

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

July 3, 2024

- | | | |
|-----|----------------------------------|--|
| 1. | Caucus: 6:30 pm | All Members of Council |
| 2. | Call to Order: | Council President Ron Jackson |
| 3. | Invocation/Pledge of Allegiance: | Councilwoman Tina Stafford Marbury, District 6 |
| 4. | Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 5. | Addendum: | |
| 6. | Approval of Minutes: | June 3, 2024 Special Meeting of Council
June 5, 2004 Regular Meeting of Council |
| 7. | Communications: | |
| 8. | Council Committee Reports: | Public Works and Safety Committee
Finance Committee
Housing and Economic Development Committee |
| 9. | Department Reports: | |
| 10. | Comments from City Residents: | Per Council Rule 220.01(c)(9) |
| 11. | Legislation: | |

2024-44, As Amended A RESOLUTION RECOGNIZING JUNE 2024 AS “LGBTQ PRIDE MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 3 (Jones)

2024-46 AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF MAPLE HEIGHTS, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025; SUBMITTING THE SAME TO THE BUDGET COMMISSION OF CUYAHOGA COUNTY; AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2024-53, As Amended A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO SELL FIFTEEN (15) VACANT LOTS OWNED BY THE CITY THROUGH ITS LAND REUTILIZATION PROGRAM TO GLH LLC FOR A TOTAL AMOUNT OF \$37,501.00, FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2024-55 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.

Reading 1 (Blackwell)

2024-56 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 1 (Blackwell)

2024-57 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.

Reading 1 (Blackwell)

2024-58 AN ORDINANCE PROVIDING FOR AMENDMENT NO. 1 DATED JULY 3, 2024 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2024, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-59 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE LONGVALE AND WOODBROOK AVENUE RESURFACING PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-60 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE LEE ROAD RESURFACING PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-61 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE SOUTHWEST QUADRANT SEWER REPAIRS PHASE 2 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-62 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE 2024 ASPHALT ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-63 AN ORDINANCE AMENDING SECTION 240.05 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REQUIRING COUNCIL APPROVAL FOR ANY CITY MONIES EXPENDED OR ALLOCATED OVER FIVE THOUSAND DOLLARS (\$5,000.00) FOR THE REFURBISHING OF CITY BUILDINGS AND OFFICES AND FOR THE PURCHASE OF OFFICE FURNITURE, DECORATIONS, AND AMENITIES, AND DECLARING AN EMERGENCY.

Reading 1 (Madden)

2024-64 A RESOLUTION AUTHORIZING THE USE OF PUBLIC FUNDS AND RESOURCES, INCLUDING THE CITY'S GENERAL LIABILITY INSURANCE COVERAGE, AND THE ACCEPTANCE OF PRIVATE DONATIONS, TO HOLD THE FOLLOWING 2024 COMMUNITY EVENTS: HOOP-IT-UP-BRIDGE THE GAP; TRUNK-OR-TREAT; DISTRICT BLOCK PARTIES; AND DISTRICT CLEAN-UP DAYS, AND DECLARING AN EMERGENCY.

Reading 1 (Finance Committee)

2024-65 A RESOLUTION AUTHORIZING THE MAYOR AND SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH AW FARREL FOR THE FIRE STATION NO. 1 ROOF REPAIR PROJECT FOR A COST NOT TO EXCEED FOUR HUNDRED SEVENTY THOUSAND DOLLARS AND ZERO CENTS (\$470,000.00), WHICH COST IS COVERED BY \$480,000.00 IN FUNDING WHICH THE CITY WAS AWARDED FROM THE CUYAHOGA COUNTY COUNCIL DISTRICT 8 ARPA COMMUNITY GRANT FUND, 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. 2024-44, As Amended
INTRODUCED BY: Councilwoman Toni Jones
MOTION FOR ADOPTION BY:
CO-SPONSORED BY:

**A RESOLUTION RECOGNIZING JUNE 2024 AS “LGBTQ PRIDE MONTH” IN
THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Maple Heights cherishes the value and dignity of each person and appreciates the importance of equality and freedom; and

WHEREAS, all persons are welcome in the City of Maple Heights to live, work, play, and every family, in any shape, deserves a place to call home where they are safe, happy, and supported by friends and neighbors; and

WHEREAS, the City of Maple Heights denounces prejudice and unfair discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation, or physical attributes as an affront to our fundamental principles; and

WHEREAS, Pride month began in June of 1969 on the one-year anniversary of the Stonewall Uprising in New York City after LGBTQ+ and allied friends rose up and fought against the constant police harassment and discriminatory laws that have since been declared unconstitutional; and

WHEREAS, the City of Maple Heights appreciates the cultural, civic, and economic contributions of Lesbian, Gay, Bisexual, Transgender, Queer, plus (LGBTQ+) community which strengthen our social welfare; and

WHEREAS, it is imperative that young people in our community, regardless of sexual orientation, gender identity, and expression, feel valued, safe, empowered, and supported by their peers and community leaders; and

WHEREAS, despite being marginalized, LGBTQ+ people continue to celebrate authenticity, acceptance, and love.

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

Section 1. Council of the City of Maple Heights hereby declares June 2024 as LGBTQ+ Pride Month in the City of Maple Heights.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted

in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to support the LGBTQ+ community 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. 2024-46

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF MAPLE HEIGHTS, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025; SUBMITTING THE SAME TO THE BUDGET COMMISSION OF CUYAHOGA COUNTY; AND DECLARING AN EMERGENCY.

WHEREAS, on October 11, 2002, the Cuyahoga County Budget Commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (including schools) to adopt a Tax Budget as provided under O.R.C. Section 5705.281, but instead requires the filing of Alternative Tax Budget Information on an annual basis; and

WHEREAS, the Alternative Tax Budget Information for the City of Maple Heights, Ohio for the fiscal year beginning January 1, 2025 has been prepared and presented to the Council; and

WHEREAS, after due consideration, Council deems it advisable in the interest of the Municipality to adopt the Alternative Tax Budget Information.

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

Section 1. The Alternative Tax Budget Information of the City of Maple Heights, Ohio for the fiscal year beginning January 1, 2025, heretofore prepared by the Mayor and Director of Finance and submitted to this Council, copies of which are on file in the offices of the Director of Finance and Clerk of Council, is hereby adopted as the official Alternative Tax Budget Information of the City of Maple Heights, Ohio, for the fiscal year beginning January 1, 2025.

Section 2. The Finance Director is authorized to promptly certify a copy of said Alternative Tax Budget Information and transmit the same along with a copy of this Ordinance to the Budget Commission of Cuyahoga County, Ohio.

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 to comply with all State, County and Local requirements concerning tax budgets, 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.: 2024-53, As Amended
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO SELL FIFTEEN (15) VACANT LOTS OWNED BY THE CITY THROUGH ITS LAND REUTILIZATION PROGRAM TO GLH LLC FOR A TOTAL AMOUNT OF \$37,501.00, FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, GLH LLC (“the Developer”) has advised the Mayor and Planning and Development Director that it desires to purchase fifteen (15) vacant lots owned by the City through its Land Reutilization Program and/or Land Bank, which lots are described in Amended Schedule 1 attached hereto and incorporated herein, (each referred to as the “Property”, and together as the “Properties”) for the construction and sale of a single family, owner-occupied home on each Property; and

WHEREAS, the Properties are owned by the City through its Land Reutilization Program and/or Land Bank and the Mayor desires to enter into a Real Estate Purchase and Development Agreement (“Agreement”) with the Developer, a copy of which is on file in the office of the Planning and Development Director, to sell the Properties to the Developer, with the Developer required to build a single family, owner-occupied home on each Property within three (3) years after the effective date of the Agreement (“completion date”) and to make the following minimum improvements: 1) the homes must be an owner-occupied single family; and 2) the homes must have at least three (3) bedrooms, two (2) baths, and two (2) off-street parking spaces, one (1) of which must be a totally enclosed attached garage (“the minimum improvements”); and

WHEREAS, pursuant to R.C. 5722.07, the fair market value of the fifteen (15) Properties, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required minimum improvements; the completion date, and the number of Properties purchased at one-time, is a total amount of Thirty-Seven Thousand Five Hundred One Dollars and Zero Cents (\$37,501.00).

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 the Real Estate Purchase and Development Agreement with the Developer (“Agreement”), a copy of which is on file in the office of the Planning and Development Director, to sell the Properties to the Developer for a total purchase price of Thirty-Seven Thousand Five Hundred One Dollars and Zero Cents (\$37,501.00), with the Developer required to build a single family, owner-occupied home on each Property within three (3) years after the effective date of the Agreement and to make the following minimum improvements: 1) the homes must be an owner-occupied single family; and 2) the homes must have at least three (3) bedrooms, two (2) baths, and two (2) off-street parking spaces, one (1) of which must be a totally enclosed attached garage.

Section 2. Pursuant to R.C. 5722.07, the fair market value of the fifteen (15) Properties, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required minimum improvements; the completion date, and the number of Properties purchased at one-time, is a total amount of Thirty-Seven Thousand Five Hundred One Dollars and Zero Cents (\$37,501.00). Pursuant to R.C. 5722.08 all of the proceeds from the sale of the Properties shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

Section 3. The Mayor, Planning and Development Director, and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents, and tender any closing fees necessary as the Seller to effect the transfer of the Properties from the City to the Developer, GLH, LLC.

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 allow the Developer to timely commence construction, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 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.: 2024-55

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: _____, 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.: 2024-56

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 2025 is \$19.35 per residential unit and \$9.98 for each residential unit for qualified residents with a Homestead exemption as of June 1, 2024 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 2024 tax duplicate and collection in the year 2025 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, 2024.

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: _____, 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.: 2024-57

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: _____, 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. 2024-58

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE PROVIDING FOR AMENDMENT NO. 1 DATED JULY 3, 2024 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2024, AND DECLARING AN EMERGENCY.

WHEREAS, Council adopted a municipal budget pursuant to **Ordinance No. 2023-108** for the fiscal year January 1, 2024 through December 31, 2024 setting forth certain annual appropriations; and

WHEREAS, the Finance Director has recommended to Council that amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated July 3, 2024, which is incorporated as if fully rewritten herein, are necessary to account for certain additional expenditures.

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

Section 1. The annual appropriations of the City, established by **Ordinance No. 2023-108** shall be amended by the Council, as recommended by the Finance Director, in accordance with Amendment No. 1 dated July 3, 2024, which is attached hereto as Exhibit A (hereinafter referred to as "Exhibit A-Amendment No.1 dated July 3, 2024") and incorporated as if fully rewritten herein, and such amended budget is hereby adopted.

Section 2. To provide for operating expenditures during the fiscal year ending December 31, 2024, the amended appropriations, as recommended by the Finance Director in Exhibit A-Amendment No. 1 dated July 3, 2024, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A-Amendment No. 1 dated July 3, 2024, to the Cuyahoga County Fiscal Officer.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, 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 the City's Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the City and for the further reason that the amended appropriations must be immediately made to ensure the financial integrity of the City's budget and presented to the County Fiscal Officer. It .

shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time 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. 2024-59

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAJOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE LONGVALE AND WOODBROOK AVENUE RESURFACING PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on December 7, 2022, by **Resolution No. 2022-114**, Council authorized and directed the Mayor to enter into a 2023 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1a Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Dunham Road, Steinway Boulevard, Walvern Boulevard, Rowena Avenue, Mendota Avenue, Corkhill Avenue, Longvale Avenue, Woodbrook Avenue, and Florence Drive; and

WHEREAS, the City of Maple Heights has been awarded One Million Four Hundred Thirty-One Thousand Seven Hundred Fifty Dollars and Zero Cents (\$1,431,750.00) by the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1a Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Dunham Road, Steinway Boulevard, Walvern Boulevard, Rowena Avenue, Mendota Avenue, Corkhill Avenue, Longvale Avenue, Woodbrook Avenue, and Florence Drive; and

WHEREAS, the terms of the Member Community Infrastructure Program (MCIP) agreement for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1a Project required the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the storm and sanitary sewer improvements project on various streets including Dunham Road, Steinway Boulevard, Walvern Boulevard, Rowena Avenue, Mendota Avenue, Corkhill Avenue, Longvale Avenue, Woodbrook Avenue, and Florence Drive; and

WHEREAS, the Ohio Public Works Commission (OPWC) has committed to directly disburse 25% of the project construction costs for both labor and materials, up to Five Hundred Ninety-One Thousand Four Hundred Eighty-Seven Dollars and Zero Cents (\$591,487.00), as required to complete storm and sanitary sewer improvements on various streets including Dunham Road, Steinway Boulevard, Walvern Boulevard, Rowena Avenue, Mendota Avenue, Corkhill Avenue, Longvale Avenue, Woodbrook Avenue, and Florence Drive; and

WHEREAS, resurfacing Longvale Avenue and Woodbrook Avenue at the completion of sewer repair work was included within the project scope of the Ohio Public Works Commission (OPWC) grant agreement; and

WHEREAS, the storm and sanitary sewer repair work within the pavement areas of Longvale Avenue and Woodbrook Avenue will be completed no later than July 1, 2024 and roadway resurfacing will be able to commence to complete the repair work; and

WHEREAS, on May 1, 2024, by **Resolution No. 2024-42**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Longvale Avenue and Woodbrook Avenue Resurfacing Project in the City of Maple Heights; and

WHEREAS, on June 20, 2024, the bids for the Longvale and Woodbrook Avenue Resurfacing 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 Phillips Paving for the Longvale and Woodbrook Avenue Resurfacing Project, for a cost not to exceed Five Hundred Seventy-Three Thousand Two Hundred Twenty-Five dollars and Zero Cents (\$573,225.00), 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 3. 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: _____, 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. 2024-60

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 LEE ROAD RESURFACING PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on November 16, 2023, by **Resolution No. 2022-107**, Council authorized the Mayor to enter into an agreement with the County of Cuyahoga for the City of Maple Heights Resurfacing of Lee Road which included the resurfacing of Lee Road from Broadway Avenue to Libby Road; and

WHEREAS, the County will contribute 50% of the actual cost of construction and construction engineering which is determined eligible by the Cuyahoga County Engineer's policies up to a maximum of Two Hundred and Fifty thousand Dollars and Zero Cents (\$250,000.00) for the Resurfacing of Lee Road from Broadway Avenue to Libby Road in the City of Maple Heights; and

WHEREAS, the terms of the Cuyahoga County Agreement for the Resurfacing of Lee Road required the City Engineer to begin preparation of plans and specifications and to provide advertising for bids for the resurfacing improvement project on Lee Road from Broadway Avenue to Libby Road; and

WHEREAS, on June 20, 2024, the bids for the Lee Road Resurfacing 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 Cole Burton Contractors, LLC for the Lee Road Resurfacing Project, for a cost not to exceed Three Hundred Sixty-Three Thousand Four Hundred Five Dollars and Zero Cents (\$363,405.00), 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: _____, 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. 2024-61

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 SOUTHWEST QUADRANT SEWER REPAIRS PHASE 2 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on November 3, 2021, by **Resolution No. 2021-131**, Council authorized the Mayor to enter into a 2022 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Southwest Sewer District Sewer Repairs Phase 2 Project in the City of Maple Heights which included the field investigation, testing, other research, and preparation of plans and specifications for the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th, Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, the City of Maple Heights had been awarded Two Hundred Ninety-Two Thousand Three Hundred Twenty Dollars and Zero Cents (\$292,320.00) by the Northeast Ohio Regional Sewer District (NEORS) for the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, on February 2, 2022, by **Resolution No. 2022-15**, Council authorized the City Engineer to begin the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, on December 6, 2023, by **Resolution No. 2023-111**, Council authorized the Mayor to enter into a 2024 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the construction of the Southwest Sewer District Sewer Repairs Phase 2 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th, Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, the City of Maple Heights has been awarded One Million Four Hundred Sixty-Seven Thousand Dollars and Zero Cents (\$1,467,000.00) by the Northeast Ohio Regional Sewer District (NEORS) to construct the Southwest Sewer District Sewer Repairs Phase 2 Project in the City of Maple Heights; and

WHEREAS, the terms of the Member Community Infrastructure Program (MCIP) agreement for the Southwest Sewer District Sewer Repairs Phase 2 Project required the City Engineer to provide advertising for bids for the storm and sanitary sewer improvement project on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th , Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, the Ohio Department of Public Works (ODPW) has committed to directly disburse 25% of the project construction costs for both labor and materials for the Southwest Sewer Improvements Phase 2 Project, up to Six Hundred Twenty-Five Thousand Dollars and Zero Cents (\$625,000.00), as required to complete storm and sanitary sewer improvements, along with pavement repairs and resurfacing, on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th , Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, the City of Maple Heights has entered into an agreement with the Cuyahoga County Department of Public Works to maintain and operate the entire City of Maple Heights-owned storm and sanitary sewer systems, also designated as County Sewer District No.9; and

WHEREAS, the Cuyahoga County Department of Public Works has established a schedule of just and equitable rates to be collected from the owners of all parcels within the City that have accessibility to storm and sanitary sewers; and

WHEREAS, upon collection by the County Treasurer, such storm and sanitary sewer system monies have been placed in a distinct fund to the credit of Sewer District No. 9; and

WHEREAS, the Cuyahoga County Department of Public Works has committed to utilize Maple Heights Sewer District 9 funds to supplement Northeast Ohio Regional Sewer District (NEORSD), Ohio Public Works Commission (OPWC) and local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 2 Project which includes the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th , Mustang, Thunderbird, and appurtenant easement areas as required to complete the project; and

WHEREAS, on April 3, 2024, by **Resolution No. 2024-31**, Council authorized the Mayor to apply for, accept, and enter into an agreement for 2024 WPCLF Principal Forgiveness funds available through the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) and the Ohio Water Development Authority (OWDA) in an amount not exceeding Two Hundred Eighty-Six Thousand Eight Hundred Fifty Dollars and Zero Cents (\$286,850.00), to fund a portion of the Southwest Quadrant Sewer Repairs- Phase 2 Project which includes the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th , Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, on May 30, 2024, the bids for the Southwest Quadrant Sewer Repairs Phase 2 Project which included the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol,

Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146th, Mustang, Thunderbird, and appurtenant easement areas 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 Co., Inc., for the Southwest Quadrant Sewer Repairs Phase 2 Project, for a cost not to exceed One Million Seven Hundred Seventeen Thousand Seven Hundred Seventeen Dollars and Zero Cents (\$1,717,717.00) 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 welfare and to ensure the timely completion of the construction and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 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.: 2024-62

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 2024 ASPHALT ROADWAY
REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND
DECLARING AN EMERGENCY**

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

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

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

WHEREAS, the City Engineer and the Service Director have updated the street inventory which rates pavement conditions, including preliminary estimate of the cost for pavement repairs, and made a recommendation for the streets, which were determined to be in greatest need of repair, for consideration by the Mayor and Council in authorizing a road repair program for the 2024 construction season, such streets being listed in "Exhibit A" attached to this legislation; and

WHEREAS, on January 31, 2024, the Cuyahoga County Executive informed the Mayor that the Cuyahoga County Department of Public Works will reimburse the City for up to \$141,600.00 in material costs expended on County Routes included under a road repair program in the City of Maple Heights; and

WHEREAS, on May 15, 2024, by **Resolution No. 2024-45**, Council authorized and directed the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the 2024 Pavement Repair Program in the City of Maple Heights; and

WHEREAS, on June 27, 2024, the bids for the 2024 Asphalt Roadway Repair Program 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 Specialized Construction, Inc. for the 2024 Asphalt Roadway Repair Program, for a cost not to exceed One Million One Hundred Forty-Eight Thousand Nine Hundred Fifty Dollars and Zero Cents (\$1,148,950), 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 health and general welfare of the residents of the City, and to begin the project in a timely manner so that a pavement repair program can be completed during the 2024 construction season, 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.: 2024-63

INTRODUCED BY: Councilwoman Tanglyn Madden

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AMENDING SECTION 240.05 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REQUIRING COUNCIL APPROVAL FOR ANY CITY MONIES EXPENDED OR ALLOCATED OVER FIVE THOUSAND DOLLARS (\$5,000.00) FOR THE REFURBISHING OF CITY BUILDINGS AND OFFICES AND FOR THE PURCHASE OF OFFICE FURNITURE, DECORATIONS, AND AMENITIES, AND DECLARING AN EMERGENCY.

WHEREAS, Section 240.05 of the City's Codified Ordinances requires that Council must approve all expenditures over Twenty-Five Thousand Dollars (\$25,000.00), excluding regular employee benefits and expenditures which have not already been authorized by contract or ordinance; and

WHEREAS, Council recommends an exception to the \$25,000.00 spending limit so that expenses in excess of Five Thousand dollars (\$5,000.00) for the refurbishing of City buildings and offices and for the purchase of office furniture, decorations, and amenities, must be approved by Council.

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

Section 1. Section 240.05 of the Codified Ordinances of the City of Maple Heights is hereby amended to read as follows, with additions underlined:

"240.05 COUNCIL APPROVAL FOR EXPENDITURES OVER \$25,000.00.

(a) Any City monies expended or allocated excluding regular employee benefits, over twenty-five thousand dollars (\$25,000.00), which have not already been authorized by contract or ordinance, are hereby required to be approved by Council. However, any City monies expended or allocated over five thousand dollars (\$5,000.00) for the refurbishing of City buildings and offices and for the purchase of office furniture, decorations, and amenities, are hereby required to be approved by Council.

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 240.05 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 proper approval for certain expenses of the City are obtained, 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. 2024-64
INTRODUCED BY: Finance Committee
MOTION FOR ADOPTION BY:
CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE USE OF PUBLIC FUNDS AND RESOURCES, INCLUDING THE CITY'S GENERAL LIABILITY INSURANCE COVERAGE, AND THE ACCEPTANCE OF PRIVATE DONATIONS, TO HOLD THE FOLLOWING 2024 COMMUNITY EVENTS: HOOP-IT-UP BRIDGE THE GAP; TRUNK-OR-TREAT; DISTRICT BLOCK PARTIES; AND DISTRICT CLEAN-UP DAYS, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Committee has recommended that the use of public funds and resources, including the City's general liability insurance coverage, and the acceptance of private donations, be authorized for the following 2024 Community Events: Hoop-It-Up Bridge The Gap; Trunk-Or-Treat; District Block Parties; and District Clean-Up Days; and

WHEREAS, each of the events is for the general good of all Maple Heights residents and the primary objective of each event is to further the public purposes of promoting good will, civic pride, harmony and understanding throughout the entire Maple Heights community by fostering interaction between residents and elected officials, members of the City's Police, Fire, and Service Departments, and other City staff and personnel in settings offering fun, food, and non-alcoholic refreshments in celebration of residency in the City of Maple Heights; and

WHEREAS, Auditor of State Bulletin 2003-005 states "the Auditor of State's Office will require that expenditures of public funds for coffee, meals, refreshments, or other amenities have prior authorization by the appropriate legislative authority;" and

WHEREAS, Ohio Attorney General Opinion 82-006 cites with approval the Ohio Supreme Court case of State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) to provide guidance as to what may be construed as a public purpose as follows: First, the expenditure is required for the general good of all inhabitants; Secondly, the primary objective of the expenditure is to further a public purpose; and

WHEREAS, the City's general liability insurance is intended to provide coverage only for City authorized events; and

WHEREAS, the decision to use public funds and resources must be memorialized by a duly enacted ordinance or resolution and may have prospective effect only.

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 use of public funds and resources, including the City's general liability insurance coverage, and the acceptance of private donations, for the

following 2024 Community Events: Hoop-It-Up Bridge The Gap; Trunk-Or-Treat; District Block Parties; and District Clean-Up Days, because each event is for the general good of all Maple Heights residents and the primary objective of each event is to further the public purposes of promoting good will, civic pride, harmony and understanding throughout the entire Maple Heights community by fostering interaction between residents and elected officials, members of the City's Police, Fire, and Service Departments, and other City staff and personnel in settings offering fun, food, and non-alcoholic refreshments in celebration of residency in the City of Maple Heights

Section 2. Private donations shall be kept track of by the City official responsible for running the event by preparing a report describing the donor (name, address and contact information), the date of the donation, the amount of the donation, whether the donation was made by cash or check, and the event for which the donation is made. This report shall be submitted to the Finance Director along with the donation within two (2) business days after receipt of the donation. The Finance Director shall deposit the donation into the General Fund but must account for the donation by placing the amount of the donation in a line item within the General Fund designated exclusively for use of the event for which the donation was received.

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 preparing budgets and plans for each of these events must begin as soon as possible, 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.: 2024-65

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 CONTRACT WITH AW FARREL FOR THE FIRE STATION NO. 1 ROOF REPAIR PROJECT FOR A COST NOT TO EXCEED FOUR HUNDRED SEVENTY THOUSAND DOLLARS AND ZERO CENTS (\$470,000.00), WHICH COST IS COVERED BY \$480,000.00 IN FUNDING WHICH THE CITY WAS AWARDED FROM THE CUYAHOGA COUNTY COUNCIL DISTRICT 8 ARPA COMMUNITY GRANT FUND, AND DECLARING AN EMERGENCY.

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

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

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

WHEREAS, on May 17, 2023, by **Resolution No. 2023-35**, Council authorized and directed SIXMO, Inc., to provide architectural and engineering services related to the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects, including the preparation of plans and specifications and advertising for bids for the repair work; and

WHEREAS, on February 23, 2024, SIXMO, Inc. advertised for bids for the repair work with a bid opening date of March 22, 2024 and estimated costs of construction for Fire Station No. 1 – Four Hundred and Eighty Thousand Dollars and Zero cents (\$480,000.00) and for Fire Station No. 2 – Eighty Thousand Dollars and Zero Cents (\$80,000.00); and

WHEREAS, no acceptable bids were received by the City on March 22, 2024 so SIXMO re-advertised for bids for the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects with a bid opening date of June 7, 2024; and

WHEREAS, on June 7, 2024, bids for the Maple Heights Fire Station No. 1 and No. 2 Roof Repair Projects were received from JB Roofing, A-Star Roofing, and AW Farrel and were opened and inspected by SIXMO, Inc. and the Service Director to determine the lowest and best bid; and

WHEREAS, with regard to the bids for the Fire Station No. 1 Roof Repair, AW Farrel was the only bidder who made a bid at or below the estimated cost of \$480,000.00 and therefore SIXMO, Inc. and the Service Director determined that AW Farrel was the lowest and best bidder at a proposed cost

of Four Hundred Seventy Thousand Dollars and Zero Cents (\$470,000.00) for the Fire Station No. 1 Roof Repair; and

WHEREAS, with regard to the bids for the Fire Station No. 2 Roof Repair, no bidder made a bid at or below the estimated cost of \$80,000.00 and therefore it was determined that none of the bids were acceptable and were rejected for later re-bidding.

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 authorized to enter into a contract with AW Farrel for the Fire Station No. 1 Roof Repair Project for a cost not to exceed Four Hundred Seventy Thousand Dollars and Zero Cents (\$470,000.00), as more fully described in the bid record on file in the Office of the Service Director of the City of Maple Heights.

Section 2. The Finance Director is authorized to amend the appropriations as required for the expenditures outlined within this Resolution.

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City, and to complete the project in a timely manner so that the District 8 ARPA Community Grant funding schedule can be maintained, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2024

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

Resolution No. 2024-65

Page Two

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

