

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

November 20, 2024

- | | | |
|-----|----------------------------------|--|
| 1. | Caucus: 6:30 pm | All Members of Council |
| 2. | Call to Order: | Council President Ron Jackson |
| 3. | Invocation/Pledge of Allegiance: | Councilwoman Tanglyn Madden, District 5 |
| 4. | Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 5. | Addendum: | |
| 6. | Approval of Minutes: | October 16, 2024 Regular Meeting of Council
November 6, 2024 Regular Meeting of Council |
| 7. | Communications: | |
| 8. | Council Committee Reports: | |
| 9. | Department Reports: | |
| 10. | Comments from City Residents: | Per Council Rule 220.01(c)(9) |
| 11. | Legislation: | |

**2024-82 AN ORDINANCE SETTING THE SALARIES OF COUNCIL MEMBERS
EFFECTIVE SEPTEMBER 1, 2024, AND DECLARING AN EMERGENCY.**

Reading 3 (Blackwell) (Postponed)

**2024-83 AN ORDINANCE FIXING THE SALARY OF THE SAFETY DIRECTOR
EFFECTIVE SEPTEMBER 1, 2024, AND DECLARING AN EMERGENCY.**

Reading 3 (Finance Committee) (Postponed)

**2024-91 A RESOLUTON AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH BNK HEATING AND COOLING, LLC FOR THE
SALE OF TWO (2) PARCELS OF VACANT PROPERTY, OWNED BY
THE CITY THROUGH ITS LAND REUTILIZATION PROGRAM,
LOCATED ON MORGAN STREET, PERMANENT PARCELS NOS.:
784-08-047 AND 784-08-048, FOR A TOTAL PURCHASE PRICE OF
\$32,800.00, AND DECLARING AN EMERGENCY.**

Reading 3 (Blackwell)

**2024-100 A RESOLUTON AUTHORIZING THE MAYOR TO ENTER INTO A
MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM
(MCIP) AGREEMENT WITH THE NORTHEAST OHIO REGIONAL
SEWER DISTRICT (NEORS) FOR THE GREENHURST DRIVE
SEWER IMPROVEMENTS PROJECT IN THE CITY OF MAPLE
HEIGHTS, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2024-101 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM
(MCIP) AGREEMENT WITH THE NORTHEAST OHIO REGIONAL
SEWER DISTRICT (NEORS) FOR THE SOUTHWEST SEWER**

**DISTRICT SEWER REPAIRS PHASE 3 PROJECT IN THE CITY OF
MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2024-102 AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL
APPROPRIATIONS FOR THE FISCAL YEAR 2024, AND DECLARING
AN EMERGENCY.**

Reading 1 (Blackwell)

**2024-103 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE
HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2024-104 AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT AND
ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY TO
PARTICIPATE IN A REGIONALIZATION PROGRAM WITH OTHER
POLITICAL SUBDIVISIONS FOR THE PROVISION OF HEALTH
INSURANCE AND PRESCRIPTION DRUG COVERAGE TO ALL
FULL-TIME CITY EMPLOYEES FOR THE TIME PERIOD
JANUARY 1, 2025-DECEMBER 31, 2027, AND DECLARING AN
EMERGENCY.**

Reading 1 (Blackwell)

**2024-105 AN ORDINANCE PROVIDING A HIGH DEDUCTIBLE HEALTH
INSURANCE PLAN WITH A HEALTHCARE SAVINGS ACCOUNT
(HSA) AND ESTABLISHING CONTRIBUTION AMOUNTS TO THE
HSA ACCOUNTS FOR NON-BARGAINING UNIT CITY EMPLOYEES
EFFECTIVE JANUARY 1, 2025, 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:

ORDINANCE NO.: 2024-82

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

**AN ORDINANCE SETTING THE SALARIES OF COUNCIL MEMBERS
EFFECTIVE SEPTEMBER 1, 2024, AND DECLARING AN EMERGENCY.**

WHEREAS, the Charter Review Commission (CRC) at its April 22, 2021 meeting recommended revising and amending Article IV of the Charter to remove the requirements that the salary of all elected officials be fixed at least one hundred twenty (120) days prior to the date set for the municipal election for the terms beginning on the next succeeding first day of January and that such salary cannot be changed during such term; and

WHEREAS, pursuant to Article XX, Section 2 of the Charter, Council was required to submit the CRC's recommended revisions and amendments to the qualified electors of the City; and

WHEREAS, pursuant to **Ordinance No. 2021-61**, the Council directed the Cuyahoga County Board of Elections to submit to a vote of the qualified electors of the City, at the general election to be held on Tuesday, the 2nd day of November, 2021, as prescribed by general law, the question of the amendment of the Charter of the City of Maple Heights at Article IV, so that, as amended, it shall read as follows, with the deletions struck through:

“ARTICLE IV – SALARIES”

The Council shall have the power to fix the salaries of all employees of the Municipality whether elected or appointed. ~~The salaries of all elected officials shall be fixed at least one hundred twenty (120) days prior to the date set for the Municipal election for the terms beginning on the next succeeding first day of January, and shall not thereafter be changed in respect to any such term or terms or any part thereof.~~ The Council may authorize the payment or reimbursement of expenses incurred by any official, employee, or member of any department, board or commission of the Municipality for travel or expenses incidental thereto incurred in the furtherance of the interests of the Municipality.”; and

WHEREAS, the Cuyahoga County Board of Elections provided for the voting upon said Amendment and the ballots for said election shall, at the top thereof, were entitled “Proposed Charter Amendment City of Maple Heights”, and the question to be submitted on said ballot was:

“Shall Article IV, of the Maple Heights Charter be amended in order to eliminate the requirements that the salary of all elected officials be fixed at least one hundred twenty (120) days prior to the date set for the municipal election for the terms beginning on the next succeeding first day of January and that such salary cannot be changed during such term?”; and

WHEREAS, said Amendment was placed on the ballot as Issue 42 and at the election held on November 2, 2021, a majority of the votes cast were in favor of the amendment to

eliminate the requirements that the salary of all elected officials be fixed at least one hundred twenty (120) days prior to the date set for the municipal election for the terms beginning on the next succeeding first day of January and that such salary cannot be changed during such term, which result was certified by the Board of Elections on November 22, 2021; and

WHEREAS, the Council has requested and has relied on in considering this Ordinance, the December 17, 2021 Memorandum of its Director of Law, a copy of which is attached hereto and incorporated as if fully rewritten herein, for an opinion as to whether Council may increase the pay for the Council President and all Councilpersons, regardless of whether such pay increase occurs before or during their term of office, without violating the laws of the State of Ohio, including Ohio Ethics laws and R.C. 102.03; and

WHEREAS, the Director of Law, in his December 17, 2021 Memorandum, opined that pursuant to the recently voter approved amendment to Charter Article IV, Council may increase the pay for the Council President and all Councilpersons, regardless of whether such pay increase occurs before or during their term of office, without violating the laws of the State of Ohio, including R.C. 731.07 and Ohio Ethics laws as set forth in R.C. 102.03, citing the decision of the Fifth Appellate District Court in *Coleman v. City of Canton, Case No. 1997CA00303, 1998 Ohio App. LEXIS 2503, at *8 (5th App. Dist. 1998)* which held that “the act of voting a pay raise, even for the benefit of oneself, cannot be considered the acceptance of something of value that will influence one's public actions, substantially, improperly or otherwise. It is the act of a pay raise and the potentially self-serving nature of it that may be found to be offensive but not pursuant to [R.C. 102.03]. The voters will have the ultimate say as to the propriety of the timing of the pay raise” and the decision of the Third Appellate District Court in *Hubbard v. City of Defiance, 2013-Ohio-2144, ¶¶ 75-77 (3rd App. Dist. 2013)* which held that determining the salaries of municipal officers is a matter within the powers of local self-government and if a portion of a municipal charter expressly conflicts with parallel state law, such as R.C. 731.07, in a matter of local self-government, the charter provision prevails; and

WHEREAS, it would be inequitable for one set of Councilpersons to be paid a different salary than another set of Councilpersons just because their terms of office begin at different times even though they are all performing the same work and services for the City.

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

Section 1. Pursuant to Charter Article IV, effective September 1, 2024, the salaries for all Council members shall be fixed at Eighteen Thousand Dollars and Zero Cents (\$18,000.00) per annum and the salary of the Council President shall be fixed at Twenty-One Thousand Seventy Hundred Fifty Dollars and No Cents (\$21,750.00) per annum.

Section 2. 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 3. This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that the changes in the salaries are effective September 1, 2024, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 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. 2024-83

INTRODUCED BY: Finance Committee

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

**AN ORDINANCE FIXING THE SALARY OF THE SAFETY DIRECTOR
EFFECTIVE SEPTEMBER 1, 2024, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Article IV of the City Charter the Council shall have the power to fix the salaries of all employees of the Municipality whether elected or appointed; and

WHEREAS, the Finance Committee has recommended that, effective September 1, 2024, the salary of the Safety Director shall be fixed at Thirty Thousand Dollars and Zero Cents (\$30,000.00).

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

Section 1. Effective September 1, 2024, the salary of the Safety Director shall be fixed at Thirty Thousand Dollars and Zero Cents (\$30,000.00).

Section 2. 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 3. This Ordinance constitutes an emergency measure necessary for the public safety, health and welfare and for the further reason that the new pay rates take effect January 1, 2025, 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 and State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2024-91

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BNK HEATING AND COOLING, LLC FOR THE SALE OF TWO (2) PARCELS OF VACANT PROPERTY, OWNED BY THE CITY THROUGH ITS LAND REUTILIZATION PROGRAM, LOCATED ON MORGAN STREET, PERMANENT PARCELS NOS.: 784-08-047 AND 784-08-048, FOR A TOTAL PURCHASE PRICE OF \$32,800.00, AND DECLARING AN EMERGENCY.

WHEREAS, the City, through the Maple Heights Land Reutilization Program, owns the following two (2) parcels of vacant property located on Morgan Street in the General Commercial Zoning District: 1) **V/L Morgan Street, Permanent Parcel No.: 784-08-047**; and 2) **5493 Morgan Street, Permanent Parcel No.: 784-08-048** (collectively referred to as “the Property”); and

WHEREAS, BNK Heating and Cooling LLC desires to purchase the Property from the City for the future expansion of their business, located at 16300 Broadway Rd. Maple Heights, OH 44137; and

WHEREAS, pursuant to R.C. 5722.07, the fair market value of the Property, as determined by the Cuyahoga County Fiscal Officer, is Thirty-Two Thousand Eight Hundred Dollars and Zero Cents (\$32,800.00); and

WHEREAS, the City, upon the recommendation of the Mayor and the Planning and Development Director, desires to sell and transfer the Property from the Maple Heights Land Reutilization Program, pursuant to R.C. 5722.07, for the total sum of Thirty-Two Thousand Eight Hundred Dollars and Zero Cents (\$32,800.00) to BNK Heating and Cooling LLC for future expansion.

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 an Agreement with BNK Heating and Cooling LLC to sell the Property, owned by the Maple Heights Land Reutilization Program for the total sum of Thirty-Two Thousand Eight Hundred Dollars and Zero Cents (\$32,800.00).

Section 2. Pursuant to R.C. 5722.07, the fair market value of the Property, as determined by the Cuyahoga County Fiscal Officer, is Thirty-Two Thousand Eight Hundred Dollars (\$32,800.00). Pursuant to R.C. 5722.08 all of the proceeds from the sale of the Property 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 affect the transfer of the Property from the City to BNK Heating and Cooling 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 BNK Heating and Cooling LLC to prepare for expansion of its business, 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.: 2024-100

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR THE GREENHURST DRIVE SEWER IMPROVEMENTS PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City Engineer has recommended that the City enter into the Member Community Infrastructure Grant Program (MCIP) Agreement for the Greenhurst Drive Sewer Improvements Project, which Agreement is on file with the Law Department and incorporated as if fully rewritten herein.

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 Member Community Infrastructure Grant Program (MCIP) Agreement for the Greenhurst Drive Sewer Improvements Project, which Agreement is on file with the Law Department and incorporated as if fully rewritten herein.

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 the MCIP project 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

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.: 2024-101

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS PHASE 3 PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City Engineer has recommended that the City enter into the Member Community Infrastructure Grant Program (MCIP) Agreement for the Southwest Sewer District Sewer Repairs Phase 3 Project, which Agreement is on file with the Law Department and incorporated as if fully rewritten herein.

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 Member Community Infrastructure Grant Program (MCIP) Agreement for the Southwest Sewer District Sewer Repairs Phase 3 Project, which Agreement is on file with the Law Department and incorporated as if fully rewritten herein.

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 the MCIP project 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

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. 2024-102

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE PROVIDING FOR AMENDMENT 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, which was amended by: **Ordinance No. 2024-58-Amendment No. 1 dated July 3, 2024; Ordinance No. 2024-78 Amendment No. 2 dated September 18, 2024; Ordinance No. 2024-96-Amendment No. 3 dated November 6, 2024** setting forth certain annual appropriations; and

WHEREAS, the Finance Director has recommended to Council that further amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated December 18, 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** for the fiscal year January 1, 2024 through December 31, 2024, which was amended by: **Ordinance No. 2024-58-Amendment No. 1 dated July 3, 2024; Ordinance No. 2024-78 Amendment No. 2 dated September 18, 2024; Ordinance No. 2024-96-Amendment No. 3 dated November 6, 2024**, shall be further amended by Council, as recommended by the Finance Director, in accordance with Exhibit A dated December 18, 2024, which is 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, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A dated December 18, 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 insure 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

ORDINANCE NO. 2024-103

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director has prepared a budget for the appropriation of monies for current expenses and other expenditures of the City of Maple Heights for the fiscal year ending December 31, 2025 ("2025 Appropriations Budget").

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 and adopts the 2025 Appropriations Budget, which is on file in the office of the Finance Director and attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide for the current expenses and other expenditures of the City of Maple Heights during the fiscal year ending December 31, 2025.

Section 2. 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 3. 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 2025 Appropriations Budget must be immediately adopted to insure the financial integrity of the City and presented to the County Fiscal Officer by December 31, 2024. 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

ORDINANCE NO.: 2024-104

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT AND ENTER INTO AN AGREEMENT WITH SUMMIT COUNTY TO PARTICIPATE IN A REGIONALIZATION PROGRAM WITH OTHER POLITICAL SUBDIVISIONS FOR THE PROVISION OF HEALTH INSURANCE AND PRESCRIPTION DRUG COVERAGE TO ALL FULL-TIME CITY EMPLOYEES FOR THE TIME PERIOD JANUARY 1, 2025-DECEMBER 31, 2027, AND DECLARING AN EMERGENCY.

WHEREAS, the County of Summit (“County”) sponsors several health insurance, prescription drug, dental, vision, life and worksite programs, including an Employee Assistance Program (“EAP”), which it has determined should be made available to employees of Political Subdivisions in Ohio; and

WHEREAS, the County has further determined that a “Regionalization Program” shall be created in which Political Subdivisions in Ohio may participate in order to further this purpose, and the City of Maple Heights has been invited to participate in the Regionalization Program; and

WHEREAS, the County has further determined that a Political Subdivision’s participation in the Regionalization Program shall be operated on a cost-neutral basis to the County and that accordingly, the participating City of Maple Heights shall pay the rates, fees and costs as set forth in the City of Maple Heights’ Participation Agreement, which is attached hereto and incorporated as if fully rewritten herein; and

WHEREAS, in order to participate in the Regionalization Program, the City of Maple Heights must execute the City of Maple Heights Participation Agreement and be bound by its terms and conditions and by the terms and conditions of the County’s Summary Plan Document, the County’s contract with its Claims Administrator and the County’s contract with its Stop Loss Insurance Provider; and

WHEREAS, the Mayor, Law Director and Finance Director have recommended to Council that participation in this Regionalization Program sponsored by the County for the provision of health insurance and prescription drug coverage to the City’s full-time employees will result in significant cost savings and expected future stability in health insurance rate increases.

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

Section 1. The Mayor is hereby authorized to accept and enter into a Participation Agreement with Summit County to participate in a Regionalization Program with other political subdivisions for the provision of health insurance and prescription drug coverage to all full-time City employees for the period January 1, 2025-December 31, 2027. A copy of the Agreement is attached hereto as Exhibit A and incorporated as if fully rewritten herein.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this 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 3. 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 City's current health insurance and prescription drug coverage expires on December 31, 2024, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 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. 2024-105

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE PROVIDING A HIGH DEDUCTIBLE HEALTH INSURANCE PLAN WITH A HEALTHCARE SAVINGS ACCOUNT (HSA) AND ESTABLISHING CONTRIBUTION AMOUNTS TO THE HSA ACCOUNTS FOR NON-BARGAINING UNIT CITY EMPLOYEES EFFECTIVE JANUARY 1, 2025, AND DECLARING AN EMERGENCY.

WHEREAS, the City provides all bargaining unit employees with a high deductible health insurance plan, eligible for a Healthcare Savings Account (HSA), with bargaining unit employees making monthly deductible contributions of \$150 for single plan coverage (\$1,800 per year) and \$300 for family plan coverage (\$3,600 per year) into their HSA account, with the City contributing into the employee's HSA account the remaining monthly amount necessary to fully fund the annual deductible for each employee's HSA plan, and the Administration recommends that the same health insurance plan be provided with the same deductible contributions for all non-bargaining unit employees.

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

Section 1. Effective January 1, 2025, the City shall provide all non-bargaining unit employees with a high deductible health insurance plan, eligible for a Healthcare Savings Account (HSA), with non-bargaining unit employees making monthly deductible contributions of \$150 for single plan coverage (\$1,800 per year) and \$300 for family plan coverage (\$3,600 per year) into their HSA account, with the City contributing into the non-bargaining unit employee's HSA account the remaining monthly amount necessary to fully fund the annual deductible for each employee's HSA plan. Half of the non-bargaining unit employee's monthly contribution toward the deductible will be deducted in each of the first two pays each month. The City shall advance funds into a non-bargaining unit employee's HSA account to be used towards satisfying the employee's annual HSA deductible should the employee be faced with a healthcare crisis which requires the employee to pay more than the amount currently available in the employee's HSA account to meet the required annual deductible. The City shall not advance more than the respective annual deductible amounts for single and family HSA plans. However, if an employee shall leave employment before using the advanced funds then the employee shall refund the unused, advanced funds to the City. Non-bargaining unit employees shall be permitted to opt out of, and waive the coverage provided by, the City's medical, dental and vision insurance and receive a monthly payment of Two Hundred Dollars (\$200.00) for opting out. However, in order to receive the monthly opt-out payment, the Employee must opt-out of, and waive, at a minimum, medical insurance coverage. Employees who opt-out of, and waive medical insurance coverage, may still participate in the dental and/or vision insurance plans. Employees wishing to opt out and waive coverage must notify the Finance Director of their intent, in writing, by the 10th day of the month for which waiver of coverage is sought. Once the employee opts-out the employee is not eligible to be covered by the City-provided medical, dental and vision insurance plan until the annual renewal

period is open or the employee becomes eligible due to a qualifying event whereby the employee loses their other medical insurance.

Section 2. 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 3. This Ordinance constitutes an emergency measure necessary for the public safety, health and welfare and for the further reason that the HSA contributions take effect January 1, 2025, 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 and State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: _____

Leonette Cicirella Johnson, Clerk of Council

