

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA (Amended)**

Maple Heights Senior Center - 7:00 PM

June 5, 2024

- | | |
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| 1. Caucus: 6:30 pm | All Members of Council |
| 2. Call to Order: | Council President Ron Jackson |
| 3. Invocation/Pledge of Allegiance: | Councilwoman Dana D. Anderson, District 4 |
| 4. Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 5. Addendum: | |
| 6. Approval of Minutes: | May 15, 2024 Regular Meeting of Council |
| 7. Communications: | |
| 8. Council Committee Reports: | Public Works and Safety 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 2 (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 2 (Blackwell)

2024-47 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS IN THE AMOUNT OF \$59,000.00 FOR THE PURCHASE OF LEAF COLLECTION EQUIPMENT, AND TO ENTER INTO A PURCHASE AGREEMENT WITH BEST EQUIPMENT, THROUGH SOURCEWELL’S COOPERATIVE PURCHASING PROGRAM, FOR THE PURCHASE OF A 10 CUBIC YARD X-TREME VAC TRAILER MOUNTED DEBRIS COLLECTOR IN THE TOTAL AMOUNT OF \$59,000.00, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-48 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR D.E. WILLIAMS ELECTRIC, INC., INCREASING THE CONTRACT BY \$2,696.81, FOR THE LEE-LIBBY POCKET PARK SITE LIGHTING IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-49 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE VALLEJO COMPANY, INCREASING THE CONTRACT BY \$1,138.00, FOR THE STAFFORD PARK PHASE II SHELTER/BANDSTAND INSTALLATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-50 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2 FOR ECLIPSE CO., LLC, INCREASING THE CONTRACT BY \$27,666.00, FOR THE SCHREIBER ROAD SEWER IMPROVEMENTS & SSO ELIMINATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-51 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS FOR THE SOUTHWEST QUADRANT SEWER REHABILITATION PHASE 1a PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-52 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE FABRIZI TRUCKING & PAVING CO., INC., DECREASING THE CONTRACT BY \$45,176.45, FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS – DUNHAM ROAD PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-53 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 1 (Blackwell)

2024-54 AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A MAY 6, 2024 REPAIR WORK ORDER FROM TK ELEVATOR IN THE AMOUNT OF \$63,756.00 TO COMPLETE REPAIRS TO THE SENIOR CENTER ELEVATOR AND TO USE NOPEC GRANT FUNDS TOWARDS THE COST OF THOSE REPAIRS; AND APPROVING TWO PREVIOUS REPAIR WORK ORDERS FROM TK ELEVATOR IN THE TOTAL AMOUNT OF \$108,631.00, WHICH AMOUNT WAS FUNDED BY ARPA FUNDS RECEIVED BY THE CITY FROM THE WESTERN RESERVE AREA AGENCY ON AGING (WRAAA); 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.: 2024-47

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS IN THE AMOUNT OF \$59,000.00 FOR THE PURCHASE OF LEAF COLLECTION EQUIPMENT, AND TO ENTER INTO A PURCHASE AGREEMENT WITH BEST EQUIPMENT, THROUGH SOURCEWELL'S COOPERATIVE PURCHASING PROGRAM, FOR THE PURCHASE OF A 10 CUBIC YARD X-TREME VAC TRAILER MOUNTED DEBRIS COLLECTOR IN THE TOTAL AMOUNT OF \$59,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, the Maple Heights Service Director has informed the Mayor and the City Engineer that municipal leaf collection and composting can be provided most cost effectively by utilizing Service Department personnel to collect leaves and composting them at the municipally owned property located at 14580 Schreiber Road; and

WHEREAS, the City of Maple Heights is currently operating under the Ohio EPA's National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit Coverage (Small MS4 General Permit) which gives authorization to discharge to the surface waters of Ohio; and

WHEREAS, the Ohio EPA's (NPDES) Storm Water General Permit for a Small MS4 (Municipal Separate Storm Water System) requires the City of Maple Heights to provide effective storm water management by using a holistic system management approach known as Best Management Practices (BMPs); and

WHEREAS, the Ohio EPA's BMPs encourage Pollution Prevention and Good Housekeeping at all municipal facilities including, but not limited to roadways, maintenance areas, storage yards, waste transfer stations and composting facilities; and

WHEREAS, leaves that accumulate on tree lawns and in roadway gutters can cause blockages in catch basins and storm sewers and also release pollutants into MS4s that ultimately discharge to the surface waters of Ohio; and

WHEREAS, the Northeast Ohio Regional Sewer District (NEORS) provides funding to Member Communities, including the City of Maple Heights, for community specific storm water management projects under the Community Cost-Share Program; and

WHEREAS, the City Engineer and the Service Director have been informed by the NEORS that the procurement of leaf collection equipment would effectively serve as a Pollution Prevention and Good Housekeeping BMP and thus qualify as a storm water management project eligible for Community Cost-Share Program funds; and

WHEREAS, the City Engineer and the Service Director have made application to the NEORS D for the disbursement of Community Cost-Share Program funds associated with the procurement of leaf collection equipment in the amount of Fifty-Nine Thousand Dollars and Zero Cents (\$59,000.00) for such activities; and

WHEREAS, Sourcewell is a service cooperative established by Minn. Stat. § 123A.21 as a local unit of government pursuant to the Minn. Const. art. XII, sec. 3 and is authorized to provide a Cooperative Purchasing Program by Minn. Stat. §123A.21, subd. 7(23) to participating entities; and

WHEREAS, participation in Sourcewell’s Cooperative Purchasing Program is open to eligible participating entities registering with Sourcewell, including: a state, city, county, town, village, school district, or political subdivision of any state of the United States; and

WHEREAS, the City is a member of, and participating entity in, Sourcewell's Cooperative Purchasing Program (Member No. 105385); and

WHEREAS, Sourcewell’s Cooperative Purchasing Program provides purchasing that is “Procurement conducted by, or on behalf of, one or more Public Procurement Units” as defined by the American Bar Association Model Procurement Code for State and Local Governments and Sourcewell's analysts streamline the procurement process by developing requests for proposal (RFPs) and invitations for bids (IFBs) for national, competitive solicitations that meet or exceed local requirements; and

WHEREAS, Sourcewell, on March 11, 2021, advertised for RFPs (RFP No. 031121) for Grounds Maintenance Equipment, Attachments, and Accessories and on May 2021 (Resolution No. 2021-12) awarded a contract to Old Dominion Brush Company to provide Grounds Maintenance Equipment, Attachments, and Accessories for purchase through Sourcewell’s Cooperative Purchasing Program (Contract No. 031121-ODB); and

WHEREAS, R.C. 9.48(B)(2) and (C) permits the City to participate in a joint purchasing program like Sourcewell's Cooperating Purchase Program and is exempt from Ohio's competitive bidding requirements because Contract No. 031121-ODB was awarded pursuant to a publicly solicited request for a proposal by Sourcewell, a political subdivision of another state; and

WHEREAS, the Mayor and Service Director have advised Council that the City is in need of a new 10 Cubic Yard X-Treme Vac Trailer Mounted Debris Collector for leaf collection, and that it be purchased from Best Equipment pursuant to Sourcewell Contract No. 031121-ODB in the total amount of \$59,000 pursuant to Best Equipment’s February 9, 2024 Proposal which is on file in the Service Department; and

WHEREAS, Council desires to follow the recommendation of the Mayor and Service Director and authorize the purchase of a new 10 Cubic Yard X-Treme Vac Trailer Mounted Debris Collector for leaf collection, and that it be purchased from Best Equipment pursuant to Sourcewell Contract No. 031121-ODB in the total amount of \$59,000.00 pursuant to Best Equipment’s February 9, 2024 Proposal which is on file in the Service Department;

Resolution No. 2024-47

Page Two

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 execute a Community Cost-Share Agreement and any other documents with the NEORSD as required for the disbursement of Community Cost-Share Program funds in the total amount of \$59,000.00.

Section 2. The Mayor and Service Director are authorized to purchase a new 10 Cubic Yard X-Treme Vac Trailer Mounted Debris Collector for leaf collection from Best Equipment pursuant to Sourcewell Contract No. 031121-ODB in the total amount of \$59,000.00 pursuant to Best Equipment's February 9, 2024 Proposal which is on file in the Service Department.

Section 3. The Finance Director is authorized and directed to use the Community Cost-Share Program funds in the total amount of \$59,000.00 to pay for the purchase of a new 10 Cubic Yard X-Treme Vac Trailer Mounted Debris Collector for leaf collection from Best Equipment and to amend the appropriations as necessary for the expenditures outlined within this Resolution.

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 general welfare of the residents of the City, and to purchase the equipment in a timely manner for use in the fall months, 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

Resolution No. 2024-47

Page Three

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.: 2024-48

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR D.E. WILLIAMS ELECTRIC, INC., INCREASING THE CONTRACT BY \$2,696.81, FOR THE LEE-LIBBY POCKET PARK SITE LIGHTING IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Northeast Ohio Public Energy Council (“NOPEC”) has established a community grant program for participating NOPEC communities called the NOPEC Energized Community (“NEC”) Grant Program; and

WHEREAS, the City of Maple Heights is a NOPEC member and has received a 2024 NEC Grant award for \$43,212.00 to be used for municipal energy efficiency and energy infrastructure projects; and

WHEREAS, the City of Maple Heights has been advised by NOPEC that prior year NEC Grant award funds in the amount of \$69,040.15 remain on account to be used for municipal energy efficiency and energy infrastructure projects; and

WHEREAS, the City Engineer sought five (5) price proposals and received three (3) price proposals and determined that D. E. Williams Electric, Inc. had submitted the lowest and best proposal for the Lee-Libby Pocket Park Site Lighting Improvements Project which directly addresses site lighting. Such proposal, including contractor allowance, was in the total amount of Sixty-Two Thousand Dollars and Zero Cents (\$62,000.00); and

WHEREAS, on April 3, 2024, by **Resolution No. 2024-33**, Council authorized the Mayor to enter into a contract with D. E. Williams Electric, Inc., in an amount not to exceed Sixty-Two Thousand Dollars and Zero Cents (\$62,000.00) for the Lee-Libby Pocket Park Site Lighting Improvements Project; and

WHEREAS, the City Engineer, after consulting with the Chief Building Official, has directed the D. E. Williams Electric, Inc. to upgrade and relocate the proposed electric meter and panel base to provide additional safety, aesthetics and security with such work increasing the contract cost for the Lee-Libby Pocket Park Site Lighting Improvements Project in the amount of Two Thousand Six Hundred Ninety-Six Dollars and Eighty-One Cents (\$2,696.81).

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 Change Order No. 1 for D. E. Williams Electric, Inc., to increase the contract for the Lee-Libby Pocket Park Site Lighting Improvements Project in the amount of Two Thousand Six Hundred Ninety-Six Dollars and Eighty-One Cents (\$2,696.81).

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 peace, safety and general welfare of the City and for the further reason that the proposed work will need to be completed 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.: 2024-49

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE VALLEJO COMPANY, INCREASING THE CONTRACT BY \$1,138.00, FOR THE STAFFORD PARK PHASE II SHELTER/BANDSTAND INSTALLATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on November 16, 2022, by **Resolution No. 2022-108**, Council authorized the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2022 Community Development Block Grant Program; (CSBG) and

WHEREAS, the City of Maple Heights had been notified that the Cuyahoga County Council awarded \$150,000.00 under the 2022 Community Development Block Grant Program (CDBG), through the Cuyahoga County Department of Development, for the Stafford Park Restoration Project, Phase 2 which would help to fund improvements at Stafford Park including the construction of a shelter/band stand for community recreational use; and

WHEREAS, the Cuyahoga County Department of Development requires funds under the 2022 Community Development Block Grant Program (CDBG) to be expended before September 30, 2023; and

WHEREAS, on May 17, 2023, by **Resolution No. 2023-36**, Council authorized the Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Stafford Park Restoration Project, Phase 2 in the City of Maple Heights; and

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

WHEREAS, on August 24, 2023 the bids for the Stafford Park Phase II Shelter/Bandstand Installation Project, a component part of the Stafford Park Restoration Project, Phase 2, were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on September 6, 2023, by **Resolution No. 2023-85**, Council authorized the Mayor to enter into a contract with The Vallejo Company, for the Stafford Park Phase 2 Shelter/Bandstand Installation Project, for a cost not to exceed One Hundred Fourteen Thousand Six Hundred Seventy-Five Dollars and Zero Cents (\$14,675.00); and

WHEREAS, the City Engineer has determined that the quantity adjustments to contract line items for actual work performed will increase the contract for the Stafford Park Phase II Shelter/Bandstand Installation Project in the amount of One Thousand One Hundred Thirty-Eight Dollars and Zero Cents (\$1,138.00).

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

Section 1. The Council of the City of Maple Heights hereby authorizes Change Order No. 1 for The Vallejo Company, to increase the contract for the Stafford Park Phase 2 Shelter/Bandstand Installation Project in the amount of One Thousand One Hundred Thirty-Eight Dollars and Zero Cents (\$1,138.00).to close out the project contract as recommended by the City Engineer.

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 further to close out 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.: 2024-50

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND CHANGE ORDER NO. 2 FOR ECLIPSE CO., LLC, INCREASING THE CONTRACT BY \$27,666.00, FOR THE SCHREIBER ROAD SEWER IMPROVEMENTS & SSO ELIMINATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on October 16, 2019, by **Resolution No. 2019-90**, Council authorized and directed the Mayor to enter into a 2020 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Schreiber Road; and

WHEREAS, the City of Maple Heights has been awarded One Million One Hundred Thirty-Five Thousand One Hundred Eighty Dollars and Zero Cents (\$1,135,180.00) by the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Schreiber Road; and

WHEREAS, the terms of the Member Community Infrastructure Program (MCIP) agreement for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 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 improvement project on various streets including Schreiber Road; and

WHEREAS, the Ohio Department of Public Works has committed to directly disburse 70% of the project construction costs for both labor and materials, up to Four Hundred Twenty Thousand Four Hundred Twelve Dollars and Zero Cents (\$420,412.00), as required to complete storm and sanitary sewer improvements on various streets including Schreiber Road; 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 (NEORS), Ohio Public Works Commission (OPWC) and local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project which include the repair of storm and sanitary sewers on various streets including Schreiber Road as

required to complete the project; and

WHEREAS, on February 15, 2023, by **Resolution No. 2023-15**, Council authorized the Mayor to make application, sign and file all necessary contracts and documents with the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) for funding through the 2023 WPCLF Principal Forgiveness Loan Program for the Schreiber Road Sewer Improvements & SSO Elimination Project; and

WHEREAS, on March 30, 2023, the bids for the Schreiber Road Sewer Improvements & SSO Elimination Project were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on April 5, 2023, by **Resolution No. 2023-23**, Council authorized the Mayor to enter into a contract with Eclipse Co., LLC for the Schreiber Road Sewer Improvements & SSO Elimination Project, for a cost not to exceed Three Hundred Fifty Thousand Two Hundred Seventy Dollars and Zero Cents (\$350,270.00); and

WHEREAS, the City Engineer has determined that the cost of work items not included within the original contract documents, as described within the attached Water Pollution Control Loan Fund Contract Change Order Number 1 and Contract Change Order Number 2 will increase the contract for the Schreiber Road Sewer Improvements & SSO Elimination Project in the amount of Twenty-Seven Thousand Six Hundred Sixty-Six Dollars and Zero Cents (\$27,666.00).

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

Section 1. The Council of the City of Maple Heights hereby authorizes Change Order No. 1 and Change Order No. 2 for Eclipse Co., LLC, to increase the contract for the Schreiber Road Sewer Improvements & SSO Elimination Project in the amount of Twenty-Seven Thousand Six Hundred Sixty-Six Dollars and Zero Cents (\$27,666.00) as recommended by the City Engineer.

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 so that the project can be completed prior to the end of 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

RESOLUTION NO. 2024-51

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR COMMUNITY COST-SHARE PROGRAM FUNDS FOR THE SOUTHWEST QUADRANT SEWER REHABILITATION PHASE 1a PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on December 7, 2022, by **Resolution No. 2022-114**, Council authorized 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, on June 15, 2023, the bids for the Maple Heights Southwest Quadrant Sewer Rehabilitation Phase 1a Project 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, were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on July 5, 2023, by **Resolution No. 2023-66**, Council authorized the Mayor to enter into a contract with United Survey, Inc., for the Maple Heights Southwest Quadrant Sewer Rehabilitation Phase 1a Project, for a cost not to exceed One Million Six Hundred Ninety-Seven Thousand Six Hundred Five Dollars and Zero Cents (\$1,697,605.00); and

WHEREAS, the City of Maple Heights is currently operating under the Ohio EPA's National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit Coverage (Small MS4 General Permit) which gives authorization to discharge to the surface waters of Ohio; and

WHEREAS, the Ohio EPA's NPDES Storm Water General Permit for a Small MS4 (Municipal Separate Storm Water System) requires the City of Maple Heights to provide effective storm water management by various methods including enacting Minimum Control Measures (MCMs); and

WHEREAS, the Ohio EPA's NPDES Storm Water General Permit for a Small MS4 (Municipal Separate Storm Water System) requires the City of Maple Heights to provide effective storm water management by various methods including enacting Minimum Control Measures (MCMs); and

WHEREAS, the Ohio EPA's MCM #3 - Illicit Discharge Detection and Elimination is a program that detects and eliminates cross-connections, dumping of wastes or other non-storm water discharges not authorized by a separate NPDES permit; and

WHEREAS, the Cuyahoga County Department of Public Works and City Engineer have determined that wastes or other non-storm water discharges, not authorized by a separate NPDES permit, have been detected in the vicinity of the Maple Heights Southwest Quadrant Sewer Repair areas; and

WHEREAS, the City Engineer and the Cuyahoga County Department of Public Works have determined that the non-storm water discharges detected in the vicinity of the Maple Heights Southwest Quadrant Sewer Repair areas are being caused by a combination of broken, damaged or cross connected storm and sanitary sewer pipes; and

WHEREAS, the NEORSD provides funding to Member Communities, including the City of Maple Heights, for community specific storm water management projects under the Community Cost-Share Program; and

WHEREAS, the City Engineer and the Service Director have been informed by the NEORSD that repairs to the storm and sanitary sewers in the vicinity of Maple Heights Southwest Quadrant Sewer Repair areas effectively implement Ohio EPA's MCM #3 and thus qualify as a storm water management project eligible for Community Cost-Share Program funds; and

WHEREAS, the City Engineer and the Service Director have made application to the NEORSD for the disbursement of Community Cost-Share Program funds associated with the Maple Heights Southwest Quadrant Sewer Rehabilitation Phase 1a Project in the amount of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00).

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 execute a Community Cost-Share Agreement and any other documents with the NEORSD as required for the disbursement of Community Cost-Share Program funds in the total amount of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) for the Maple Heights Southwest Quadrant Sewer Rehabilitation Phase 1a Project.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the public health and welfare and to ensure the timely completion of the construction project and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2024

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2024-52

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE FABRIZI TRUCKING & PAVING CO., INC, DECREASING THE CONTRACT BY \$45,176.45, FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS - DUNHAM ROAD 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. 146, 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 repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, through the 2022 Member Community Infrastructure Program (MCIP) agreement of cooperation with the Northeast Ohio Regional Sewer District (NEORS), the City of Maple Heights will be responsible for One Hundred Twenty Five Thousand Two Hundred Eighty Dollars and Zero Cents (\$125,280.00) of the cost of 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, 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 will allow the City of Maple Heights to submit future funding applications to various public agencies, including the Northeast Ohio Regional Sewer District (NEORS) and the Ohio Public Works Commission (OPWC); and

WHEREAS, the City Engineer has informed the Mayor and Service Director that his engineering firm, Chagrin Valley Engineering (CVE), is prepared to begin the preparation of construction plans and specifications, including necessary engineering reports for the Southwest Sewer District Sewer Repairs Phase 2 Project and will utilize the services of AECOM to provide engineering services not provided by CVE including televising, dye investigation, and miscellaneous field testing, as a subcontractor, per the terms of the existing engineering services agreement between the City of Maple Heights and CVE; 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, the City Engineer has informed the Mayor and Service Director that the investigation and engineering reports for the Southwest Sewer District Sewer Repairs Phase 2 Project have identified sanitary sewer defects on Dunham Road, between Rockside Road and Turney Road, for which his engineering firm, Chagrin Valley Engineering (CVE), has prepared construction plans and specifications as required to advertise for bids to repair accordingly; and

WHEREAS, the Cuyahoga County Department of Public Works was to begin the reconstruction and resurfacing of Dunham Road, from Turney Road to Granger Road, in Spring 2023; and

WHEREAS, the City Engineer has advised the Mayor and Service Director that the repairs to the sanitary defects on Dunham Road, between Rockside Road and Turney Road, should be completed prior to the reconstruction and resurfacing of Dunham Road; 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 local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 2 Project – Dunham Road which includes the repair of identified sanitary sewer defects on Dunham Road, between Rockside Road and Turney Road; and

WHEREAS, on October 5, 2022, by **Resolution No. 2022-90**, Council authorized and directed the City Engineer to provide advertising for bids for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road in the City of Maple Heights; and

WHEREAS, on November 3, 2022, the bids for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road Project were opened and inspected by the City Engineer to determine the lowest and best bid; and

Resolution No. 2024-52

Page Two

WHEREAS, on November 16, 2022, by **Resolution No. 2022-106**, Council authorized the Mayor to enter into a contract with Fabrizi Trucking & Paving Co., Inc for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road Project, for a cost not to exceed Two Hundred Ninety-Nine Thousand Five Hundred Twenty-Five Dollars and Zero Cents (\$299,525.00); and

WHEREAS, the City Engineer has determined that the quantity adjustments to contract line items for actual work performed will decrease the contract for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road Project in the amount of Forty-Five Thousand One Hundred Seventy-Six Dollars and Forty-Five Cents (\$45,176.45).

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 Change Order No. 1 for Fabrizi Trucking & Paving Co., Inc, to decrease the contract for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road Project in the amount of Forty-Five Thousand One Hundred Seventy-Six Dollars and Forty-Five Cents (\$45,176.45).

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 close out 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.: 2024-53

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 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 off-street parking spaces, one 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 off-street parking spaces, one 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

SCHEDULE 1

THE PARCELS

	<u>Seller</u> (Each as defined in the Agreement)	<u>Permanent Parcel No.</u>	<u>Location</u> (Each in the City of Maple Heights, Ohio)
1	Reutilization Seller	785-01-109	14501 KENNERDOWN AVENUE
2	Reutilization Seller	785-04-048	15012 KREMS AVENUE
3	Reutilization Seller	786-01-106	15625 MAPLEWOOD AVENUE
4	Reutilization Seller	786-02-149	16114 MAPLEWOOD AVENUE
5	Reutilization Seller	783-02-107	17703 MAPLE HEIGHTS BOULEVARD
6	Reutilization Seller	782-20-060	19624 MAPLE HEIGHTS BOULEVARD
7	Reutilization Seller	782-02-097	(V/L) ARCH STREET
8	Reutilization Seller	785-14-042	(V/L) CAROL DRIVE
9	Reutilization Seller	785-15-039	(V/L) CAROL DRIVE
10	Reutilization Seller	785-15-053	(V/L) CAROL DRIVE
11	Reutilization Seller	783-03-122	5349 SOUTH BOULEVARD
12	Reutilization Seller	783-02-066	(V/L) CATO STREET
13	Reutilization Seller	782-20-052	5615 SOUTH BOULEVARD
14	Landbank Seller	781-04-101	(V/L) STANLEY AVENUE
15	Landbank Seller	781-04-102	5059 STANLEY AVENUE

ORDINANCE NO.: 2024-54

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A MAY 6, 2024 REPAIR WORK ORDER FROM TK ELEVATOR IN THE AMOUNT OF \$63,756.00 TO COMPLETE REPAIRS TO THE SENIOR CENTER ELEVATOR AND TO USE NOPEC GRANT FUNDS TOWARDS THE COST OF THOSE REPAIRS; AND APPROVING TWO PREVIOUS REPAIR WORK ORDERS FROM TK ELEVATOR IN THE TOTAL AMOUNT OF \$108,631.00, WHICH AMOUNT WAS FUNDED BY ARPA FUNDS RECEIVED BY THE CITY FROM THE WESTERN RESERVE AREA AGENCY ON AGING (WRAAA); AND DECLARING AN EMERGENCY.

WHEREAS, the Western Reserve Area Agency On Aging (“WRAAA”) received funds from the Ohio Department of Aging (“ODA”), which funding originated from the Federal Government through the American Rescue Plan Act (“ARPA”); and

WHEREAS, through **Ordinances Nos. 2023-60 and 2024-10**, Council authorized the Mayor, on behalf of the City of Maple Heights, to enter into a contract, and addendum to the contract, with WRAAA for the purpose of providing ARPA Services as described in the American Rescue Plan to persons sixty (60) years of age and older (“Consumers”) and to develop and implement a comprehensive and coordinated system of services for Consumers and their caregivers, for which services the WRAAA will pay the City as Contractor with ARPA funds in the maximum amount of One Hundred Eight Thousand Seven Hundred Eighty Dollars and Zero Cents (\$108,780.00); and

WHEREAS, the City requested, and WRAAA agreed, to provide the City with the \$108,780.00 in ARPA funding for repairs to the elevator in the City’s Senior Center, which elevator services Consumers; and

WHEREAS, the City accepted from TK Elevator a Repair Work Order dated October 4, 2023 in the amount of \$65,780.00, and a Repair Work Order dated January 10, 2024, in the amount of \$42,851.00, for a total of \$108,631.00 in repairs to be made by TK Elevator, which repairs the City will pay for out of the \$108,780.00 of ARPA funds received through WRAAA; and

WHEREAS, TK Elevator has advised the City that further repairs to the elevator are necessary and has presented the Mayor with a Repair Work Order dated May 6, 2024 in the amount of \$63,756.00; and

WHEREAS, NOPEC has advised the Mayor that funds the City has received through its annual NOPEC Energized Community Grant Program (NEC Grant) could be used to pay for the further repairs necessary to the Senior Center Elevator; and

WHEREAS, the City has available NEC Grant funds in the amount of \$31,878.00 to be used towards TK Elevator’s May 6, 2024 Repair Work Order in the amount of \$63,756.00, leaving a balance of \$31,878.00 to be paid out of the City’s General Fund.

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

Section 1. Council hereby approves the TK Elevator Repair Work Order dated October 4, 2023 in the amount of \$65,780.00, and the TK Elevator Repair Work Order dated January 10, 2024, in the amount of \$42,851.00, for a total of \$108,631.00 in repairs to be made by TK Elevator, and authorizes the Finance Director to pay TK Elevator for these Repair Work Orders out of the \$108,780.00 of ARPA funds received through WRAAA.

Section 2. Council hereby authorizes the Mayor to accept TK Elevator’s Repair Work Order dated May 6, 2024 in the amount of \$63,756.00, for further repairs to the Senior Center Elevator and authorizes the Finance Director to use NEC Grant funds in the amount of \$31,878.00 towards TK Elevator’s May 6, 2024 Repair Work Order in the amount of \$63,756.00, and directs the Finance Director to pay the balance of \$31,878.00 to be paid out of the City’s General Fund.

Section 3. To the extent not already done, the Finance Director is hereby authorized and directed to appropriate a sum sufficient to cover the cost of the amounts set forth in Sections 1 and 2 above.

Section 4. 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 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 Section 121.22 of the Ohio Revised Code.

Section 5. 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 inhabitants of the City of Maple Heights and for the further reason that timely repairs to the elevator are necessary for the day-day operation of the Senior Center 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 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