meeting schedule and establish a Summer Schedule of Meetings for the months of June, July, and August, 2024.

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

Section 1. Pursuant to Section 220.01(a)(1) of the City’s Codified Ordinances, the regularly scheduled Council Meetings for the months of June, July and August 2024 (“2024 Summer Months”) are hereby changed. During the 2024 summer months, regular Council Meetings shall be held on the first Wednesday of the month, and there will be no regular Council Meeting on the third Wednesday of the month. Accordingly, the 2024 Summer Meetings of Council will be held at 7:00 p.m. on Wednesday, **June 5, 2024**, Wednesday, **July 3, 2024** and Wednesday, **August 7, 2024**. Special Meetings of Council may be held as needed with proper notice.

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 daily operation of municipal departments, 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: _____, 2024

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. 2024-35

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO A PURCHASING PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) FOR CONTRACTS AWARDED IN 2024, AND DECLARING AN EMERGENCY.

WHEREAS, it is the responsibility of the City of Maple Heights to maintain and operate the roadways in the City for the safety of the community; and

WHEREAS, the Ohio Department of Transportation ("ODOT") invites all local governments and political subdivisions to partner with ODOT for the cooperative purchase of rock salt for 2024; and

WHEREAS, as a member of the State Cooperate Purchasing Program, the City of Maple Heights is eligible to participate in the ODOT program and was a program participant in previous salt contracts presently in effect; and

WHEREAS, in order to participate in this program, the City of Maple Heights must complete and submit the purchasing participation agreement for the purchase of Sodium Chloride (rock salt), attached hereto as Exhibit A.

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

Section 1: Council hereby authorizes the Mayor and Service Director to enter into the purchasing participation agreement, attached hereto as Exhibit A, with the Ohio Department of Transportation, for the purchase of sodium chloride to be awarded in 2024.

Section 2: The City of Maple Heights is hereby bound by all terms and conditions as established by ODOT in the participation agreement attached hereto as Exhibit A. Furthermore, the City agrees to directly pay vendors, for items it receives pursuant to the aforementioned contract.

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

Section 4. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it is necessary to meet the May 3, 2024 participation deadline, and provided it receives the affirmative vote of two-thirds

(2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2024

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 AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2024**

WHEREAS, the City of Maple Heights (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees that each party hereto shall be responsible for liability associated with that party’s own errors, actions, and failures to act.
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, May 3rd, **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 3rd,
2024.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

RESOLUTION NO. 2024-36

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ACCEPT THE DECEMBER 28, 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 COOPERATIVE PURCHASING PROGRAM, AND ACCEPT QUOTE NO. 178627 BY HENDERSON PRODUCTS, INC. FOR UPFITTING THE TRUCK WITH SNOW AND ICE CONTROL EQUIPMENT PACKAGE IN THE AMOUNT OF \$120,824.00, THROUGH NATIONAL PURCHASING PARTNERS GOVERNMENT 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 Cooperative Purchasing Program; and

WHEREAS, the City is a member of National Purchasing Partners Government, a State of Ohio authorized cooperative purchasing through the competitive bids program (NPP 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's Cooperative Purchasing Program and the upfitting of the truck for snow plowing and ice control can be made through the NPP 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's Cooperative Purchasing Program, through Contract No. 023-24, and have the truck upfitted by Henderson Products, Inc. through the NPP 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 and Service Director are hereby authorized to accept the December 28, 2023 Quotation by Valley Freightliner, Inc., a copy of which is on file in the Finance Department, for the purchase of a Freightliner 108SD cab and chassis in the amount of \$109,819.00, through the Ohio Department of Transportation Cooperative Purchasing Program, Contract No. 023-24.

Section 2. The Mayor and Service Director are hereby authorized to accept Quote No. 178627 by Henderson Products, Inc. for upfitting the Freightliner 108SD truck with snow and ice control equipment package in the amount of \$120,824.00, through the NPP Cooperative Purchasing Program.

Section 3: The Finance Director is hereby authorized to appropriate a sum sufficient to cover the cost of the quotations set forth in Sections 1 and 2 above or secure appropriate financing options subject to later approval by Council through ordinance.

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 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: _____, 2024

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. 2024-36

Page Two

RESOLUTION NO.: 2024-37

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION ACCEPTING AND APPROVING CUYAHOGA COUNTY'S 9-1-1 PLAN, AND DECLARING AN EMERGENCY

WHEREAS, the City of Maple Heights is located within the County of Cuyahoga and is therefore part of Cuyahoga County's 9-1-1 service network; and

WHEREAS, Cuyahoga County maintains a 9-1-1 Plan in accordance with the Ohio Revised Code, Section 128.07; and

WHEREAS, Cuyahoga County has provided a copy of the 9-1-1 Plan to the City in accordance with Ohio Revised Code, Section 128.07; and

WHEREAS, the City wishes to assist Cuyahoga County in complying with Ohio Revised Code, Section 128.08 by offering this Resolution signifying approval or rejection of said plan.

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

Section 1. The 9-1-1 Plan of Cuyahoga County, Dated March 6, 2024, is hereby fully accepted and approved by the 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 9-1-1 services are necessary for the day-day operations of the City, 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: _____, 2024

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.: 2024-38

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION SELECTING EUCLID MAYOR KIRSTEN HOLZHEIMER GAIL, PURSUANT TO OHIO REVISED CODE SECTION 128.06(B)(4), AS THE CHIEF EXECUTIVE OF A MUNICIPAL CORPORATION WITHIN CUYAHOGA COUNTY, TO BE THE CITY OF MAPLE HEIGHTS' CHOICE TO BECOME A MEMBER OF THE CUYAHOGA COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights is located within the County of Cuyahoga and is therefore part of Cuyahoga County's 9-1-1 service network; and

WHEREAS, Cuyahoga County maintains a 9-1-1 Plan in accordance with the Ohio Revised Code Section 128.07; and

WHEREAS, Ohio Revised Code Section 128.06(B) requires that counties with fewer than five (5) townships, a population in excess of seven hundred fifty thousand (750,000), and which contain more than one (1) public safety answering point, maintain a 9-1-1 Program Review Committee comprised of the following five (5) members: 1) Chief Executive Officer of the County; 2) Chief Executive of the county's most populous municipal corporation; 3) Chief Executive of the county's second most populous municipal corporation; 4) Chief Executive Officer of a municipal corporation in the county selected by a majority of the legislative authorities of the county's municipal corporations; and 5) a member of a Board of Township Trustees selected by the majority of Boards of Township Trustees in the County; and

WHEREAS, Cuyahoga County, which maintains a five (5) member 9-1-1 Program Review Committee in accordance with Ohio Revised Code Section 128.06(B), currently has a vacancy in the member position of: Chief Executive Officer of a municipal corporation selected by a majority of the legislative authorities of Cuyahoga County's municipal corporations; and

WHEREAS, the Ohio Revised Code Section 128.06(B)(4) requires that the legislative authority of the municipal corporations in Cuyahoga County pass a resolution selecting a Chief Executive Officer of one of the municipal corporations in Cuyahoga County to serve as a member of Cuyahoga County's 9-1-1 Program Review Committee; and

WHEREAS, pursuant to Ohio Revised Code Section 128.06(B) the Chief Executive Officer that is selected by a majority of the legislative authorities in Cuyahoga County becomes a member of the Cuyahoga County's 9-1-1 Program Review Committee; and

WHEREAS, the Mayor as Safety Director of the City has recommended that Council select Euclid Mayor Kirsten Holzheimer Gail, pursuant to Ohio Revised Code Section 128.06(B)(4), as the Chief Executive of a municipal corporation within Cuyahoga County, to be the City's choice to become a member of the Cuyahoga County 9-1-1 Program Review Committee.

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

Section 1. Council selects Euclid Mayor Kirsten Holzheimer Gail, pursuant to Ohio Revised Code Section 128.06(B)(4), as the Chief Executive of a municipal corporation within Cuyahoga County, to be the City of Maple Heights' choice to become a member of the Cuyahoga County 9-1-1 Program Review Committee.

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 review of county 9-1-1 services is necessary for the day-to-day operations of the City, 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: _____, 2024

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. 2024-38

Page Two

RESOLUTION NO. 2024-39

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 HILLGROVE 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-One Thousand One Hundred Seventy-Five Dollars and Zero Cents (\$781,175.00) for the Hillgrove Avenue Watermain Replacement Project; and

WHEREAS, on October 6, 2021, by **Resolution No. 2021-116**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Hillgrove Avenue Watermain Replacement Project in the City of Maple Heights; and

WHEREAS, the Ohio Public Works Commission (OPWC) 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 4, 2024 the bids for the Hillgrove 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 Fabrizi Trucking and Paving Company, for the Hillgrove Avenue Watermain Replacement Project, for a cost not to exceed One Million Six Hundred Eighty-Seven Thousand Six Hundred Ninety-Two Dollars and Forty Cents (\$1,687,692.40), as more fully described in the bid record on file in the Office of the Finance Director of 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 welfare and further to ensure the timely completion of this 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: _____, 2024

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. 2024-39
Page Two

