

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

January 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. Election of Council President Pro-Tempore | |
| 7. Approval of Minutes: | December 19, 2023 Special Meeting of Council
December 20, 2023 Regular Meeting of Council |
| 8. Communications: | |
| 9. Council Committee Reports: | |
| 10. Department Reports: | |
| 11. Comments from City Residents: | Per Council Rule 220.01(c)(9) |
| 12. Legislation: | |

2023-122 AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 THE ONE HUNDRED PERCENT (100%) ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2023-123 AN ORDINANCE AMENDING SECTION 1486.02 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING RENEWAL OF RENTAL REGISTRATIONS AND ESTABLISHING FEES, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2024-01 AN ORDINANCE AMENDING SECTION 260.04 OF THE CITY'S CODIFIED ORDINANCES TO ADD JUNETEENTH AS A PAID HOLIDAY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-02 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE QUOTE BY PRECISION PUMP, INC. IN THE AMOUNT OF \$35,999.00 FOR THE SERVICE DEPARTMENT UNDERGROUND STORAGE TANK REMOVAL PROJECT, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-03 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CREtelligent (CREt) IN AN AMOUNT NOT TO EXCEED \$42,225.00 FOR CLOSURE AND PROJECT MANAGEMENT SERVICES FOR THE SERVICE

**DEPARTMENT UNDERGROUND STORAGE TANK REMOVAL PROJECT,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

2024-04 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 507 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-05 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AUTO MECHANICS LOCAL 1363 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-06 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE MAPLE HEIGHTS FIRE FIGHTERS ASSOCIATION IAFF LOCAL 1184 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-07 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO COLLECTIVE BARGAINING AGREEMENTS WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION FOR THE FULL-TIME CORRECTIONS OFFICERS BARGAINING UNIT AND FOR THE PART-TIME CORRECTIONS OFFICERS BARGAINING UNIT, FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-08 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE, GEORGE MURRAY LODGE MAPLE HEIGHTS DIVISION FOR THE PATROL OFFICER/DETECTIVE BARGAINING UNIT AND FOR THE SERGEANT/LIEUTENANT BARGAINING UNIT, FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-09 A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-46 TO DENY THE APPLICATION OF MICHELLE AFFRONTI OF AMAROK, LLC REQUESTING A VARIANCE FROM THE REQUIREMENTS OF SECT. 1298.19(D)(3)(F) OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO PERMIT THE INSTALLATION OF A 10' TALL 12V/DC NON-PULSE, MONITORED PERIMETER SECURITY SYSTEM, 4" TO 8" BEHIND THE EXISTING PERIMETER FENCE ON PROPERTY LOCATED IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT AT 16008 LIBBY ROAD, MAPLE HEIGHTS, OHIO.

Reading 1 (Council as a Whole)

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

ORDINANCE NO.: 2023-122

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 THE ONE HUNDRED PERCENT (100%) ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights desires to continue an Owner Occupied Homeowner Incentive Program for the period January 1, 2024 through December 31, 2024, which was initially established pursuant to **Ordinance No. 2017-08**, to promote and encourage individuals to purchase and renovate residential properties by waiving 100% of the escrow requirement to correct violations resulting from the point of sale inspection per Chapter 1494, so long as the purchaser actually occupies such residential property.

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

Section 1. For the time period January 1, 2024 through December 31, 2024 the Mayor is hereby authorized to waive the 100% escrow requirement to correct violations resulting from point of sale inspections per Chapter 1494 of the Codified Ordinances for individuals who purchase and renovate residential properties, so long as the purchaser actually occupies such residential property.

Section 2. Participants in this Program will be required to sign an affidavit attesting to the fact that the Purchaser will reside in the property as their primary residence for two (2) years commencing upon the issuance of an Occupancy Permit by the Chief Building Official.

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 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 general welfare of the residents, and to encourage owner occupied home ownership in 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: _____, 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.: 2023-123

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AMENDING SECTION 1486.02 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING RENEWAL OF RENTAL REGISTRATIONS AND ESTABLISHING FEES, AND DECLARING AN EMERGENCY.

WHEREAS, the Building and Housing Department have recommended to Council that Section 1486.02 of the City's Codified Ordinances concerning rental registrations be amended to provide that owners of rental property register all of their properties on an annual basis based upon the type of property (residential rental properties or commercial rental properties) under a scaled approach based upon the number of units a given landlord entity, such as an LLC, owns and manages in the City and establishing the fees for this revised rental registration program.

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

Section 1. Section 1486.02 of the City's Codified Ordinances is hereby amended to read as follows with deletions struck through and additions underlined:

(a)(1) Effective January 1, 2024, each owner of a residential property ~~both residential and commercial~~, as defined in Section 1486.01(f), or the agent in charge as defined in Section 1486.01(a), of a rental unit within the City shall register all such rental units on a rental registration form, per owner or agent in charge, with the Building Department on an annual basis, no later than March 31 of each calendar year according to the following fee schedule based upon the number of living units: 1-10 living units - a non-refundable rental registration fee of \$75 per owner or agent in charge. Over 10 living units - a non-refundable rental registration fee of \$175.00 per owner or agent in charge. If the owner or agent in charge acquires additional rental units during the calendar year then, within thirty days after the date of acquiring ownership or transfer of the title, and while the unit is still vacant, the owner or agent in charge shall file an updated rental registration with the Building Department for a non-refundable fee of \$35. The form to be used by the owner or agent in charge to register all their rental units shall be contained in a "rental registration packet" available from the Maple Heights Building Department. A separate rental registration packet shall be required for each owner or agent in charge.

(a)(2) Effective January 1, 2024, each owner of a commercial property, as defined in Section 1486.01(f), or the agent in charge as defined in Section 1486.01(a), of a rental unit within the City shall register all such rental units on a rental registration form, per owner or agent in charge, with the Building Department on an annual basis, no later than March 31 of each calendar year for a flat rate fee of \$175.00 per building.

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 Sections 1486.02 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 notice of this change must be provided to landlords prior to the March 31 rental registration 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: _____, 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.: 2024-01
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE AMENDING SECTION 260.04 OF THE CITY'S CODIFIED ORDINANCES TO ADD JUNETEENTH AS A PAID HOLIDAY, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the Finance Director have recommended an amendment to Section 260.04 of the City's Codified Ordinances, effective January 1, 2024, to increase the number of paid holidays to fourteen (14) to add Juneteenth as a holiday.

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

Section 1. Section 260.04 of the City's Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

"260.04 HOLIDAYS

(a) Effective ~~August 1, 2000~~, January 1, 2024, full-time employees of all City departments, excluding all employees covered by collective bargaining agreements, shall be entitled to ~~thirteen~~ fourteen paid holidays annually, as follows:

New Year's Day	Independence Day
Martin Luther King Birthday	Labor Day
President's Day	Thanksgiving Day
Good Friday	Christmas Day
Memorial Day	Employee's birthday - floating
June paid holiday	Election day - floating
<u>Juneteenth</u>	Veterans Day - floating

* * *

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 260.04 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 general welfare of the City and for the further reason that this change must be timely included in the payroll system, 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

Ordinance No. 2024-01
Page Two

RESOLUTION NO.: 2024-02

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT THE QUOTE BY PRECISION PUMP, INC. IN THE AMOUNT OF \$35,999.00 FOR THE SERVICE DEPARTMENT UNDERGROUND STORAGE TANK REMOVAL PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director, with the assistance of CREtelligent (CREt) and its engineer Fraser Hamilton, sought and received proposals from Precision Pump, Inc., Melzers Fuel Service, and SAF Inc. for the removal of two (2) 10,000-gallon gas & diesel and one (1) 2,000-gallon used oil underground storage tanks located at the Service Department re-fueling island (“Service Department UST Removal Project”); and

WHEREAS, the Service Director and consulting engineer Hamilton have recommended that the City accept the November 6, 2023 proposal of Precision Pump, Inc. for the Service Department UST Removal Project in the amount of \$35,999.00, as the lowest and best proposal, a copy of which proposal is on file in the Service Department.

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 accept the November 6, 2023 proposal of Precision Pump, Inc. for the Service Department UST Removal Project in the amount of \$35,999.00, a copy of which proposal is on file in the Service Department.

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, 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.: 2024-03

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CREtelligent (CREt) IN AN AMOUNT NOT TO EXCEED \$42,225.00 FOR CLOSURE AND PROJECT MANAGEMENT SERVICES FOR THE SERVICE DEPARTMENT UNDERGROUND STORAGE TANK REMOVAL PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director has recommended that the City enter into a professional services agreement with CREtelligent (CREt) and its engineer Fraser Hamilton in the amount of \$42,225.00, to provide closure and project management services for the removal of two (2) 10,000-gallon gas & diesel and one (1) 2000-gallon used oil underground storage tanks located at the Service Department re-fueling island (“Service Department UST Removal Project”) pursuant to CREt’s December 18, 2023 proposal, a copy of which is on file in the Service Department.

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

Section 1. The Mayor is hereby authorized to enter into a professional services agreement with CREtelligent (CREt) and its engineer Fraser Hamilton in the amount of \$42,225.00, to provide closure and project management services for the removal of two (2) 10,000-gallon gas & diesel and one (1) 2000-gallon used oil underground storage tanks located at the Service Department re-fueling island (“Service Department UST Removal Project”) pursuant to CREt’s December 18, 2023 proposal, a copy of which is on file in the Service Department.

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, 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, President of Council

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.: 2024-04

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL UNION NO. 507 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director and Law Director have negotiated terms for a collective bargaining agreement for the time period January 1, 2024 through December 31, 2026 with representatives of the International Brotherhood Of Teamsters Local Union No. 507 for a bargaining unit consisting of Service Workers Class 1, 2, and 3 employed by the City, which terms have been reviewed by Council, and a copy of which agreement is on file in the Law Department.

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 execute a collective bargaining agreement between the City of Maple Heights and the International Brotherhood Of Teamsters Local Union No. 507, a copy of which agreement is on file in the Law Department, setting forth wages, hours, and other terms and conditions of employment for a bargaining unit consisting of Service Workers Class 1, 2, and 3 employed by the City, to be effective as of January 1, 2024, except for any specific terms in the agreements which may have a different effective date, and to remain in effect through December 31, 2026. During the pendency and/or after the passage of this Resolution, the Law Director is authorized to correct any typographical, ministerial or *de minimus* items in the collective bargaining agreements that do not materially alter their intended results.

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 authorization of employment terms and conditions is immediately necessary so as not to interfere with 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.: 2024-05

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, AUTO MECHANICS LOCAL 1363 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director and Law Director have negotiated terms for a collective bargaining agreement for the time period January 1, 2024 through December 31, 2026 with representatives of the International Association Of Machinists And Aerospace Workers, Auto Mechanics Local 1363 for a bargaining unit consisting of Mechanics and Park Technicians employed by the City, which terms have been reviewed by Council, and a copy of which agreement is on file in the Law Department.

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 execute a collective bargaining agreement between the City of Maple Heights and the International Association Of Machinists And Aerospace Workers, Auto Mechanics Local 1363, a copy of which agreement is on file in the Law Department, setting forth wages, hours, and other terms and conditions of employment for a bargaining unit consisting of Head Mechanic, Mechanics, Mechanic Assistants, and Park Technicians employed by the City, to be effective as of January 1, 2024, except for any specific terms in the agreements which may have a different effective date, and to remain in effect through December 31, 2026. During the pendency and/or after the passage of this Resolution, the Law Director is authorized to correct any typographical, ministerial or *de minimus* items in the collective bargaining agreements that do not materially alter their intended results.

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 authorization of employment terms and conditions is immediately necessary so as not to interfere with 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.: 2024-06

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE MAPLE HEIGHTS FIRE FIGHTERS ASSOCIATION IAFF LOCAL 1184 FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, the Fire Chief and Law Director have negotiated terms for a collective bargaining agreement for the time period January 1, 2024 through December 31, 2026 with representatives of the Maple Heights Fire Fighters Association IAFF Local 1184 for a bargaining unit consisting of Fire Cadets, Fire Fighters, Fire Lieutenants and Fire Captains employed by the City, which terms have been reviewed by Council, and a copy of which agreement is on file in the Law Department.

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 execute a collective bargaining agreement between the City of Maple Heights and the Maple Heights Fire Fighters Association IAFF Local 1184, a copy of which agreement is on file in the Law Department, setting forth wages, hours, and other terms and conditions of employment for a bargaining unit consisting of Fire Cadets, Fire Fighters, Fire Lieutenants and Fire Captains employed by the City, to be effective as of January 1, 2024, except for any specific terms in the agreements which may have a different effective date, and to remain in effect through December 31, 2026. During the pendency and/or after the passage of this Resolution, the Law Director is authorized to correct any typographical, ministerial or *de minimus* items in the collective bargaining agreements that do not materially alter their intended results.

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 authorization of employment terms and conditions is immediately necessary so as not to interfere with 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.: 2024-07

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO COLLECTIVE BARGAINING AGREEMENTS WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION FOR THE FULL-TIME CORRECTIONS OFFICERS BARGAINING UNIT AND FOR THE PART-TIME CORRECTIONS OFFICERS BARGAINING UNIT, FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, the Police Chief and Law Director have negotiated terms for collective bargaining agreements for the time period January 1, 2024 through December 31, 2026 with representatives of the Ohio Patrolmen's Benevolent Association for a bargaining unit consisting of full-time corrections officers and a bargaining unit consisting of part-time corrections officers, employed by the City, which terms have been reviewed by Council, and a copy of which agreements are on file in the Law Department.

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 execute collective bargaining agreements between the City of Maple Heights and the Ohio Patrolmen's Benevolent Association, a copy of which agreements are on file in the Law Department, setting forth wages, hours, and other terms and conditions of employment for a bargaining unit consisting of full-time corrections officers and for a bargaining unit consisting of part-time corrections officers, employed by the City, to be effective as of January 1, 2024, except for any specific terms in the agreements which may have a different effective date, and to remain in effect through December 31, 2026. During the pendency and/or after the passage of this Resolution, the Law Director is authorized to correct any typographical, ministerial or *de minimus* items in the collective bargaining agreements that do not materially alter their intended results.

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 authorization of employment terms and conditions is immediately necessary so as not to interfere with 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.: 2024-08

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO COLLECTIVE BARGAINING AGREEMENTS WITH THE FRATERNAL ORDER OF POLICE, GEORGE MURRAY LODGE MAPLE HEIGHTS DIVISION FOR THE PATROL OFFICER/DETECTIVE BARGAINING UNIT AND FOR THE SERGEANT/LIEUTENANT BARGAINING UNIT, FOR THE PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, the Police Chief and Law Director have negotiated terms for collective bargaining agreements for the time period January 1, 2024 through December 31, 2026 with representatives of the Fraternal Order of Police, George Murray Lodge Maple Heights Division for a bargaining unit consisting of patrol officers and detectives and for a bargaining unit consisting of sergeants and lieutenants, employed by the City, which terms have been reviewed by Council, and a copy of which agreements are on file in the Law Department.

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 execute collective bargaining agreements between the City of Maple Heights and the Fraternal Order of Police, George Murray Lodge Maple Heights Division, a copy of which agreements are on file in the Law Department, setting forth wages, hours, and other terms and conditions of employment for a bargaining unit consisting of patrol officers and detectives and for a bargaining unit consisting of sergeants and lieutenants, employed by the City, to be effective as of January 1, 2024, except for any specific terms in the agreements which may have a different effective date, and to remain in effect through December 31, 2026. During the pendency and/or after the passage of this Resolution, the Law Director is authorized to correct any typographical, ministerial or *de minimus* items in the collective bargaining agreements that do not materially alter their intended results.

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 authorization of employment terms and conditions is immediately necessary so as not to interfere with 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. 2024-08

Page Two

RESOLUTION NO. 2024-09
INTRODUCED BY: Council as a Whole
MOTION FOR ADOPTION BY:

A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-46 TO DENY THE APPLICATION OF MICHELLE AFFRONTI OF AMAROK, LLC REQUESTING A VARIANCE FROM THE REQUIREMENTS OF SECT. 1298.19(D)(3)(F) OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO PERMIT THE INSTALLATION OF A 10’ TALL 12V/DC NON-PULSE, MONITORED PERIMETER SECURITY SYSTEM, 4” TO 8” BEHIND THE EXISITING PERIMETER FENCE ON PROPERTY LOCATED IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT AT 16008 LIBBY ROAD, MAPLE HEIGHTS, OHIO.

WHEREAS, in **Case No. 2023-PZ-46** the City’s Planning and Zoning Commission issued a decision denying the application of Michelle Affronti of AMAROK, LLC requesting a Variance from the requirements Sect. 1298.19(D)(3)(F) of the MH Codified Ordinances to permit the installation of a 10’ tall 12v/dc non-pulse, monitored perimeter security system, 4”- 8” behind the existing perimeter fence on property located in the Central Business District (CBD) Zoning District at 16008 Libby Road, Maple Heights, Ohio; and

WHEREAS, Sec. 1262.03(F) of the MH Codified Ordinances provides: “Council has the authority to review and overrule any decision of the Planning & Zoning Commission, by ordinance or resolution, passed by two-thirds (2/3) vote of the members elected to Council within forty-five (45) business days of the date of the decision, provided that * * * the applicant notifies the Secretary to the Planning & Zoning Commission and the Chief Building Official of his or her objection in writing within five (5) business days of the date of the decision of the Planning & Zoning Commission. The decision of Council in such matters is final and shall not be subject to appeal except to a court of competent jurisdiction in conformance with state and federal law.”; and

WHEREAS, the Applicant timely filed an appeal of the P&Z Decision to Council pursuant to Sec. 1262.03(F) and the Applicant presented its appeal to Council at its December 20, 2023 Council Meeting for review and consideration.

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

Section 1. The decision of the City’s Planning and Zoning Commission in **Case No. 2023-PZ-46** denying the application of Michelle Affronti of AMAROK, LLC requesting a Variance from the requirements of Sect. 1298.19(D)(3)(F) of the MH Codified Ordinances to permit the installation of a 10’ tall 12v/dc non-pulse, monitored perimeter security system, 4”- 8” behind the existing perimeter fence on property located in the Central Business District (CBD) Zoning District at 16008 Libby Road, Maple Heights, Ohio, is hereby overruled.

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. Pursuant to Codified Ordinance Sections 1262.03(F) this Resolution, provided it receives the affirmative vote of five (5) or more members elected to Council, shall take effect and be in force immediately upon its passage.

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 and State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: _____

Leonette Cicirella Johnson, Clerk of Council