



City of Parma Heights

Council Meeting

6281 Pearl Road

Monday, April 10, 2023

7 :00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ACTION ON MINUTES:

- MARCH 27, 2023 – PARMA HEIGHTS CITY COUNCIL MEETING

REPORTS FROM MAYOR AND DIRECTORS

COMMUNICATIONS

PUBLIC SESSION

LEGISLATION

Third Reading

1. **ORDINANCE NO. 2023 – 12**
AN ORDINANCE AMENDING SECTION 779.04 ENTITLED “GENERAL REQUIREMENTS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES.
2. **ORDINANCE NO. 2023 – 13**
AN ORDINANCE AMENDING SECTION 351.15 ENTITLED “RECREATIONAL EQUIPMENT” OF THE PARMA HEIGHTS CODIFIED ORDINANCES.
3. **ORDINANCE NO. 2023 – 15**
AN ORDINANCE ESTABLISHING AND ENACTING SECTION 648.17 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, ENTITLED, “DOMESTIC POWER TOOLS” TO PROVIDE FOR A NEW SECTION OF THE “PEACE DISTURBANCES” CHAPTER OF THE GENERAL OFFENSES CODE, AND DECLARING AN EMERGENCY, AS AMENDED.
4. **ORDINANCE NO. 2023 – 16**
AN ORDINANCE AMENDING SECTION 179.03 ENTITLED “EMPLOYEE BENEFITS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AS AMENDED.
5. **ORDINANCE NO. 2023 - 17**
AN ORDINANCE TO REPEAL SECTION 141.03 ENTITLED “TERMINATION OF EMPLOYEES WHO ATTAIN SEVENTY YEARS OF AGE” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

Second Reading

6. RESOLUTION NO. 2023 – 19

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO DISPOSE OF OBSOLETE CITY VEHICLES AND EQUIPMENT AT A PUBLIC SALE THROUGH GOVPLANET/IRONPLANET

First Reading

7. RESOLUTION NO. 2023 – 22

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO REGISTER FOR THE CITY OF PARMA HEIGHTS, OHIO, AND TO PARTICIPATE IN THE ROAD SALT CONTRACTS TO BE AWARDED BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR 2023, AND DECLARING AN EMERGENCY

8. RESOLUTION NO. 2023 – 23

A RESOLUTION AUTHORIZING BOWEN + ASSOCIATES, INC., MUNICIPAL ENGINEER, TO PREPARE THE PLANS, SPECIFICATIONS, AND COST ESTIMATES FOR THE 2023 STREET REHABILITATION PROJECT, AND DECLARING AN EMERGENCY

9. ORDINANCE NO. 2023 – 24

AN ORDINANCE AUTHORIZING AND DIRECTING AN EXPENDITURE FOR THE 2023 STREET REHABILITATION PROJECT, AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR COMPETITIVE BIDS, AND AUTHORIZING AND DIRECTING THE ADMINISTRATION TO ENTER INTO A WRITTEN CONTRACT WITH THE LOWEST AND BEST BIDDER THEREFORE, AND DECLARING AN EMERGENCY

ADJOURNMENT

ORDINANCE NO. 2023 - 12

AN ORDINANCE AMENDING SECTION 779.04 ENTITLED “GENERAL REQUIREMENTS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Director of Public Service is recommending that Section 779.04 of the Parma Heights Codified Ordinances be amended, in part, to prohibit the parking or storage of food trucks in residential districts; and

WHEREAS, this update to the Parma Heights Codified Ordinances regarding food trucks would allow for more efficient regulation of food truck storage; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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

Section 1: That Section 779.04 of the Codified Ordinances shall be amended, and as amended, shall henceforth read as shown by edits set forth in Exhibit “A”, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

779.04 GENERAL REQUIREMENTS.

(a) All Food Truck Permit holders operating in the City of Parma Heights must keep the area immediately adjacent to the Food Truck clean and must further make arrangements for disposal of all trash generated from its operation.

(b) No Food Truck Permit holder shall utilize loud speakers or other noise-making devices.

(c) No Food Truck shall be parked or stored in a residential district, unless permitted pursuant to Section 779.03, at any time.

ORDINANCE NO. 2023 - 13

AN ORDINANCE AMENDING SECTION 351.15 ENTITLED “RECREATIONAL EQUIPMENT” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Administration is recommending that Section 351.15 of the Parma Heights Codified Ordinances be amended, in part, to require recreational equipment to be stored/parked on a hard surface; and

WHEREAS, this update to the Parma Heights Codified Ordinances regarding recreational equipment would allow for more efficient regulation of recreational equipment storage; and

WHEREAS, Council desires to adopt the recommendation of the Administration.

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

Section 1: That Section 351.15 of the Codified Ordinances shall be amended, and as amended, shall henceforth read as shown by edits set forth in Exhibit “A”, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

351.15 RECREATIONAL EQUIPMENT.

(a) Definition. As used in this section “recreational equipment” means and includes the following:

- (1) “Travel trailer” which means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified “travel trailer” by the manufacturer;
- (2) “Pickup camper” which means a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses;
- (3) “Motorized home” which means a portable dwelling designed and constructed as an integral part of a self-propelled vehicle;
- (4) “Folding tent trailer” which means a canvas folding structure, mounted on wheels and designed for travel and vacation uses; and
- (5) “Boats” and “boat trailers” which mean and include boats, floats and rafts, plus the normal equipment to transport the same on the streets and highways.

(Ord. 1970-20. Passed 2-9-70.)

(b) Regulations. No person shall park or store recreational equipment on any street or highway or public or private property within the City except as hereinafter provided. Any owner of recreational equipment may park or store such equipment on property owned by him or her in accordance with the following conditions:

(1) Recreational equipment parked or stored shall not have fixed connections to electricity, water, gas or sanitary sewer facilitates except to provide heat for the protection of the recreational equipment, and at no time shall such recreational equipment be used for living or housekeeping purposes.

(2) Recreational equipment parked or being stored shall be required to be parked on a paved surface. Paved surface for this purpose shall be concrete and/or asphalt. This paved surface requirement shall not be satisfied by gravel or stone in lieu of or in the absence of said required paved surfaces.

~~(2)~~(3) If camping and recreational equipment is parked or stored outside of a garage, it shall only be parked or stored to the rear of the front building line of the main residence; said equipment shall not be parked or stored in the side yard and/or front yard nor in the driveway thereof. For purposes of this section, attached garages and porches extending forward of the main residence shall not be considered as part of the main residence. ~~The setback requirement of the side or rear yard shall be a minimum of three feet.~~

~~(3)~~(4) Notwithstanding the provisions of division (b)(~~2~~) of this section, camping and recreational equipment may be parked anywhere on the premises for loading or unloading

purposes for a period of not more than 48 hours. Recreational equipment parked or stored on private property for more than forty-eight (48) hours must comply with location and other requirements of division (b) of this section.

~~(4)~~(5) All recreational equipment must be kept in good repair and carry a current year's license and/or registration.

(Ord. 1999-30. Passed 11-8-99.)

ORDINANCE NO. 2023 – 15

AN ORDINANCE ESTABLISHING AND ENACTING SECTION 648.17 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, ENTITLED, “DOMESTIC POWER TOOLS” TO PROVIDE FOR A NEW SECTION OF THE “PEACE DISTURBANCES” CHAPTER OF THE GENERAL OFFENSES CODE, AND DECLARING AN EMERGENCY, AS AMENDED.

WHEREAS, current code regulations do not restrict the hours of operation that domestic power tools can be used within the City of Parma Heights. The noise of domestic power tools, including, but not limited to, lawn mowers jeopardize the peaceful enjoyment of residents; and

WHEREAS, Chapter 648 of the Codified Ordinances governs various peace disturbances; and

WHEREAS, it is the desire of this Administration and Council to establish and enact regulations of domestic power tools under Section 648.17 of the Codified Ordinances in order to protect the health, safety, and welfare of the City of Parma Heights and its residents.

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

Section 1. This Council does hereby establish and enact Section 648.17, entitled, “Domestic Power Tools” of the General Offenses Code, which reads in its entirety as set forth in “Exhibit A” and which is attached to this Ordinance and incorporated by reference as if fully rewritten herein.

Section 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to regulate peace disturbances within the Municipality; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

648.17 DOMESTIC POWER TOOLS.

- (a) No person shall operate or permit the operation of any domestic power tools used outdoors in residential areas between the hours of 9:00 P.M. and 7:00 A.M. the following day so as to cause a noise disturbance across a residential real property boundary; powered snow removal equipment is included except during a snow emergency within the City.
- (b) No person shall operate or permit the operation of powered model vehicles so as to create a noise disturbance across a residential real property boundary or in a public space between the hours of 9:00 P.M. and 7:00 A.M. the following day.
- (c) During the **permitted period of operation** ~~restricted hours~~, maximum sound levels in a residential area shall not exceed eighty (80) dBA measured at a distance of fifty feet from any point on the path of the vehicle or other noise source. Further, maximum sound levels shall not exceed reasonable standards utilizing any means of detection set forth in Section 648.16 of these Codified Ordinances.
- (d) Whoever violates any provisions of this section is guilty of a minor misdemeanor, unless the violation is made willfully and knowingly, in which case the offender is guilty of a misdemeanor of the fourth degree. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- (e) For the purposes of this section, "Domestic power tools" means power tools or equipment used for home or building repair, maintenance, alteration, or other home manual arts projects, including but not limited to powered hand tools, lawn mowers, garden equipment, and commercial grade tools.

ORDINANCE NO. 2023 - 16

AN ORDINANCE AMENDING SECTION 179.03 ENTITLED “EMPLOYEE BENEFITS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AS AMENDED.

WHEREAS, the Administration is recommending that Section 179.03 of the Parma Heights Codified Ordinances be amended, in part, to revise certain portions of the section and allow for the observation of Juneteenth as a holiday; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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

Section 1: That Section 179.03 of the Codified Ordinances shall be amended, and as amended, shall henceforth read as shown by edits set forth in Exhibit “A”, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

179.03 EMPLOYEE BENEFITS.

(a) Medical Insurance. Each non-aligned full-time employee, after one month of such full-time service, shall be entitled to health insurance provided by the City. Health benefit plan design, coverage options and employee cost of participation shall be determined annually and such conditions to be outlined in a Health Benefit Summary document to be provided to employee at the inception of each benefit year.

(Ord.2001-7. Passed 2-26-01; Ord. 2001-28. Passed 9-10-01; Ord. 2012-37. Passed 8-6-12; Ord.2013-5. Passed 2-25-13.)

(b) Group Life Insurance. Each regular full-time employee shall, after one year of such full-time service, be entitled to fully paid group life insurance in the amount of twenty-five thousand dollars (\$25,000).

(Ord. 1991-28. Passed 8-12-91; Ord. 2012-37. Passed 8-6-12; Ord. 2013-5. Passed 2-25-13.)

(c) Part-Time Employees. Elected officials, part-time directors and other part-time employees of the City may, at their option, elect to participate in the City's medical and/or group life insurance programs. In the event of such election and after six months of such part-time services, as it affects the medical insurance program, and one year of such services, as it affects the group life insurance program, the elected official, part-time director or other part-time employee will have his monthly or biweekly pay reduced by the amount of the applicable premium necessary for proper coverage in the elected insurance program. Where such monthly or biweekly payroll payment is insufficient to cover the cost of such insurance premium, the part-time employee will be required to make the required monthly premium payment, in cash, to keep the insurance in effect.

(Ord. 1983-29. Passed 10-11-83; Ord. 2013-5. Passed 2-25-13.)

(d) Sick Leave.

(1) Each regular full-time employee, including civilian employees in the Departments of Police and Fire, shall be entitled to 4.6 hours of sick leave for every 80 hours of regularly scheduled employment. Unused sick leave shall be cumulative up to a total of 1,750 hours for employees working eight-hour days, and up to 1,531 for employees working seven-hour days. Sick leave accrued under prior ordinances shall remain in effect and sick leave days accrued as of December 31, 1981, shall be converted to hours by taking the sick leave days accrued and multiplying such figure by the number of hours in such employee's regularly scheduled work day. Payment for sick leave, at the rate of one hour per every hour of sick leave absence, shall be made only when approved by the Director of Personnel, who may require the employee to furnish a satisfactory, written, signed statement to justify the use of sick leave, and, in the case of sick leave absence in excess of one day, who shall require certification as to the nature of the illness or injury from the employee's physician or the Police Surgeon.

(2) An absence due to a service connected injury will not be charged against an employee's accumulated sick leave so long as it does not exceed the employee's attending physician's and/or Police Surgeon's prognosis as to the employee's ability to return to employment. Once an employee has returned to assume normal duties, following absence due to a service connected injury, subsequent absences, alleged as being due to the service connected injury, will be charged against the employee's accumulated sick leave, unless excused by the employee's attending physician's and/or Police Surgeon's certificate. In case of a disagreement between physicians, the certification of a third physician will be required.

(3) At the time of retirement from active duty with the City or death of the employee, the employee, or the employee's estate, will be paid in cash for sixty percent of the value of his or her accrued, but unused, sick leave credit. Such payment shall be based on the employee's rate of pay at time of retirement or death. Payment for sick leave on this basis shall be considered to eliminate all sick leave credit accrued by the employee at that time. Such payment shall be made only once to any employee. The maximum payment which may be made shall be sixty percent of 1,200 hours for employees working eight-hour days and sixty percent of 1,050 hours for employees working seven-hour days. The formula for computation shall be:

(a) In the case of employees working eight-hour days:

$$\frac{\text{annual rate} \times (\text{accumulated hours} \times .60)}{2,080}$$

(b) In the case of employees working seven-hour days:

$$\frac{\text{annual rate} \times (\text{accumulated hours} \times .60)}{1,820}$$

NOTE: Annual rate of pay used in above unused sick time payment calculations is based on the total of the base salary and longevity pay only.

(4) City employees shall be paid an incentive for conservation of annual sick leave allowances as follows:

(a) In the case of employees working eight-hour days:

Unused Sick Leave Hours	Incentive Payment (hrs.)
120	30
112	28
104	26
96	24
88	22
80	20
72	18
64	16
56	14

48	12
40	10
Less than 40	-0-

(b) In the case of employees working seven and one-half hour days:

Unused Sick Leave Hours	Incentive Payment (hrs.)
113	30
105	28
98	26
90	24
83	22
75	20
68	18
60	16
53	14
45	12
38	10
Less than 38	-0-

(c) In the case of employees working seven-hour days:

Unused Sick Leave Hours	Incentive Payment (hrs.)
105	30
98	28
91	26
84	24
77	22
70	20
63	18
56	16
49	14

42	12
35	10
Less than 35	-0-

(5) The equivalent hourly rate to be paid will be that in effect as of December 31 in the year in which the sick leave days are accumulated. Payment shall be made concurrently with the second payroll of February following the year in which sick leave days were accumulated. Such incentive payment will in no way diminish an employee's sick leave accumulation.

(6) Effective, January 1, 2024, all paid incentive for conservation of annual sick leave allowances shall be discontinued for all non-aligned employees, and Divisions 179.03(d)(4) and 179.03(d)(5) shall be repealed.

(Ord. 1994-47. Passed 10-1 1-94; Ord. 1997-20. Passed 6-23-97; Old. 2013-5. Passed 2-25-13.)

(e) Funeral Attendance. An employee may use a portion of his or her accumulated sick leave for funeral arrangements and services for his or her spouse, child, parents, mother-in-law, father-in-law, grandparents, grandparents-in-law, sister, brother, sister-in-law or brother-in-law, grandchildren, step-parent, step-sister, step-brother, aunt, uncle, cousin, niece and nephew.

(Ord 1991-28. Passed 8-12-91; Ord. 2013-5. Passed 2-25-13.)

(f) Vacations.

(1) All full-time employees will be credited with their unused earned vacation balances beginning on January 1, 2020.

(2) Effective January 1, 2020, vacation leave for all full-time employees shall be computed on the full-time months actually employed. The rate that vacation leave accrues shall depend upon the number of years of total service for the City as a full-time employee. The employee's vacation leave shall accrue at the rate indicated in the following schedule:

Total Years of Service	Accrual Rate per Month	Vacation Days per Year	Maximum Accrual
0 up to 4	6.666 hours (80 base)	10 working days	160 hours (80 base)
	5.833 hours (70 base)		140 hours (70 base)
5 up to 11	10.000 hours (80 base)	15 working days	200 hours (80 base)
	8.750 hours (70 base)		185 hours (70 base)

12 up to 20	13.333 hours (80 base)	20 working days	240 hours (80 base)
	11.666 hours (70 base)		220 hours (70 base)
21 up to 23	16.666 hours (80 base)	25 working days	280 hours (80 base)
	14.583 hours (70 base)		255 hours (70 base)
24 or more	20.000 hours (80 base)	30 working days	320 hours (80 base)
	17.500 hours (70 base)		290 hours (70 base)

(3) Vacation time earned during the first calendar month of full-time employment shall be prorated based on the amount of vacation contained in the schedule above to reflect service time from the date of full-time employment to end of the first calendar month. Vacation time earned during the final calendar month year of full-time employment shall be prorated based on the amount of vacation contained in the schedule above to reflect service time from the first day of the calendar month to the final date of full-time employment.

(4) Full-time employees may accumulate a maximum amount of their annual vacation accrued plus eighty hours (seventy hours for employees working thirty-five hours per week), effective January 1, 2020. All vacation hours that exceed the allowable maximum accrual at the end of each pay period will expire without compensation.

(5) A full-time employee who is reemployed or rehired by the City upon retirement will not be paid for any earned and unused accumulated vacation. The employee will continue to accrue vacation and retain his or her unused accumulated vacation time and continue to earn vacation based on the schedule in subsection (a) above, not to exceed four weeks (twenty work days) per year.

(6) Full-time employees terminating employment due to voluntary resignation or retirement shall be paid all earned and unused vacation time.

(7) In the case of death of any full-time employee, the earned and unused vacation time shall be paid to the employee's estate.

(8) Full-time employees who have concluded twenty-one continuous years of service may, at his or her option, bank not more than two weeks per year, up to a maximum amount of nine weeks. Full-time employees may receive cash payment for such banked vacation one time, either at retirement or before, but may not thereafter bank additional hours after the nine weeks have been utilized.

(9) In lieu of banking vacation time, an employee who has concluded twenty-one continuous years of service may turn in for annual payment not more than two weeks per year, up to a maximum amount of nine weeks. The Mayor and Finance Director must approve this

intent no later than November 1 of the calendar year in which payment is requested. Such payment shall be made on the last pay of the calendar year in which payment is requested.

(g) Holidays. Each regular full-time employee of the City who has served at least thirty days of service prior to any holiday hereinafter set forth and who has worked or been on vacation during his regularly scheduled work days immediately preceding and succeeding such holiday, shall be entitled to the following thirteen ~~twelve~~ legal holidays with pay at the employee's normal hourly rate of pay for each of such holidays:

- (1) The first day of January, known as New Year's Day;
- (2) The third Monday in January, known as Martin Luther King Day;
- (3) The third Monday in February, known as Washington-Lincoln or Presidents' Day;
- (4) Decoration or Memorial Day (date of observance as established by State Legislature);
- (5) The nineteenth day of June, known as Juneteenth;
- ~~(56)~~ The fourth day of July, known as Independence Day;
- ~~(67)~~ The first Monday in September, known as Labor Day;
- ~~(78)~~ The second Monday in October, known as Columbus Day;
- ~~(89)~~ The eleventh day of November, known as Veterans' Day;
- ~~(910)~~ The fourth Thursday in November, known as Thanksgiving Day;
- ~~(1011)~~ The twenty fifth day of December, known as Christmas Day;
- ~~(1112)~~ A floating holiday to be taken on a day of the employee's choice subject to approval of departmental supervision; and
- ~~(1213)~~ The employee's birthday.

All part-time employees and full-time employees of the City with less than thirty days of service with the City shall be entitled to the aforesaid holidays without pay.

The City, in response to certain reductions in the workweek hours for the City firefighters, does hereby agree to grant each full-time non-aligned employee the following additional three holidays:

The fourth Friday of November, known as the day after Thanksgiving;

The twenty-fourth day of December, known as Christmas Eve Day; and

Effective January 1, 2001, a floating holiday to be taken on a day of the employee's choice, subject to approval of departmental supervision.

(Ord. 1991-28. Passed 8-12-91; Ord. 2000-52. Passed 11-27-00; Ord. 2013-5. Passed 2-25-13.)

(h) Longevity Pay. Additional compensation for continuous full-time employment, which shall be entitled longevity pay, shall be paid for each calendar year on the first pay period in December of each year. The rate of longevity pay to which an employee shall be entitled in any calendar year shall be computed in accordance with the following schedule:

Years of Continuous, Full-Time Employment Completed as of the Anniversary Date of Employment	Rate of Longevity Pay Per Month
0-4	\$-0-
5	20.83
10	41.66
15	62.50
20	83.33
25	104.16
30	125.00

The amount of longevity pay to which an employee is entitled in a calendar year shall be computed by multiplying the number of months in the calendar year preceding and subsequent to his or her anniversary date of employment in that year by the applicable rate or rates of monthly longevity pay based upon the number of years of continuous full-time employment completed in that year, as determined in accordance with the above schedule.

In each calendar year, the anniversary date of employment shall be the first day of the month in which the employee commenced his continuous, full-time employment with the City. In calculating the length of an employee's continuous employment, full-time service in all departments of the City shall be included.

(1) Non-aligned employees listed within this Chapter hired after November 1, 2021 shall not be entitled to receive longevity pay under Division 179.03(h).

(2) No Director is eligible for longevity pay under Division 179.03(h).

(Ord. 2013-5. Passed 2-25-13.)

(i) Jury Duty Compensation. Each regular full time employee shall, if called for jury duty, receive his regular compensation during the time spent in the capacity as a juror less the amount paid to him by the court for such duty as a juror.

(Ord. 1983-29. Passed 10-11-83; Ord. 2013-5. Passed 2-25-13; Ord. 2020-6. Passed 3-9-20.)

ORDINANCE NO. 2023 - 17

AN ORDINANCE TO REPEAL SECTION 141.03 ENTITLED “TERMINATION OF EMPLOYEES WHO ATTAIN SEVENTY YEARS OF AGE” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Administration is recommending that Section 141.03 of the Parma Heights Codified Ordinances be repealed; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

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

Section 1: That Section 141.03 entitled “Termination of Employees Who Attain Seventy Years of Age” of the Codified Ordinances, as it has heretofore existed, is hereby repealed, and as repealed, shall henceforth read as shown by edits set forth in Exhibit “A”, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: That this Ordinance shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

EXHIBIT A

141.03 ~~(REPEALED) TERMINATION OF EMPLOYEES WHO ATTAIN SEVENTY YEARS OF AGE.~~

~~—(a) The Mayor shall, as of December 31 of any year, terminate the employment of any Municipal employee, except elected officials, part-time employees and administrative employees, who have attained the age of seventy years.~~

~~—(b) Any employee who has attained the age of seventy years on the effective date of this section (Ordinance 1979-45, passed September 24, 1979) shall not be terminated until he or she attains the age of seventy-one years, unless such employee is not physically or mentally competent to perform the duties of the particular position which he or she occupies.~~

~~—(c) Any such employee who has reached the age of seventy or more on the effective date of this section (Ordinance 1979-45, passed September 24, 1979) shall be required to present a certification prior to December 31 by a physician licensed to practice in the State, which physician is mutually acceptable to the employee and the City, certifying that the member is physically and mentally competent to perform the duties of the particular position which he or she occupies.~~

~~(Ord. 1979-45. Passed 9-24-79.)~~

RESOLUTION 2023 - 19

**A RESOLUTION AUTHORIZING THE ADMINISTRATION TO DISPOSE OF
OBSOLETE CITY VEHICLES AND EQUIPMENT AT A PUBLIC SALE
THROUGH GOVPLANET/IRONPLANET**

WHEREAS, the Council authorized membership in the National Joint Power Alliance [now known as Sourcewell], a purchasing cooperative in Ordinance No. 2017-3; and

WHEREAS, GovPlanet/IronPlanet is a vendor of the National Joint Power Alliance [now known as Sourcewell]; and

WHEREAS, GovPlanet/IronPlanet will provide the City of Parma Heights with auction services for the disposal of obsolete city vehicles and equipment; and

WHEREAS, the Administration recommends that the vehicles and equipment listed on Exhibit “A” be removed from service as a result of their age and mechanical condition.

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

Section 1: The Administration is authorized and directed to dispose of obsolete city vehicles at a public sale through GovPlanet/IronPlanet, a list of which is described in Exhibit “A”, attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: That this Resolution shall take effect and be in force from and after the earliest date provided for by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

Exhibit A

FIRE	2013	FORD	Explorer	1FM5K8AR2DGB59218
SERVICE	1999	FORD	Dump Truck	3FDWF36S3XMA28834
POLICE	2000	MERC	Grand Marq.	2MEFM75W8YX738161
POLICE	2014	CHEVY	Cruze	1G1PC5SB7E7234886
POLICE	2013	FORD	Taurus	1FAHP2M8XDG175952
POLICE	2014	DODGE	Charger	2C3CDXKT8EH288388
POLICE	2016	FORD	Taurus	1FAHP2MK4GG154935

RESOLUTION NO. 2023 - 22

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO REGISTER FOR THE CITY OF PARMA HEIGHTS, OHIO, AND TO PARTICIPATE IN THE ROAD SALT CONTRACTS TO BE AWARDED BY THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR 2023, AND DECLARING AN EMERGENCY

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

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

Section 1. The Administration of the City of Parma Heights, Ohio is hereby authorized and directed to register for participation and execute, on behalf of said Political Subdivision, a written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and Council hereby authorizes and agrees to all of the following terms and conditions in its participation of the ODOT road salt contract during 2023, as follows:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and

d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to the ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1, 2023 by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

Section 2. This Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3. The Clerk of Council is hereby directed to certify a signed copy of this Resolution and to deliver same to ODOT and to the Director of Public Service for submission to ODOT so as to comply with the following notification posted by ODOT: PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

Section 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of said City and for the further reason it is necessary to register for participation in ODOT's 2023 Road Salt Contracts by ODOT's deadline of May 1, 2023; wherefore, this resolution shall be in full force and effect from and immediately after its passage by Council and approval by the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

RESOLUTION NO. 2023 - 23

A RESOLUTION AUTHORIZING BOWEN + ASSOCIATES, INC., MUNICIPAL ENGINEER, TO PREPARE THE PLANS, SPECIFICATIONS, AND COST ESTIMATES FOR THE 2023 STREET REHABILITATION PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the Administration has reviewed the condition of various streets, and recommends the resurfacing of Orchard Boulevard, and the rejuvenation of streets including, but not limited to, Amrap Drive, Kings Highway, Calamie Drive, Doxmere Drive, Westborough Drive, Eureka Parkway, Elmore Drive, Flower Drive, Royal Parkway, Queens Highway, Layor Drive, and Stoneham Road; and

WHEREAS, in order to further that Project, Council hereby authorizes Bowen + Associates, Inc., Municipal Engineer, to prepare the plans, specifications, and cost estimates for such Project improvements, and to file such specifications for bidding documents in the Office of the Clerk of this Council.

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

Section 1: This Council authorizes and directs Bowen + Associates, Inc., Municipal Engineer, to prepare the plans, specifications, and cost estimates for the 2023 Street Rehabilitation Project.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Council declares this Resolution to be an emergency measure for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that said Resolution is necessary so that such plans, specifications, and estimate of cost may be prepared and filed with this Council to commence the necessary bidding proceedings in an appropriate time frame; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED

FILED WITH
THE MAYOR: _____

MAYOR MARIE GALLO

ORDINANCE NO. 2023 - 24

AN ORDINANCE AUTHORIZING AND DIRECTING AN EXPENDITURE FOR THE 2023 STREET REHABILITATION PROJECT, AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR COMPETITIVE BIDS, AND AUTHORIZING AND DIRECTING THE ADMINISTRATION TO ENTER INTO A WRITTEN CONTRACT WITH THE LOWEST AND BEST BIDDER THEREFORE, AND DECLARING AN EMERGENCY

WHEREAS, the Administration has reviewed the condition of various streets, and recommends the resurfacing of Orchard Boulevard, and the rejuvenation of streets including, but not limited to, Amrap Drive, Kings Highway, Calamie Drive, Doxmere Drive, Westborough Drive, Eureka Parkway, Elmore Drive, Flower Drive, Royal Parkway, Queens Highway, Laylor Drive, and Stoneham Road; and

WHEREAS, the Council of the Municipality of Parma Heights has been advised of the necessity that the items, noted in the title, be authorized and directed in accordance with the provisions of Article V Section 6 of the Charter of the City of Parma Heights.

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

Section 1: The expenditure of monies of this municipality for items as noted in the title, which expenditure is now estimated to exceed \$50,000.00, is authorized and directed. The expenditure shall be made from monies appropriated for such purpose.

Section 2: The Director of Public Service is authorized and directed to advertise for competitive bids for such expenditure at least once in a newspaper of general circulation within the Municipality and to post such Invitation to Bid on the City of Parma Heights official web page.

Section 3: The Administration is authorized and directed to enter into a written contract with the lowest and best bidder after such advertising, said lowest and best bidder to be determined by motion of this Council.

Section 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 5: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of this municipality and for the further reason that it is necessary to authorize and direct such expenditure in order to commence such public improvement projects in a timely and seasonal manner; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____ MAYOR MARIE GALLO