



City of Parma Heights

Council Meeting

6281 Pearl Road

Monday, May 12, 2025

7 :00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

ACTION ON MINUTES: APRIL 28, 2025 – CITY COUNCIL MINUTES

REPORTS FROM MAYOR AND DIRECTORS

COMMUNICATIONS: NONE

PUBLIC SESSION

LEGISLATION:

Third Reading

- 1) **RESOLUTION NO. 2025 – 25**
A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT

First Reading

- 2) **ORDINANCE NO. 2025 – 29**
AN ORDINANCE AMENDING CHAPTER 630 ENTITLED “MINORS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES
- 3) **ORDINANCE NO. 2025 – 30**
AN ORDINANCE AMENDING CHAPTER 678 ENTITLED “WEEDS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES
- 4) **ORDINANCE NO. 2025 – 31**
AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$3,600,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PROVIDE FUNDS TO PAY COSTS OF (I) IMPROVING KINGS DALE BOULEVARD, NORTH CHURCH STREET AND OTHER STREETS IN THE CITY BETWEEN CERTAIN TERMINI BY RESURFACING AND REPLACING CONCRETE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, (II) REPLACING OR IMPROVING THE ROOF OF THE SERVICE DEPARTMENT AND OTHER PUBLIC BUILDINGS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND (III) ACQUIRING EQUIPMENT FOR THE FIRE DEPARTMENT, INCLUDING A LADDER TRUCK WITH RELATED EQUIPMENT AND RADIOS; AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

- 5) **ORDINANCE NO. 2025 – 32**
AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,400,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF IMPROVING BERKSHIRE ROAD, COLEBROOK DRIVE, DELLROSE DRIVE, ELSETTA AVENUE, GLENDORA LANE, MALLO PLACE, ROXBURY ROAD, SHERBORN ROAD, STONEHAM ROAD, WESTBOROUGH ROAD, AND WICKFIELD DRIVE AND OTHER STREETS IN THE CITY BETWEEN CERTAIN TERMINI BY RESURFACING AND REPLACING THE ASPHALT AND CONCRETE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; APPROVING RELATED MATTERS IN CONNECTION WITH ISSUANCE OF THE FINANCIAL INSTRUMENTS; AND DECLARING AN EMERGENCY.
- 6) **ORDINANCE NO. 2025 – 33**
AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$600,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE COSTS OF ACQUIRING VEHICLES FOR THE PUBLIC SERVICE DEPARTMENT; APPROVING RELATED MATTERS IN CONNECTION WITH ISSUANCE OF THE FINANCIAL INSTRUMENTS; AND DECLARING AN EMERGENCY
- 7) **RESOLUTION NO. 2025 – 34**
A RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATION TO ENTER INTO A WORK ORDER AGREEMENT WITH THE BREWER GARRETT COMPANY, THROUGH SOURCEWELL, AND AUTHORIZING AND DIRECTING AN EXPENDITURE FOR THE PURCHASE AND INSTALLATION OF A HOT WATER BOILER FOR THE PARMA HEIGHTS FIRE DEPARTMENT, AND DECLARING AN EMERGENCY
- 8) **RESOLUTION NO. 2025 – 35**
A RESOLUTION SUPPORTING THE CITY OF PARMA HEIGHTS CUYAHOGA COUNTY HEALTHY URBAN TREE CANOPY GRANT PROGRAM APPLICATION, AND DECLARING AN EMERGENCY

ADJOURNMENT

RESOLUTION NO. 2025 - 25

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT

WHEREAS, the City of Parma Heights is located within the jurisdiction of the Cuyahoga County Solid Waste Management District (District); and

WHEREAS, the Cuyahoga County Solid Waste Management District Policy Committee prepared and adopted a final draft of the Cuyahoga County Solid Waste Management Plan Update in accordance with Ohio Revised Code Sections 3734.53, 3734.54, and 3734.55; and

WHEREAS, the District provided a copy of the Cuyahoga County Solid Waste Management Plan Update (2026-2040) for ratification to each of the legislative authorities of the District; and

WHEREAS, the City of Parma Heights must decide whether it approves of said Solid Waste Management Plan Update no later than August 10, 2025.

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 approves the Cuyahoga County Solid Waste Management Plan Update. The Clerk is hereby directed to send the District a copy of this Resolution to the attention of Elizabeth Biggins-Ramer, Executive Director, Cuyahoga County Solid Waste Management District, 4750 East 131 Street, Garfield Heights, Ohio 44105.

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

ORDINANCE NO. 2025 - 29

**AN ORDINANCE AMENDING CHAPTER 630 ENTITLED "MINORS" OF THE
PARMA HEIGHTS CODIFIED ORDINANCES**

WHEREAS, the Council Safety Committee is recommending the revision of Chapter 630 of the Parma Heights Codified Ordinances; and

WHEREAS, this Council desires to adopt the recommendation of its Safety Committee.

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

Section 1: That Chapter 630 of the Codified Ordinances as it previously existed is 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

CHAPTER 630

Minors

630.01 Endangering children.

630.02 Interference with custody.

630.03 Contributing to the unruliness or delinquency of a child.

630.04 Curfew.

630.05 Illegal distribution of cigarettes, other tobacco products, or alternative nicotine products; transaction scans.

630.06 Children of compulsory school age to be in attendance at school; duties of parents.

630.07 Children of compulsory school age suspended or expelled from school to remain under parental supervision; duties of parents.

630.08 Possession or use of cigarettes by minors. (Repealed)

CROSS REFERENCES

See section histories for similar State law

Juvenile Court - see Ohio R.C. Ch. 2151

Parents' liability for destructive acts of their children - see Ohio R.C. 3109.09

Child restraints - see TRAF. 337.27

False report of child abuse or neglect - see GEN. OFF. 606.105

Sales of alcoholic beverages to minors; prohibitions and misrepresentations - see GEN. OFF. 612.02, 612.11

Posting liquor age warning signs - see GEN. OFF. 612.06

Child stealing - see GEN. OFF. 636.07

Nonsupport of dependents - see GEN. OFF. 636.10, 636.11

Materials or performances harmful to juveniles - see GEN. OFF. 666.01(a), 666.11, 666.13

Juvenile defined - see GEN. OFF. 666.01(b)

Corruption of a minor - see GEN. OFF. 666.02

Sexual imposition - see GEN. OFF. 666.03

Possession and viewing of obscene material involving a minor - see GEN. OFF. 666.125

Improperly furnishing firearms to a minor - see GEN. OFF. 672.10

Underage purchase of a firearm or handgun - see GEN. OFF. 672.105

Sale of explosives to minors - see GEN. OFF. 672.11

Display of sexually explicit material to minors - see BUS. REG. 765.19

Minors in tattoo parlors - see BUS. REG. 773.03

630.01 ENDANGERING CHILDREN.

(a) No person, who is the parent, guardian, custodian, person having custody or control, or person in loco parentis of a child under 18 years of age or a child with a mental or physical disability under 21 years of age, shall create a substantial risk to the health or safety of the child by violating a duty of care, protection, or support. It is not a violation of a duty of care, protection, or support under this division when the parent, guardian, custodian, or person having custody or control of a child treats the physical or mental illness or disability of the child by spiritual means through prayer alone, in accordance with the tenets of a recognized religious body.

(b) No person shall do any of the following to a child under 18 years of age or a child with a mental or physical disability under 21 years of age:

(1) Abuse the child.

(2) Torture or cruelly abuse the child.

(3) Administer corporal punishment or other physical disciplinary measure, or physically restrain the child in a cruel manner or for a prolonged period, which punishment, discipline or restraint is excessive under the circumstances and creates a substantial risk of serious physical harm to the child.

(4) Repeatedly administer unwarranted disciplinary measures to a child when there is a substantial risk that such conduct, if continued, will seriously impair or retard the child's mental health or development.

(5) Entice, coerce, permit, encourage, compel, hire, employ, use, or allow the child to act, model, or in any other way participate in, or be photographed for, the production, presentation, dissemination, or advertisement of any material or performance that the offender knows or reasonably should know is obscene, is sexually oriented matter, or is nudity-oriented matter;

(6) Allow the child to be on the same parcel of real property and within 100 feet of, or, in the case of more than one housing unit on the same parcel of real property, in the same housing unit and within 100 feet of, any act in violation of Ohio R.C. 2925.04 or 2925.041 when the person knows that the act is occurring, whether or not any person is prosecuted for or convicted of the violation of Ohio R.C. 2925.04 or 2925.041 that is the basis of the violation of this division.

(c) (1) No person shall operate a vehicle, as defined by Ohio R.C. 4511.01, within the Municipality and in violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, when one or more children under 18 years of age are in the vehicle. Notwithstanding any other provision of law, a person may be convicted at the same trial or proceeding of a violation of this division and a violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, that constitutes the basis of the charge of the violation of this division. For purposes of Ohio R.C. 4511.191 to 4511.197 and all related provisions of law, a person arrested for a violation of this division shall be considered to be under arrest for operating a vehicle while under the influence of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine.

(2) As used in division (c)(1) of this section:

- A. "Controlled substance" has the same meaning as in Ohio R.C. 3719.01.
- B. "Vehicle" has the same meanings as in Ohio R.C. 4511.01.

(d) (1) Division (b)(5) of this section does not apply to any material or performance that is produced, presented, or disseminated for a bona fide medical, scientific, educational, religious, governmental, judicial, or other proper purpose, by or to a physician, psychologist, sociologist, scientist, teacher, person pursuing bona fide studies for research, librarian, member of the clergy, prosecutor, judge, or other person having a proper interest in the material or performance.

(2) Mistake of age is not a defense to a charge under division (b)(5) of this section.

(3) In a prosecution under division (b)(5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.

(4) As used in this division and division (b)(5) of this section:

- A. "Material," "performance," "obscene," and "sexual activity" have the same meanings as in Ohio R.C. 2907.01.
- B. "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that, taken as a whole by the average person applying contemporary community standards, appeals to the prurient interest.
- C. "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality.

(e) Whoever violates this section is guilty of endangering children.

(1) If the offender violates division (a) or (b)(1) of this section, endangering children is one of the following:

A. Except as otherwise provided in division (e)(1)B., C., or D., a misdemeanor of the first degree.

B. If the offender previously has been convicted of an offense under this section or a substantially equivalent State law or municipal ordinance, or of any offense involving neglect, abandonment, or contributing to the delinquency of or physical abuse of a child, except as otherwise provided in division (e)(1)C. or D. of this section, endangering children is a felony to be prosecuted under appropriate State law.

C. If the violation is a violation of division (a) of this section and results in serious physical harm to the child involved, endangering children is a felony to be prosecuted under appropriate State law.

D. If the violation is a violation of division (b)(1) of this section and results in serious physical harm to the child involved, endangering children is a felony to be prosecuted under appropriate State law.

(2) If the offender violates division (b)(2), (3), (4), (5) or (6) of this section, endangering children is a felony to be prosecuted under appropriate State law.

(3) If the offender violates division (c) of this section, the offender shall be punished as follows:

A. Except as provided in (e)(3)B. or C., endangering children in violation of division (c) of this section is a misdemeanor of the first degree.

B. If the violation results in serious physical harm to the child or if the offender previously has been convicted of a violation of this section or a substantially equivalent State law or municipal ordinance, or of any offense involving neglect, abandonment, or contributing to the delinquency of or physical abuse of a child, except as otherwise provided in division (e)(3)C. of this section, endangering children in violation of division (c) of this section is a felony to be prosecuted under appropriate State law.

C. If the violation results in serious physical harm to the child and if the offender previously has been convicted of a violation of this section, Ohio R.C. 2903.06, 2903.08, 2919.22(C) or former Ohio R.C. 2903.07 as it existed prior to March 23, 2000, or Ohio R.C. 2903.04, in a case in which the offender was subject to the sanctions described in division (D) of that section, endangering children in violation of division (c) of this section is a felony to be prosecuted under appropriate State law.

D. In addition to any term of imprisonment, fine, or other sentence, penalty or sanction it imposes upon the offender pursuant to divisions (e)(3)A., B. or C. of this section or pursuant to any other provision of law and in addition to any suspension of the offender's driver's license or commercial driver's license or permit or nonresident operating privilege under Ohio R.C. Chapter 4506, 4509, 4510, or 4511, or any other provision of law, the court also may impose upon the offender a class seven suspension of the offender's driver's or commercial driver's license or permit or nonresident operating privilege from the range specified in Ohio R.C. 4510.02(A)(7).

E. In addition to any term of imprisonment, fine, or other sentence, penalty or sanction imposed upon the offender pursuant to division (e)(3)A., B., C. or D. of this section or pursuant to any other provision of law for the violation of division (c) of this section, if as a part of the same trial or proceeding the offender also is convicted of or pleads guilty to a separate charge charging the violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, that was the basis of the charge of the violation of division (c) of this section, the offender also shall be sentenced in accordance with Ohio R.C. 4511.19, or a substantially equivalent municipal ordinance, for that violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance.

(f) (1) If a person violates division (c) of this section and if, at the time of the violation, there were two or more children under 18 years of age in the motor vehicle involved in the violation, the offender may be convicted of a violation of division (c) of this section for each of the children, but the court may sentence the offender for only one of the violations.

(2) A. If a person is convicted of or pleads guilty to a violation of division (c) of this section but the person is not also convicted of and does not also plead guilty to a separate charge of violating Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, that was the basis of the charge of the violation of division (c) of this section, both the following apply:

1. For purposes of the provisions of Ohio R.C. 4511.19, or a substantially equivalent municipal ordinance, that set forth the penalties and sanctions for a violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, the conviction of or plea of guilty to the violation of division (c) of this section shall not constitute a violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance.

2. For purposes of the provisions of law that refers to a conviction of or plea of guilty to a violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, and that is not described in division (f)(2)A.1. of this section, the conviction of or plea of guilty to the violation of division (c) of this section shall constitute a conviction or plea of guilty to a violation of Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance.

B. If a person is convicted of or pleads guilty to a violation of division (c) of this section and the person also is convicted of or pleads guilty to a separate charge of violating Ohio R.C. 4511.19(A), or a substantially equivalent municipal ordinance, that was the basis of the charge of the violation of division (c) of this section, the conviction of or plea of guilty to the violation of division (c) of this section shall not constitute, for the purposes of any provision of law that refers to a conviction of or a plea of guilty to a violation of Ohio R.C. 4511.19(A) or a substantially equivalent municipal ordinance, a conviction of or a plea of guilty to a violation of Ohio R.C. 4511.19(A) or a substantially equivalent municipal ordinance.

(ORC 2919.22(A) - (E), (H))

Statutory reference:

Community service, requirements, see Ohio R.C. 2919.22(F)

License suspension, requirements, see Ohio R.C. 2919.22(G)

Permitting child abuse, felony offense, see Ohio R.C. 2903.15

630.02 INTERFERENCE WITH CUSTODY.

(a) No person, knowing that he or she is without privilege to do so or being reckless in that regard, shall entice, take, keep, or harbor a person identified in division (a)(1), (2) or (3) of this section from the parent, guardian, or custodian of the person identified in division (a)(1), (2) or (3) of this section:

(1) A child under the age of 18, or a child with a mental or physical disability under the age of 21;

(2) A person committed by law to an institution for delinquent, unruly, neglected, abused, or dependent children;

(3) A person committed by law to an institution for persons with mental illnesses or an institution for persons with intellectual disabilities.

(b) No person shall aid, abet, induce, cause, or encourage a child or a ward of the juvenile court who has been committed to the custody of any person, department, or public or private institution to leave the custody of that person, department, or institution without legal consent.

(c) It is an affirmative defense to a charge of enticing or taking under division (a)(1) of this section that the actor reasonably believed that his or her conduct was necessary to preserve the child's health or safety. It is an affirmative defense to a charge of keeping or harboring under division (a) of this section that the actor in good faith gave notice to law enforcement or judicial authorities within a reasonable time after the child or committed person came under his or her shelter, protection, or influence.

(d) Whoever violates this section is guilty of interference with custody.

(1) Except as otherwise provided in this subdivision, a violation of division (a)(1) above is a misdemeanor of the first degree. If the child who is the subject of a violation of division (a)(1) is removed from the State or if the offender previously has been convicted of an offense under this section or a substantially equivalent State law or municipal ordinance, a violation of division (a)(1) of this section is a felony to be prosecuted under appropriate State law. If the child who is the subject of a violation of division (a)(1) suffers physical harm as a result of the violation, a violation of division (a)(1) of this section is a felony to be prosecuted under appropriate State law.

(2) A violation of division (a)(2) or (3) of this section is a misdemeanor of the third degree.

(3) A violation of division (b) of this section is a misdemeanor of the first degree. Each day of a violation of division (b) is a separate offense.

(ORC 2919.23)

630.03 CONTRIBUTING TO THE UNRULINESS OR DELINQUENCY OF A CHILD.

(a) As used in this section:

(1) "Delinquent child." Has the same meaning as in Ohio R.C. 2152.02.

(2) "Unruly child." Has the same meaning as in Ohio R.C. 2151.022.

(b) No person, including a parent, guardian, or other custodian of a child, shall do any of the following:

(1) Aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming an unruly child or a delinquent child;

(2) Act in a way tending to cause a child or a ward of the juvenile court to become an unruly child or a delinquent child;

(3) Act in a way that contributes to an adjudication of the child as a delinquent child based on the child's violation of a court order adjudicating the child an unruly child for being an habitual truant;

(4) If the person is the parent, guardian, or custodian of a child who has the duties under Ohio R.C. Chapters 2152 and 2950 to register, register a new residence address, and periodically verify a residence address, and, if applicable, to send a notice of intent to reside, and if the child is not emancipated, as defined in Ohio R.C. 2919.121, fail to ensure that the child complies with those duties under Ohio R.C. Chapters 2152 and 2950.

(c) Whoever violates this section is guilty of contributing to the unruliness or delinquency of a child, a misdemeanor of the first degree. Each day of violation of this section is a separate offense.

(ORC 2919.24)

630.04 CURFEW.

(a) No person having the control and custody of, or being the parent or guardian of a minor under the age of 18 years shall permit such minor to be, nor shall such minor be outside the confines of his homesite and congregate, wander, loiter or play upon the streets and other public places of the City, unsupervised on unenclosed lands or places of amusement and entertainment, during the hours specified in division (e) of this section. This section shall not apply:

(1) When the minor is accompanied by a parent, legal guardian or other responsible person who is 18 years old or older and approved by the minor's parent or legal guardian;

(2) When the minor is legally employed and while going directly between his or her home and place of employment. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment;

(3) When the minor is on the sidewalk of the place where such minor resides, or on the sidewalk of either adjacent neighbor not communicating an objection to his or her presence; or

(4) When the minor is returning home by a direct route from a school, religious or voluntary association, activity place of public entertainment such as a movie, play, concert, amusement park or sporting event.

(b) No person operating or having charge of any public place shall knowingly permit or suffer the presence of a minor under the age of 18 years in such place during the hours specified in division (e) of this section, unless such minor is accompanied by his or her parent, guardian or custodian or some other adult who has been given responsibility for such minor's control and custody by the person legally responsible for the discipline of the minor.

(c) Any school, church, lodge or other organization sponsoring functions wherein minors in attendance will be out at a later hour than provided for in this section shall obtain the approval from the Safety Director, or in absence of the Director, from the Mayor's designee, to have the minors remain to the time when the entertainment will end. All minors attending such a function shall be required to be within the confines of their respective homesites one-half hour after such function is ended.

(d) As used in this section, "public place" means any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment or other lawful purpose. A public place shall include but not be limited to any store, shop, restaurant, tavern, bowling alley, café, theater, drug store, pool room, shopping center or other place devoted to amusement or entertainment of the general public. It shall also include the front or immediate area of the above.

(e) As used in this section, hours specified for different age groups shall be:

(1) Through age 11: 8:00 p.m. ~~E.S.T.~~, ~~9:00 p.m. E.D.S.T.~~ to 6:00 a.m.

(2) 12 through 14: 10:00 p.m. to 6:00 a.m.

(3) 15 through 17: 11:00 p.m. to 6:00 a.m.

(f) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the third degree. Minors violating any of the provisions of this section shall be dealt with in accordance with Juvenile Court law and procedure.

(Ord. 1980-24. Passed 6-9-80; Ord. 2001-27. Passed 9-10-01.)

630.05 ILLEGAL DISTRIBUTION OF CIGARETTES, OTHER TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; TRANSACTION SCANS.

(a) Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products.

(1) As used in this section:

A. "Age verification." A service provided by an independent third party (other than a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes) that compares information available from a commercially available database, or aggregate of databases, that regularly are used by government and businesses for the purpose of age and identity verification to personal information provided during an internet sale or other remote method of sale to establish that the purchaser is 21 years of age or older.

B. "Alternative nicotine product."

1. Subject to division 2. of this definition, an electronic smoking device, vapor product, or any other product or device that consists of or contains nicotine that can be ingested into the body by any means, including, but not limited to, chewing, smoking, absorbing, dissolving, or inhaling.

2. The phrase does not include any of the following:

- a. Any cigarette or other tobacco product;
- b. Any product that is a "drug" as that term is defined in 21 U.S.C. § 321(g)(1);
- c. Any product that is a "device" as that term is defined in 21 U.S.C. § 321(h);
- d. Any product that is a "combination product" as described in 21 U.S.C. § 353(g).

C. "Cigarette." Includes clove cigarettes and hand-rolled cigarettes.

D. "Distribute." Means to furnish, give, or provide cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to the ultimate consumer of the cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.

E. "Electronic smoking device." Means any device that can be used to deliver aerosolized or vaporized nicotine or any other substance to the person inhaling from the device including an electronic cigarette, electronic cigar, electronic hookah, vaping pen, or electronic pipe. The phrase includes any component, part, or accessory of such a device, whether or not sold separately, and includes any substance intended to be aerosolized or vaporized during the use of the device. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. §§ 321 and 353(g).

F. "Proof of age." Means a driver's license, a commercial driver's license, a military identification card, a passport, or an identification card issued under R.C. §§ 4507.50 to 4507.52 that shows that a person is 21 years of age or older.

G. "Tobacco product." Means any product that is made or derived from tobacco or that contains any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including, but not limited to, a cigarette, an electronic smoking device, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. The phrase also means any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, blunt or hemp wraps, and liquids used in electronic smoking devices, whether or not they contain nicotine. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. §§ 321 and 353(g).

H. "Vapor product." Means a product, other than a cigarette or other tobacco product as defined in R.C. Chapter 5743, that contains or is made or derived from nicotine and that is intended and marketed for human consumption, including by smoking, inhaling, snorting, or sniffing. The phrase includes any component, part, or additive that is intended for use in an electronic smoking device, a mechanical heating element, battery, or electronic circuit and is used to deliver the product. The phrase does not include any product that is a drug, device, or combination product, as those terms are defined or described in 21 U.S.C. §§ 321 and 353(g). The phrase includes any product containing nicotine, regardless of concentration.

I. "Vending machine." Has the same meaning as "coin machine" in R.C. § 2913.01.

(2) No manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, no agent, employee, or representative of a manufacturer, producer, distributor, wholesaler, or retailer of cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes, and no other person shall do any of the following:

A. Give, sell, or otherwise distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes:

1. To any person under 21 years of age; or
2. Without first verifying proof of age.

B. Give away, sell, or distribute cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes in any place that does not have posted in a conspicuous place a legibly printed sign in letters at least one-half inch high stating that giving, selling, or otherwise distributing cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under 21 years of age is prohibited by law;

C. Knowingly furnish any false information regarding the name, age, or other identification of any person under 21 years of age with purpose to obtain cigarettes, other

tobacco products, alternative nicotine products, or papers used to roll cigarettes for that person;

D. Manufacture, sell, or distribute in this state any pack or other container of cigarettes containing fewer than 20 cigarettes or any package of roll-your-own tobacco containing less than six-tenths of one ounce of tobacco;

E. Sell cigarettes or alternative nicotine products in a smaller quantity than that placed in the pack or other container by the manufacturer;

F. Give, sell, or otherwise distribute alternative nicotine products, papers used to roll cigarettes, or tobacco products other than cigarettes over the internet or through another remote method without age verification;

G. Allow an employee under 18 years of age to sell any tobacco product;

H. Give away or otherwise distribute free samples of cigarettes, other tobacco products, alternative nicotine products, or coupons redeemable for cigarettes, other tobacco products, or alternative tobacco products.

(3) No person shall sell or offer to sell cigarettes, other tobacco products, or alternative nicotine products by or from a vending machine, except in the following locations:

A. An area within a factory, business, office, or other place not open to the general public;

B. An area to which persons under 21 years of age are not generally permitted access;

C. Any other place not identified in division (a)(3)A. or (a)(3)B. of this section, upon all of the following conditions:

1. The vending machine is located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person, so that all cigarettes, other tobacco product, and alternative nicotine product purchases from the vending machine will be readily observed by the person who owns or operates the place or an employee of that person. For the purpose of this section, a vending machine located in any unmonitored area, including an unmonitored coatroom, restroom, hallway, or outer waiting area, shall not be considered located within the immediate vicinity, plain view, and control of the person who owns or operates the place, or an employee of that person.

2. The vending machine is inaccessible to the public when the place is closed.

3. A clearly visible notice is posted in the area where the vending machine is located that states the following in letters that are legibly printed and at least one-half inch high: "It is illegal for any person under the age of 21 to purchase tobacco or alternative nicotine products."

(4) The following are affirmative defenses to a charge under division (a)(2)A. of this section:

A. The person under 21 years of age was accompanied by a parent, spouse who is 21 years of age or older, or legal guardian of the person under 21 years of age.

B. The person who gave, sold, or distributed cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes to a person under 21 years of age under division (a)(2)A. of this section is a parent, spouse who is 21 years of age or older, or legal guardian of the person under 21 years of age.

(5) A. It is not a violation of division (a)(2)A. or (a)(2)B. of this section for a person to give or otherwise distribute to a person under 21 years of age cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes while the person under 21 years of age is participating in a research protocol if all of the following apply:

1. The parent, guardian, or legal custodian of the person under 21 years of age has consented in writing to the person under 21 years of age participating in the research protocol.

2. An institutional human subjects protection review board, or an equivalent entity, has approved the research protocol.

3. The person under 21 years of age is participating in the research protocol at the facility or location specified in the research protocol.

B. It is not a violation of division (a)(2)A. or (a)(2)B. of this section for an employer to permit an employee 18, 19, or 20 years of age to sell a tobacco product.

(6) A. No delivery service shall accept from, transport or deliver to, or allow pick-up by, a person under 21 years of age with respect to any of the following:

1. Alternative nicotine products;
2. Papers used to roll cigarettes;
3. Tobacco products other than cigarettes.

B. A delivery service shall require proof of age as a condition of accepting, transporting, delivering, or allowing pickup of the items described in divisions (a)(6)A.1. to 3. of this section.

(7) Whoever violates division (a)(2)A., (a)(2)B., (a)(2)D., (a)(2)E., (a)(2)F., (a)(2)G., (a)(2)H., (a)(3) or (a)(6) of this section is guilty of illegal distribution of cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of or pleaded guilty to illegal distribution of cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(8) Whoever violates division (a)(2)C. of this section is guilty of permitting a person under 21 years of age to use cigarettes, other tobacco products, or alternative nicotine products. Except as otherwise provided in this division, permitting a person under 21 years

of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the fourth degree. If the offender previously has been convicted of a violation of division (a)(2)C. of this section or a substantially equivalent state law or municipal ordinance, permitting a person under 21 years of age to use cigarettes, other tobacco products, or alternative nicotine products is a misdemeanor of the third degree.

(9) Any cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes that are given, sold, or otherwise distributed to a person under 21 years of age in violation of this section and that are used, possessed, purchased, or received by a person under 21 years of age in violation of R.C. § 2151.87 are subject to seizure and forfeiture as contraband under R.C. Chapter 2981.

(R.C. § 2927.02)

(b) Transaction Scan.

(1) As used in this division and division (c) of this section:

A. "Card holder." Any person who presents a driver's or commercial driver's license or an identification card to a seller, or an agent or employee of a seller, to purchase or receive cigarettes, other tobacco products, or alternative nicotine products from a seller, agent or employee.

B. "Identification card" means an identification card issued under Ohio R.C. 4507.50 to 4507.52.

C. "Seller." A seller of cigarettes, other tobacco products, or alternative nicotine products and includes any person whose gift of or other distribution of cigarettes, other tobacco products, or alternative nicotine products is subject to the prohibitions of division (a) of this section.

D. "Transaction scan" means the process by which a seller or an agent or employee of a seller checks, by means of a transaction scan device, the validity of a driver's or commercial driver's license or an identification card that is presented as a condition for purchasing or receiving cigarettes, other tobacco products, or alternative nicotine products.

E. "Transaction scan device" means any commercial device or combination of devices used at a point of sale that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver's or commercial driver's license or an identification card.

(2) A. A seller or an agent or employee of a seller may perform a transaction scan by means of a transaction scan device to check the validity of a driver's or commercial driver's license or identification card presented by a card holder as a condition for selling, giving away, or otherwise distributing to the card holder cigarettes, other tobacco products, or alternative nicotine products.

B. If the information deciphered by the transaction scan performed under division (b)(2)A. of this section fails to match the information printed on the driver's or commercial

driver's license or identification card presented by the card holder, or if the transaction scan indicates that the information so printed is false or fraudulent, neither the seller nor any agent or employee of the seller shall sell, give away, or otherwise distribute any cigarettes, other tobacco products, or alternative nicotine products to the card holder.

C. Division (b)(2)A. of this section does not preclude a seller or an agent or employee of a seller from using a transaction scan device to check the validity of a document other than a driver's or commercial driver's license or identification card, if the document includes a bar code or magnetic strip that may be scanned by the device, as a condition for selling, giving away, or otherwise distributing cigarettes, other tobacco products, or alternative nicotine products to the person presenting the document.

(3) Rules adopted by the Registrar of Motor Vehicles under Ohio R.C. 4301.61(C) apply to the use of transaction scan devices for purposes of this division (b) and division (c) of this section.

(4) A. No seller or agent or employee of a seller shall electronically or mechanically record or maintain any information derived from a transaction scan, except for the following:

1. The name and date of birth of the person listed on the driver's or commercial driver's license or identification card presented by the card holder;

2. The expiration date and identification number of the driver's or commercial driver's license or identification card presented by the card holder.

B. No seller or agent or employee of a seller shall use the information that is derived from a transaction scan or that is permitted to be recorded and maintained under division (b)(4)A. of this section, except for purposes of division (c) of this section.

C. No seller or agent or employee of a seller shall use a transaction scan device for a purpose other than the purpose specified in division (c)(2)A. of this section.

D. No seller or agent or employee of a seller shall sell or otherwise disseminate the information derived from a transaction scan to any third party, including but not limited to selling or otherwise disseminating that information for any marketing, advertising, or promotional activities, but a seller or agent or employee of a seller may release that information pursuant to a court order or as specifically authorized by division (c) of this section or another section of these Codified Ordinances or the Ohio Revised Code.

(5) Nothing in this division (b) or division (c) of this section relieves a seller or an agent or employee of a seller of any responsibility to comply with any other applicable local, State or Federal laws or rules governing the sale, giving away, or other distribution of cigarettes, other tobacco products, or alternative nicotine products.

(6) Whoever violates division (b)(2)B. or (b)(4) of this section is guilty of engaging in an illegal tobacco product or alternative nicotine product transaction scan, and the court may impose upon the offender a civil penalty of up to one thousand dollars (\$1,000) for

each violation. The Clerk of the Court shall pay each collected civil penalty to the County Treasurer for deposit into the County Treasury.

(ORC 2927.021)

(c) Affirmative Defenses.

(1) A seller or an agent or employee of a seller may not be found guilty of a charge of a violation of division (a) of this section in which the age of the purchaser or other recipient of cigarettes, other tobacco products, or alternative nicotine products is an element of the alleged violation, if the seller, agent or employee raises and proves as an affirmative defense that all of the following occurred:

A. A card holder attempting to purchase or receive cigarettes, other tobacco products, or alternative nicotine products presented a driver's or commercial driver's license or an identification card.

B. A transaction scan of the driver's or commercial driver's license or identification card that the card holder presented indicated that the license or card was valid.

C. The cigarettes, other tobacco products, or alternative nicotine products were sold, given away or otherwise distributed to the card holder in reasonable reliance upon the identification presented and the completed transaction scan.

(2) In determining whether a seller or an agent or employee of a seller has proven the affirmative defense provided by division (c)(1) of this section, the trier of fact in the action for the alleged violation of division (a) of this section shall consider any written policy that the seller has adopted and implemented and that is intended to prevent violations of division (a) of this section. For purposes of division (c)(1)C. of this section, the trier of fact shall consider that reasonable reliance upon the identification presented and the completed transaction scan may require a seller or an agent or employee of a seller to exercise reasonable diligence to determine, and that the use of a transaction scan device does not excuse a seller or an agent or employee of a seller from exercising reasonable diligence to determine, the following:

A. Whether a person to whom the seller or agent or employee of a seller sells, gives away or otherwise distributes cigarettes, other tobacco products, or alternative nicotine products is 21 years of age or older;

B. Whether the description and picture appearing on the driver's or commercial driver's license or identification card presented by a card holder is that of the card holder.

(3) In any criminal action in which the affirmative defense provided by division (c)(1) of this section is raised, the Registrar of Motor Vehicles or a deputy registrar who issued an identification card under Ohio R.C. 4507.50 to 4507.52 shall be permitted to submit certified copies of the records of that issuance in lieu of the testimony of the personnel of or contractors with the Bureau of Motor Vehicles in the action.

(ORC 2927.022)

(d) Shipment of Tobacco Products.

(1) As used in this division (D):

A. "Authorized recipient of tobacco products." Means:

1. In the case of cigarettes, a person who is:
 - a. Licensed as a cigarette wholesale dealer under Ohio R.C. 5743.15;
 - b. Licensed as a retail dealer as long as the person purchases cigarettes with the appropriate tax stamp affixed;
 - c. An export warehouse proprietor as defined in Internal Revenue Code § 5702;
 - d. An operator of a customs bonded warehouse under 19 U.S.C. § 1311 or 19 U.S.C. § 1555;
 - e. An officer, employee, or agent of the federal government or of this state acting in the person's official capacity;
 - f. A department, agency, instrumentality, or political subdivision of the federal government or of this state;
 - g. A person having a consent for consumer shipment issued by the Ohio Tax Commissioner under R.C. § 5743.71.
2. In the case of electronic smoking devices or vapor products, a person who is:
 - a. Licensed as a distributor of tobacco or vapor products under Ohio R.C. 5743.61;
 - b. A retail dealer of vapor products, as defined in Ohio R.C. 5741.01(C)(3), that is not licensed as a vapor distributor, as long as the tax levied by Ohio R.C. 5743.51, 5743.62, or 5743.63, as applicable, has been paid;
 - c. An operator of a customs bonded warehouse under 19 U.S.C. § 1311 or 19 U.S.C. § 1555;
 - d. An officer, employee, or agent of the federal government or of this state acting in the person's official capacity;
 - e. A department, agency, instrumentality, or political subdivision of the federal government or of this state.

B. "Motor carrier." Has the same meaning as in Ohio R.C. 4923.01.

(2) The purpose of this section is to prevent the sale of cigarettes, electronic smoking devices, and vapor products to minors and to ensure compliance with the Master Settlement Agreement, as defined in Ohio R.C. 1346.01.

(3) A. No person shall cause to be shipped any cigarettes, electronic smoking devices, and vapor products to any person in this municipality other than an authorized recipient of tobacco products.

B. No motor carrier, or other person shall knowingly transport cigarettes, electronic smoking devices, and vapor products to any person in this municipality that the carrier or other person reasonably believes is not an authorized recipient of tobacco products. If cigarettes, electronic smoking devices, and vapor products are transported to a home or residence, it shall be presumed that the motor carrier, or other person knew that the person to whom the cigarettes, electronic smoking devices, and vapor products were delivered was not an authorized recipient of tobacco products.

(4) No person engaged in the business of selling cigarettes, electronic smoking devices, and vapor products who ships or causes to be shipped cigarettes, electronic smoking devices, and vapor products to any person in this municipality in any container or wrapping other than the original container or wrapping shall fail to plainly and visibly mark the exterior of the container or wrapping in which the cigarettes, electronic smoking devices, and vapor products are shipped with the words "cigarettes", "electronic smoking devices", or "vapor products", as applicable.

(5) A court shall impose a fine of up to one thousand dollars (\$1,000.00) for each violation of division (d)(3)A., (d)(3)B. or (d)(4) of this section.

(ORC 2927.023)

(e) Furnishing false information to obtain tobacco products.

(1) No person who is 18 years of age or older but younger than 21 years of age shall knowingly furnish false information concerning that person's name, age, or other identification for the purpose of obtaining tobacco products.

(2) Whoever violates division (e)(1) of this section is guilty of furnishing false information to obtain tobacco products. Except as otherwise provided in this division, furnishing false information to obtain tobacco products is a misdemeanor of the fourth degree. If the offender previously has been convicted of or pleaded guilty to a violation of division (e)(1) of this section or a substantially equivalent state law or municipal ordinance, furnishing false information to obtain tobacco products is a misdemeanor of the third degree.

(R.C. § 2927.024)

630.06 CHILDREN OF COMPULSORY SCHOOL AGE TO BE IN ATTENDANCE AT SCHOOL; DUTIES OF PARENTS.

(a) No person between the ages of six and seventeen years of age shall be or remain in or upon any public place during any time within which such person is required in attendance at a public or private school, except at the public or private school in which such person is enrolled or at a school sponsored or authorized program, unless such person has been

~~issued a written authorization by school authorities excusing him or her from school attendance during the time within which such person is in or upon any public place. No child between the ages of six and 17, inclusive, other than a child who has been suspended or expelled from school, shall be at any place within the City except in attendance at school between the hours of 8:30 a.m. and 3:00 p.m., during any school day, unless the child has written proof from school authorities excusing him or her from attending school at that particular time, or unless the child is accompanied by a parent or legal guardian or a responsible adult selected by the parent or legal guardian to supervise the child.~~

(b) Each parent or legal guardian of a child between the ages of six and seventeen, inclusive, shall have the duty to prohibit the child from behaving contrary to division (a) of this section. No person shall negligently fail to fulfill the duty imposed by this division.

(c) It shall be an affirmative defense to divisions (a) and (b) of this section that the child, at the time he or she was found at a place other than in school, was not required by law to be in attendance at school.

(d) It shall be an affirmative defense to division (b) of this section that the parent or legal guardian initiated the jurisdiction of the Juvenile Court against the child prior to the time that the child was found violating division (a) of this section.

(e) A police officer or school attendance officer may transport any child found violating division (a) of this section to the child's residence and may release the child into the care of a parent or legal guardian, to the school the child usually attends or to any location designated by the school authorities as a receiving center for such children, the choice of destination to be made at the discretion of the police officer or school attendance officer based on the proximity of the destination and other relevant factors, and subject to the need to respond to emergency or priority calls.

(f) Any child who violates division (a) of this section is an unruly child and is subject to the jurisdiction of the Juvenile Court.

(g) Whoever violates division (b) of this section is guilty of negligently failing to supervise a child of compulsory school age, a minor misdemeanor for a first offense and a misdemeanor of the fourth degree for a second or subsequent offense. In addition to any other method of enforcement provided for in these Codified Ordinances or by State statute, this section may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(Ord. 1993-36. Passed 11-22-93.)

630.07 CHILDREN OF COMPULSORY SCHOOL AGE SUSPENDED OR EXPELLED FROM SCHOOL TO REMAIN UNDER PARENTAL SUPERVISION; DUTIES OF PARENTS.

(a) If a child between the ages of six and 17, inclusive, is suspended or expelled from school, then the parent or legal guardian of the child shall have the following duties for the duration of the suspension or expulsion:

(1) To personally supervise the child, or to arrange for a responsible adult to supervise the child, at the times that the child would have been required to be in attendance at school had he or she not been suspended or expelled; and

(2) To prohibit the child from being at any public place at the time that the child would have been required to be in attendance at school had he or she not been suspended or expelled, except in the following circumstances:

A. When the child is accompanied by the parent or legal guardian, or a responsible adult selected by the parent or legal guardian to supervise the child;

B. When the child is employed pursuant to an age and schooling certificate issued by the school authorities, during the times that the child is actually on the job or traveling directly to or from the job site;

C. When the child is on an emergency errand; or

D. When the child has been directed by the parent or legal guardian to engage in a specific activity or to carry out express instructions, during the times that the child is actually engaged in fulfilling those directions or instructions.

No person shall negligently fail to fulfill the duties imposed by this division.

(b) No child who has been suspended or expelled from school shall fail to comply with supervision provided or arranged by a parent or legal guardian pursuant to division (a)(1) of this section.

(c) No child who has been suspended or expelled from school shall be in any public place at the time that he or she would have been required to be in attendance at school had he or she not been suspended or expelled, except in circumstances described in division (a)(2)A., B., C. or D. of this section.

(d) As used in this section, "public place" includes any street, sidewalk, park, cemetery, school yard, body of water or watercourse, public conveyance or any other place for the sale of merchandise, public accommodation or amusement.

(e) A police officer or school attendance officer may transport any child found violating division (a) of this section to the child's residence and may release the child into the care of a parent or legal guardian, to the school the child usually attends or to any location designated by the school authorities as a receiving center for such child, the choice of destination to be made at the discretion of the police officer or school attendance officer based on the proximity of the destination and other relevant factors, and subject to the need to respond to emergency or priority calls.

(f) Any child who violates division (b) or (c) of this section is an unruly child and is subject to the jurisdiction of the Juvenile Court.

(g) Any person who negligently fails to fulfill the duty imposed by division (a) of this section is guilty of negligently failing to supervise a suspended or expelled child, a minor misdemeanor. In addition to any other means of enforcement provided for in these

Codified Ordinances or by State statute, this section may be enforced by the issuance of a citation in accordance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

(Ord. 1993-36. Passed 11-22-93.)

630.08 POSSESSION OR USE OF CIGARETTES BY MINORS. (REPEALED)

(EDITOR'S NOTE: Section 630.08 was repealed by Ordinance 2003-32, passed October 27, 2003.)

ORDINANCE NO. 2025 - 30

AN ORDINANCE AMENDING CHAPTER 678 ENTITLED “WEEDS” OF THE PARMA HEIGHTS CODIFIED ORDINANCES

WHEREAS, the Council Utilities and Streets Committee is recommending the revision of Chapter 678 of the Parma Heights Codified Ordinances; and

WHEREAS, this Council desires to adopt the recommendation of its Utilities and Streets Committee.

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

Section 1: That Chapter 678 of the Codified Ordinances as it previously existed is 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

CHAPTER 678

Weeds

678.01 Destruction of noxious weeds and removal of litter required.

678.02 Procedure when owner fails to comply with notice.

678.03 Failure to comply; remedy of City. (Repealed)

CROSS REFERENCES

Notice to cut noxious weeds - see Ohio R.C. 731.51 et seq.

Destruction of weeds - see Ohio R.C. 971.33 et seq.

Injuring vines, bushes, trees or crops - see GEN. OFF. 642.06

Exterior Property Maintenance Code - see BLDG. Ch. 1363

678.01 DESTRUCTION OF NOXIOUS WEEDS AND REMOVAL OF LITTER REQUIRED.

(a) (1) No person having charge of the following described lots or lands within the City shall fail to cut noxious weeds upon them as hereinafter described:

A. All sublots in a recorded subdivision in their entirety;

B. All land which lies within twenty feet of a lot line which is adjacent to lots or lands upon which a residential or commercial building exists;

C. All land which lies within 120 feet of a dedicated thoroughfare;

D. No person being the owner, occupant, lessee, agent, tenant or person in charge of any lot or parcel within the City shall allow or maintain on such lot or parcel of land between ~~May~~ April 1 and ~~November~~ December 1 of each year any growth of grass, weeds or other similar types of vegetation in excess of six inches in height.

(2) No person having charge of any lot or land described in this section shall fail to keep such lands free from Russian, Canadian or common thistle, wild lettuce, wild mustard, wild parsley, ragweed, and all other noxious weeds growing or upon the lot or lands. Such weeds shall be destroyed by spraying with a chemical compound generally approved by the ~~City Director of Public Service~~, by cutting or digging under or by any other method approved by the Director.

(3) Upon written information that noxious weeds are growing on lands as hereinbefore described and are about to spread or mature seeds, the Director of Public Service shall cause a written notice to be served upon the owner, lessee, agent or tenant having charge

of such land, notifying him that noxious weeds are growing on such lands and that they must be cut and destroyed within five days after the service of such notice.

(b) (1) As used in this chapter, "litter" includes weeds, grass and similar types of vegetation in excess of six inches in height, garbage, waste, peelings of vegetables or fruits, rubbish, ashes, cans, bottles, wire, paper, cartons, boxes, parts of automobiles, wagons, furniture, glass, debris, oil of an unsightly or unsanitary nature or anything else of an unsightly or unsanitary nature.

(2) Upon a finding by the Director of Public Service that litter has been placed on lands, has not been removed and constitutes a detriment to public health, the Director of Public Service shall cause a written notice to be served upon the owner, and, if different, upon the lessee, agent or tenant having charge of the littered land notifying him that litter is on the land, and that it must be collected and removed within ~~72 hours~~ five (5) consecutive days from the date of the service of the notice.

(3) If the owner or other person having charge of the land is a nonresident whose address is known, the notice shall be sent to his address by certified mail. If the last known address of the owner cannot be ascertained, the notice shall be posted on the outside front entrance of the building, or, if the premises are vacant land, then the notice shall be posted anywhere upon the vacant land.

(4) Service shall be perfected by any of the following methods:

- A. Ordinary mail;
- B. Certified mail;
- C. Personal service; and/or
- D. Posting in a conspicuous place on the premises.

(5) This notice shall be served only one time during the year. After such service it shall be mandatory for the owner, occupant, lessee, agent, tenant or person in charge of any lot or parcel of land to maintain the property or the City shall cause such weeds, grass or other similar type of vegetation to be cut during the growing season, as set forth above.

(6) The City will continue to maintain such lot or parcel of land until such time as the Director of Public Service is notified by the owner, occupant, lessee, agent, tenant or person in charge of such lot or parcel that arrangements have been made to properly landscape and maintain the lot or parcel of land.

(c) (1) Upon a finding by the Director of Public Service that the natural growth of lawns, landscaping and trees on land constitutes a blighting and deteriorating effect on the neighborhood in violation of Section 1363.08(b) of the Building Code, the Director shall cause a written notice to be served upon the owner, and, if different, upon the lessee, agent, tenant or person having charge of the land, notifying them that the violation of Section 1363.08(b) of the Building Code must be removed within 72 hours from the date of the service of notice.

(2) As used in this division, the natural growth of lawns in excess of six inches in height shall constitute a blighting or deteriorating effect on the neighborhood. If the owner or other person having charge of the land is a nonresident whose address is known, the notice shall be sent to the nonresident by certified mail. If the last known address of the owner cannot be ascertained, the notice shall be posted on the outside front entrance of the building, or, if the premises are vacant land, then the notice shall be posted anywhere upon the vacant land.

(3) Upon the completion of abatement, the Director of Public Service shall bill the property owner the price of the contractor's service and an additional ~~ten~~ fifty dollars (\$~~10~~50.00) for the City's administrative costs. The total costs shall be forwarded by the Director of Public Service to the Director of Finance who shall make a return in writing to the County Fiscal Officer of such total charge which shall be entered upon the tax duplicate of the county and be allocated on the taxes in accordance with Ohio R.C. 731.54.

(d) Whoever violates any of the provisions of this section is guilty of a misdemeanor of the ~~second~~ fourth degree. If an additional violation occurs within twenty-four (24) months of the first violation, violators are guilty of a misdemeanor of the second degree.

(Ord. 1998-14. Passed 6-22-98; Ord. 2012-33. Passed 6-25-12; Ord. 2022-20. Passed 6-27-22.)

678.02 PROCEDURE WHEN OWNER FAILS TO COMPLY WITH NOTICE.

(a) If the owner, lessee, agent or tenant having charge of the lands mentioned in Section 678.01 fails to comply with the notice required by such section, the Director of Public Service shall cause such noxious weeds to be cut and destroyed, or such litter and/or violation of Section 1363.08(b) of the Building Code, removed, and may employ the necessary labor to perform the task. All expenses incurred shall, when approved by Council, be paid.

(b) Upon the receipt of the statement of expenses incurred, Council shall make a written return to the County Auditor of the action taken under the preceding section and division (a) of this section with a statement of the charges for services, the amount paid for the labor and a proper description of the premises for the purpose of making the same a lien upon the lands to be collected as other taxes and returned to the City with the General Fund. Such remedy shall be in addition to the penalty provided for in Section 678.01(d).

(Ord. 1993-13. Passed 5-24-93.)

678.03 FAILURE TO COMPLY; REMEDY OF CITY. (REPEALED)

(EDITOR'S NOTE: Section 678.03 was repealed by Ordinance 1976-53, passed August 9, 1976. See Section 678.02.)

ORDINANCE NO. 2025 - 31

AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$3,600,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS TO PROVIDE FUNDS TO PAY COSTS OF (I) IMPROVING KINGSDALE BOULEVARD, NORTH CHURCH STREET AND OTHER STREETS IN THE CITY BETWEEN CERTAIN TERMINI BY RESURFACING AND REPLACING CONCRETE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, (II) REPLACING OR IMPROVING THE ROOF OF THE SERVICE DEPARTMENT AND OTHER PUBLIC BUILDINGS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO AND (III) ACQUIRING EQUIPMENT FOR THE FIRE DEPARTMENT, INCLUDING A LADDER TRUCK WITH RELATED EQUIPMENT AND RADIOS; AND APPROVING RELATED MATTERS; AND DECLARING AN EMERGENCY

WHEREAS, the City Council (the “Council”) of the City of Parma Heights, Ohio (the “City”) has issued notes dated June 26, 2024, in the aggregate principal amount of \$3,600,000, which will mature June 26, 2025 (the “Outstanding Notes”), in anticipation of the issuance of bonds described herein; and

WHEREAS, it appears advisable in lieu of issuing bonds at this time to issue new notes in anticipation of the issuance of bonds, and to retire a portion of, the Outstanding Notes; and

WHEREAS, the Interim Director of Finance of the City has certified to this Council that the estimated life of the improvements stated in the title of this Ordinance (the “Project”), which is to be financed with the proceeds of bonds and notes hereinafter referred to exceeds five years, the maximum maturity of bonds being 12 years and of notes is June 26, 2044 for improvements described in sections (i) and (ii) in the title above and June 26, 2039 for improvements described in section (iii) of the title above;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA HEIGHTS, OHIO, AT LEAST FIVE OF ITS MEMBERS CONCURRING, that:

Section 1. Issuance of Bonds. It is hereby declared necessary to issue bonds (the “Bonds”) of the City in the principal sum of not to exceed \$3,600,000, for the purpose of paying the cost of the Project.

Section 2. Terms of the Bonds. The Bonds shall be dated prior to the maturity date of the Notes (as defined hereinbelow), shall bear interest at the maximum average annual interest rate presently estimated to be 6.50% per annum, payable semiannually until the principal sum is paid, and shall mature in no more than 12 annual installments.

Section 3. Issuance of Bond Anticipation Notes. It is necessary to issue, and this Council hereby determines that there shall be issued, notes in anticipation of the issuance of the Bonds.

Section 4. Combining Notes for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the City to combine the Notes with other limited tax general obligations notes of the City authorized by separate ordinance of this Council. The Notes and such other notes shall be jointly referred to herein as the “Combined Notes.” As used in this Ordinance, the term “Notes” shall also mean the Combined Notes, where appropriate. The Combined Notes shall be designated “City of Parma Heights, Ohio Various Purpose Improvement Notes, Series 2025,” or as otherwise determined by the Director of Finance of the City (the “Director of Finance”).

Section 5. Terms of the Notes; Certificate of Fiscal Officer Relating to Terms of Notes. Such anticipatory notes (the “Notes”) shall be in the amount of not to exceed \$3,600,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the Director of Finance and certified to this Council and shall mature on such date as shall be determined by the Director of Finance and certified to this Council, provided that such date shall not be later than one year after the date of issuance of the Notes. The Notes shall be issued as fully registered notes in book-entry form only, in such denominations as shall be determined by the Director of Finance, but not exceeding the principal amount of Notes maturing on any one date and shall be numbered as determined by the Director of Finance. The Notes shall be issued as fully registered notes in book-entry form in denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof. Coupons shall not be attached to the Notes. The Notes shall be sold in a transaction exempt from the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission.

The Director of Finance is authorized and directed to execute a Certificate of Fiscal Officer Relating to Terms of Notes (the “Certificate of Fiscal Officer”) setting forth the final terms of the Notes, consistent with the requirements of this Ordinance, and to present the same to this Council after closing.

Section 6. General Obligation Pledge. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity and are hereby pledged for such purpose. The Notes may be issued in one or more series.

Section 7. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the “Debt Service Levy”) for each year during which any of the Notes are outstanding, in an amount not less than that which would have been levied if the Bonds had been issued without the prior issuance of the Notes, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same falls due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 8. Sale of the Notes. The Notes shall bear interest, based on a 360-day year of twelve 30-day months, payable at maturity, at such rate per annum as shall be determined by the Director of Finance and certified to this Council, provided that such rate shall not exceed 7.00% per annum. The Notes shall be, and hereby are, awarded and sold at private sale to Stifel, Nicolaus & Company, Incorporated or other purchaser or purchasers identified in the Certificate of Fiscal Officer (the “Original Purchaser”), at the purchase price set forth in the Certificate of Fiscal Officer.

The Director of Finance is authorized to execute on behalf of the Council a note purchase agreement or term sheet with the Original Purchaser, setting forth the conditions under which the Notes are to be sold and delivered, which agreement or term sheet shall be in such form, not inconsistent with the terms of this Resolution, as the Director of Finance shall determine. The Director of Finance is hereby authorized and

directed to deliver the Notes, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery. The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose.

Any accrued interest received from the sale of the Notes shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Notes, or other obligations of the City as permitted by law. Any premium received from the sale of the Notes may be used to pay the financing costs of the Notes within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

Section 9. Form and Execution of Notes; Payment of Notes. The Notes shall be executed by the Director of Finance and the Mayor, provided that any and all of such signatures may be a facsimile, electronic or digital signature shall be designated “City of Parma Heights, Ohio Capital Improvement Notes, Series 2025,” or as otherwise determined by the Director of Finance, and shall be payable as to both principal and interest at the office of Note Registrar (as defined hereinbelow). The Notes shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance.

The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar. The principal of and interest on the Notes shall be payable upon presentation and surrender of the Notes at their maturity at the office of the Note Registrar. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such other person acting as an agent of the Note Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

Section 10. Appointment of Note Registrar. The Director of Finance is authorized and directed to execute on behalf of the City a note registrar agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, note registrar, transfer agent, and paying agent (the “Note Registrar”) for the Notes. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the City maintained by the Note Registrar. If at any time the Note Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer’s discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Note Registrar hereunder. Each such successor Note Registrar shall promptly advise all noteholders of the change in identity and new address of the Note Registrar. So long as any of the Notes remain outstanding, the City shall cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the “Note Register”). Subject to the provisions of this Ordinance, the person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Notes, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Note Registrar shall not be required to transfer or exchange (i) any Note during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Notes, and ending at the close of business on the day of such mailing, or (ii) any Notes selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed, and the Note Registrar shall authenticate and deliver, the Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Council and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Council or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Notes surrendered upon that transfer or exchange.

Section 11. Book-Entry System For the purposes of this Ordinance, the following terms shall have the following meanings for purposes of this Ordinance:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Notes in fully registered form are issued only to a Depository or its nominee as registered owner, with the Notes “immobilized” to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Notes.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of notes and to effect transfers of notes, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

The Notes may initially be issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance: (i) there shall be a single Note of each maturity, (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book-entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Note service charges on Notes in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative upon presentation and surrender of Notes as provided in this Ordinance.

The Note Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Note Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, the Mayor, Director of Finance, Clerk of Council, or any other officer of this Council, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the paying agent for the Notes and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book-entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Note certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as a depository for the Notes for use in a book-entry system, the City and the Note Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Note Registrar do not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

Section 12. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Notes and the Bonds in each year until full payment is made.

Section 13. Federal Tax Law Compliance. The Director of Finance may determine to issue all or any series or portion of the Notes as obligations that the interest thereon is excluded from the noteholders' gross income for federal income tax purposes, and the following provisions of this Section shall apply to such Notes (or series or portions thereof):

The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Notes so that the Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The Director of Finance, or any other officer of the City, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf

of the City with respect to the Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer of the City, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Notes which limits the amount of Note proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance of the City is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Notes requires any such reports or rebates.

Section 14. Ohio Market Access Program. If determined necessary by the Director of Finance of the City, the City is hereby by authorized to participate in the Ohio Market Access Program (“OMAP”) with the respect to the Notes. The Standby Note Purchase Agreement for OMAP is hereby authorized in the form presented to this Council with such changes not materially adverse to the City as may be approved by the officers of the City executing that Standby Note Purchase Agreement. The City acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the City is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the City, the Treasurer of State agrees (a) to purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (b) to purchase renewal notes of the City in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at a rate of the lower of the maximum interest rate provided by law or the 1-year MMD (Municipal Market Data) Index for “AAA”-rated obligations plus 400 basis points (or such other rate methodology in effect as part of the Program), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days’ notice, provided that in connection with the Treasurer of State’s purchase of such renewal notes the City shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the City, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes within the ten-mill limitation imposed by law on all property subject to ad valorem taxes levied by the City, and (ii) interest on the renewal notes is excluded from gross income for federal income tax purposes under Section 103 of the Code to the same extent that interest on the Notes is so excluded.

Such officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for such Standby Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of such Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

Section 15. Appointment of Bond Counsel. The Council approves the appointment of Bricker Graydon LLP to serve as bond counsel for the Notes. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Notes.

Section 16. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of Council and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein. Except for the procedure for authenticating the Notes set forth herein, documents (including this Ordinance) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Notes, for the purposes of this Ordinance, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The Director of Finance is hereby authorized and directed to take such action and to execute and deliver, on behalf of this Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as they or their discretion shall deem necessary or appropriate.

Section 17. Satisfaction of Conditions for Note Issuance. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

Section 18. Compliance with Open Meeting Requirements. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken 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 19. Filing of Note Ordinance. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 20. Emergency Measure. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Parma Heights, Ohio; to provide for the usual daily operations of municipal department, and the further reason this Ordinance is required to be immediately effective in order to issue and sell the Notes for the reason that notes heretofore issued are about to mature and it is necessary to make immediate provision for their repayment in order to preserve the credit of the City; wherefore this Ordinance shall take effect and be in force upon receiving the affirmative vote five members of the City Council and signature of the Mayor, otherwise it shall take effect and be in force after the earliest period allowed.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the
City of Parma Heights,
Ohio

The undersigned Director of Finance of the City of Parma Heights, Ohio as the fiscal officer of said City, hereby certifies as follows:

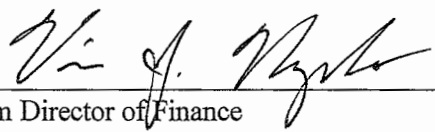
1. The estimated life of the improvements described as follows (the "Improvements") exceeds five years:

To pay costs of (i) improving Kingsdale Boulevard, North Church Street and other streets in the City between certain termini by resurfacing and replacing concrete, together with all necessary appurtenances thereto, (ii) replacing or improving the roof of the service department and other public buildings, together with all necessary appurtenances thereto and (iii) acquiring equipment for the fire department, including a ladder truck with related equipment and radios

2. The weighted average of said maturities is 12 years, therefore the maximum maturity of the bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 12 years, provided that if notes are issued in anticipation of the issuance of such bonds, the maximum maturity of such notes is as follows:

- The maximum maturity of notes issued with respect to sections (i) and (ii) above is June 26, 2044, and
- The maximum maturity of notes issued with respect to section (iii) above is June 26, 2039.

Dated: May 12, 2025



Interim Director of Finance
City of Parma Heights, Ohio

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. _____ duly passed by the Council of the City of Parma Heights, Ohio on _____, 2025 and that a true copy thereof was certified to the County Fiscal Officer of Cuyahoga County, Ohio.

Clerk of Council
City of Parma Heights, Ohio

**RECEIPT OF COUNTY FISCAL OFFICER FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES**

I, Michael W. Chambers, the duly elected, qualified, and acting County Fiscal Officer in and for Cuyahoga County, Ohio hereby certify that a certified copy of the Ordinance duly passed by the City Council of the City of Parma Heights, Ohio on _____, 2025, providing for the issuance of general obligation notes designated City of Parma Heights, Ohio Capital Improvement Notes, Series 2025, or as otherwise determined by the Director of Finance, in the amount of not to exceed \$3,600,000 was filed in this office on _____, 2025.

County Fiscal Officer
Cuyahoga County, Ohio

ORDINANCE NO. 2025 - 32

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,400,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF IMPROVING BERKSHIRE ROAD, COLEBROOK DRIVE, DELLROSE DRIVE, ELSETTA AVENUE, GLENDORA LANE, MALLO PLACE, ROXBURY ROAD, SHERBORN ROAD, STONEHAM ROAD, WESTBOROUGH ROAD, AND WICKFIELD DRIVE AND OTHER STREETS IN THE CITY BETWEEN CERTAIN TERMINI BY RESURFACING AND REPLACING THE ASPHALT AND CONCRETE, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO; APPROVING RELATED MATTERS IN CONNECTION WITH ISSUANCE OF THE FINANCIAL INSTRUMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Interim Director of Finance of the City has certified to this Council that the estimated life of the improvement stated in the title of this ordinance (the “Project”), which is to be financed with the proceeds of bonds and notes hereinafter referred to exceeds five years, the maximum maturity of bonds being 15 years and notes being 20 years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA HEIGHTS, OHIO, AT LEAST FIVE OF ITS MEMBERS CONCURRING, that:

Section 1. Issuance of Bonds. It is hereby declared necessary to issue bonds (the “Bonds”) of the City in the principal sum of not to exceed \$1,400,000, for the purpose of paying the cost of the Project.

Section 2. Terms of the Bonds. The Bonds shall be dated prior to the maturity date of the Notes (as defined herein below), shall bear interest at the maximum average annual interest rate presently estimated to be 6.50% per annum, payable semiannually until the principal sum is paid, and shall mature in no more than 15 annual installments.

Section 3. Issuance of Bond Anticipation Notes. It is necessary to issue, and this Council hereby determines that there shall be issued, notes in anticipation of the issuance of the Bonds.

Section 4. Combining Notes for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the City to combine the Notes with other limited tax general obligations notes of the City authorized by separate ordinance of this Council. The Notes and such other notes shall be jointly referred to herein as the “Combined Notes.” As used in this Ordinance, the term “Notes” shall also mean the Combined Notes, where appropriate. The Combined Notes shall be designated “City of Parma Heights, Ohio Various Purpose Improvement Notes, Series 2025,” or as otherwise determined by the Director of Finance of the City (the “Director of Finance”).

Section 5. Terms of the Notes; Certificate of Fiscal Officer Relating to Terms of Notes. Such anticipatory notes (the “Notes”) shall be in the amount of not to exceed \$1,400,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the Director of Finance and certified to this Council and shall mature on such date as shall be determined by the Director of Finance and

certified to this Council, provided that such date shall not be later than one year after the date of issuance of the Notes. The Notes shall be issued as fully registered notes in book-entry form only, in such denominations as shall be determined by the Director of Finance, but not exceeding the principal amount of the Notes maturing on any one date and shall be numbered as determined by the Director of Finance. The Notes shall be issued as fully registered notes in book-entry form in denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof. Coupons shall not be attached to the Notes. The Notes shall be sold in a transaction exempt from the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission.

The Director of Finance is authorized and directed to execute a Certificate of Fiscal Officer Relating to Terms of Notes (the "Certificate of Fiscal Officer") setting forth the final terms of the Notes, consistent with the requirements of this Ordinance, and to present the same to this Council after closing.

Section 6. General Obligation Pledge. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity and are hereby pledged for such purpose. The Notes may be issued in one or more series.

Section 7. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount not less than that which would have been levied if the Bonds had been issued without the prior issuance of the Notes, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same falls due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payments of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 8. Sale of the Notes. The Notes shall bear interest, based on a 360-day year of twelve 30-day months, payable at maturity, at such rate per annum as shall be determined by the Director of Finance and certified to this Council, provided that such rate shall not exceed 7.00% per annum. The Notes shall be, and hereby are, awarded and sold at private sale to Stifel, Nicolaus & Company, Incorporated, or such other purchaser designated in the Certificate of Fiscal Officer (the "Original Purchaser"), at the purchase price set forth in the Certificate of Fiscal Officer.

The Director of Finance is authorized to execute on behalf of the Council a note purchase agreement or term sheet with the Original Purchaser, setting forth the conditions under which the Notes are to be sold and delivered, which agreement or term sheet shall be in such form, not inconsistent with the terms of this Resolution, as the Director of Finance shall determine. The Director of Finance is hereby authorized and directed to deliver the Notes, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery. The proceeds of such sale, except any accrued interest

or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose.

Any accrued interest received from the sale of the Notes shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Notes, or other obligations of the City, as permitted by law. Any premium received from the sale of the Notes may be used to pay the financing costs of the Notes within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

Section 9. Form and Execution of Notes; Payment of Notes. The Notes shall be executed by the Director of Finance and the Mayor, provided that any and all of such signatures may be a facsimile, electronic or digital signature, shall be designated “City of Parma Heights, Ohio Roadway Improvement Notes, Series 2025,” or as otherwise determined by the Director of Finance, and shall be payable as to both principal and interest at the office of Note Registrar (as defined hereinbelow). The Notes shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance.

The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar. The principal of and interest on the Notes shall be payable upon presentation and surrender of the Notes at their maturity at the office of the Note Registrar. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such other person acting as an agent of the Note Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

Section 10. Appointment of Note Registrar. The Director of Finance is authorized and directed to execute on behalf of the City a Note Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, note registrar, transfer agent, and paying agent (the “Note Registrar”) for the Notes. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the City maintained by the Note Registrar. If at any time the Note Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer’s discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Note Registrar hereunder. Each such successor Note Registrar shall promptly advise all noteholders of the change in identity and new address of the Note Registrar. So long as any of the Notes remain outstanding, the City shall cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the “Note Register”). Subject to the provisions of this Ordinance, the person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Notes, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Note Registrar shall not be required to transfer or exchange (i) any Note during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Notes, and ending at the close of business on the day of such mailing, or (ii) any Notes selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed, and the Note Registrar shall authenticate and deliver, the Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Council and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Council or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Notes surrendered upon that transfer or exchange.

Section 11. Book-entry System. For purposes of this Ordinance, the following terms shall have the following meanings for the purposes of this Ordinance:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book-entry and (ii) physical Notes in fully registered form are issued only to a Depository or its nominee as registered owner, with the Notes “immobilized” to the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Notes.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of notes and to effect transfers of notes, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

The Notes may initially be issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance: (i) there shall be a single Note of each maturity, (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without

further action by the City. Note service charges on Notes in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative upon presentation and surrender of Notes as provided in this Ordinance.

The Note Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Note Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, any of the Mayor, Director of Finance, Clerk of Council and any other officer of this Council, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the paying agent for the Notes and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book- entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Note certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as a depository for the Notes for use in a book-entry system, the City and the Note Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Note Registrar do not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

Section 12. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Notes and Bonds in each year until full payment is made.

Section 13. Federal Tax Law Compliance. The Director of Finance may determine to issue all or any series or portion of the Notes as obligations that the interest thereon is excluded from the noteholders' gross income for federal income tax purposes, and the following provisions of this Section shall apply to such Notes (or series or portions thereof):

The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Notes so that the Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any,

as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

Each of the Director of Finance, and any other officer of the City, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer of the City, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Notes which limits the amount of Note proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance of the City is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Notes requires any such reports or rebates.

Section 14. Ohio Market Access Program. If determined necessary by the Director of Finance of the City, the City is hereby by authorized to participate in the Ohio Market Access Program ("OMAP") with the respect to the Notes. The Standby Note Purchase Agreement for OMAP is hereby authorized in the form presented to this Council with such changes not materially adverse to the City as may be approved by the officers of the City executing that Standby Note Purchase Agreement. The City acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the City is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the City, the Treasurer of State agrees (a) to purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (b) to purchase renewal notes of the City in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at a rate of the lower of the maximum interest rate provided by law or the 1-year MMD (Municipal Market Data) Index for "AAA"-rated obligations plus 400 basis points (or such other rate methodology in effect as part of the Program), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days' notice, provided that in connection with the Treasurer of State's purchase of such renewal notes the City shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the City, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes within the ten-mill limitation imposed by law on all property subject to ad valorem taxes levied by the City, and (ii) interest on the renewal notes is excluded from gross income for federal

income tax purposes under Section 103 of the Code to the same extent that interest on the Notes is so excluded.

Such officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for such Standby Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of such Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

Section 15. Appointment of Bond Counsel. The Director of Finance, on behalf of this Council, is hereby authorized to appoint the law firm of Bricker Graydon LLP to serve as bond counsel for the Notes. The fees to be paid to such firm shall be subject to review and approval of the Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Notes.

Section 16. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of Council and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein. Except for the procedure for authenticating the Notes set forth herein, documents (including this Ordinance) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Notes, for the purposes of this Ordinance, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The Director of Finance is hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as the Director of Finance in their discretion shall deem necessary or appropriate.

Section 17. Satisfaction of Conditions for Note Issuance. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

Section 18. Compliance with Open Meeting Requirements. The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in formal action were taken in meetings open to the public, in full compliance with the law.

Section 19. Filing of Note Ordinance. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 20. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Parma Heights, Ohio; and to provide for the usual daily operations of municipal departments, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes to enable the City to combine the Notes with other notes to be issued by the City into a consolidated note issue and obtain savings in the issuance of the Notes; wherefore this Ordinance shall take effect and be in force upon receiving the affirmative vote of five members of the City Council and signature of the Mayor, otherwise it shall take effect and be in force after the earliest period allowed.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the City of Parma
Heights, Ohio

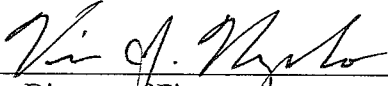
The undersigned Director of Finance of the City of Parma Heights, Ohio as the fiscal officer of said City, hereby certifies as follows:

1. The estimated life of the improvements described as follows (the "Improvements") exceeds five years:

Improving Berkshire Road, Colebrook Drive, Dellrose Drive, Elsetta Avenue, Glendora Lane, Lotusdale Drive, Mallo Place, Roxbury Road, Sherborn Road, Stoneham Road, Westborough Road, Wickfield Drive and other streets in the City between certain termini by resurfacing and replacing the asphalt and concrete, together with all necessary appurtenances thereto

2. The maximum maturity of bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 15 years, provided that if notes are issued in anticipation of the issuance of such bonds, the maximum maturity of such notes is 20 years.

Dated: May 12, 2025



Interim Director of Finance
City of Parma Heights, Ohio

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. _____ duly passed by the Council of the City of Parma Heights, Ohio on _____, 2025 and that a true copy thereof was certified to the County Fiscal Officer of Cuyahoga County, Ohio.

Clerk of Council
City of Parma Heights, Ohio

**RECEIPT OF COUNTY FISCAL OFFICER FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES**

I, Michael W. Chambers, the duly elected, qualified, and acting County Fiscal Officer in and for Cuyahoga County, Ohio hereby certify that a certified copy of the ordinance duly adopted by the City Council of the City of Parma Heights, Ohio on _____, 2025 providing for the issuance of general obligation notes designated City of Parma Heights, Ohio Roadway Improvement Notes, Series 2025, or as otherwise determined by the Director of Finance, in the amount of not to exceed \$1,400,000 was filed in this office on _____, 2025.

County Fiscal Officer
Cuyahoga County, Ohio

ORDINANCE NO. 2025 - 33

**AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF NOTES
IN THE AMOUNT OF NOT TO EXCEED \$600,000
IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR
THE PURPOSE OF PAYING THE COSTS OF ACQUIRING
VEHICLES FOR THE PUBLIC SERVICE DEPARTMENT;
APPROVING RELATED MATTERS IN CONNECTION WITH
ISSUANCE OF THE FINANCIAL INSTRUMENTS; AND
DECLARING AN EMERGENCY**

WHEREAS, the Interim Director of Finance of the City has certified to this Council that the estimated life of the improvement stated in the title of this ordinance (the “Project”), which is to be financed with the proceeds of bonds and notes hereinafter referred to exceeds five years, the maximum maturity of bonds being 10 years and notes being 15 years.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA HEIGHTS, OHIO, AT LEAST FIVE OF ITS MEMBERS CONCURRING, that:

Section 1. Issuance of Bonds. It is hereby declared necessary to issue bonds (the “Bonds”) of the City in the principal sum of not to exceed \$600,000, for the purpose of paying the cost of the Project.

Section 2. Terms of the Bonds. The Bonds shall be dated prior to the maturity date of the Notes (as defined herein below), shall bear interest at the maximum average annual interest rate presently estimated to be 6.50% per annum, payable semiannually until the principal sum is paid, and shall mature in no more than 10 annual installments.

Section 3. Issuance of Bond Anticipation Notes. It is necessary to issue, and this Council hereby determines that there shall be issued, notes in anticipation of the issuance of the Bonds.

Section 4. Combining Notes for Purposes of Issuance and Sale. It is hereby determined, that for the purposes of issuance and sale, it may be in the best interest of the City to combine the Notes with other limited tax general obligations notes of the City authorized by separate ordinance of this Council. The Notes and such other notes shall be jointly referred to herein as the “Combined Notes.” As used in this Ordinance, the term “Notes” shall also mean the Combined Notes, where appropriate. The Combined Notes shall be designated “City of Parma Heights, Ohio Various Purpose Improvement Notes, Series 2025,” or as otherwise determined by the Director of Finance of the City (the “Director of Finance”).

Section 5. Terms of the Notes; Certificate of Fiscal Officer Relating to Terms of Notes. Such anticipatory notes (the “Notes”) shall be in the amount of not to exceed \$600,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the Director of Finance and certified to this Council and shall mature on such date as shall be determined by the Director of Finance and certified to this Council, provided that such date shall not be later than one year after the date of issuance of the Notes. The Notes shall be issued as fully registered notes in book-entry form only, in such denominations as shall be determined by the Director of Finance, but not exceeding the principal amount of the Notes maturing on any one date and shall be numbered as determined by the Director of Finance. The Notes shall be issued as fully registered notes in book-entry form in denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof. Coupons shall not be attached to the Notes. The Notes shall be sold in a transaction exempt from the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission.

The Director of Finance is authorized and directed to execute a Certificate of Fiscal Officer Relating to Terms of Notes (the “Certificate of Fiscal Officer”) setting forth the final terms of the Notes, consistent with the requirements of this Ordinance, and to present the same to this Council after closing.

Section 6. General Obligation Pledge. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity and are hereby pledged for such purpose. The Notes may be issued in one or more series.

Section 7. Debt Service Levy. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the “Debt Service Levy”) for each year during which any of the Notes are outstanding, in an amount not less than that which would have been levied if the Bonds had been issued without the prior issuance of the Notes, for the purpose of providing, and in an amount which is sufficient to provide, funds to pay interest upon the Notes as and when the same falls due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payments of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same falls due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 8. Sale of the Notes. The Notes shall bear interest, based on a 360-day year of twelve 30-day months, payable at maturity, at such rate per annum as shall be determined by the Director of Finance and certified to this Council, provided that such rate shall not exceed 7.00% per annum. The Notes shall be, and hereby are, awarded and sold at private sale to Stifel, Nicolaus & Company, Incorporated or such other purchaser designated in the Certificate of Fiscal Officer (the “Original Purchaser”), at the purchase price set forth in the Certificate of Fiscal Officer.

The Director of Finance is authorized to execute on behalf of the Council a note purchase agreement or term sheet with the Original Purchaser, setting forth the conditions under which the Notes are to be sold and delivered, which agreement or term sheet shall be in such form, not inconsistent with the terms of this Resolution, as the Director of Finance shall determine. The Director of Finance is hereby authorized and directed to deliver the Notes, when executed, to the Original Purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery. The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose.

Any accrued interest received from the sale of the Notes shall be transferred to the bond retirement fund to be applied to the payment of the principal of and interest on the Notes, or other obligations of the City, as permitted by law. Any premium received from the sale of the Notes may be used to pay the financing costs of the Notes within the meaning of Ohio Revised Code Section 133.01(K) or be deposited into the bond retirement fund in the manner provided by law.

Section 9. Form and Execution of Notes; Payment of Notes. The Notes shall be executed by the Director of Finance and the Mayor, provided that any and all of such signatures may be a facsimile, electronic or digital signature, shall be designated “City of Parma Heights, Ohio Equipment Acquisition Notes, Series 2025,” or as otherwise determined by the Director of Finance, and shall be payable as to both principal and interest at the office of Note Registrar (as defined hereinbelow). The Notes shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this Ordinance.

The principal of and interest on the Notes shall be payable in lawful money of the United States of America without deduction for the services of the Note Registrar. The principal of and interest on the Notes shall be payable upon presentation and surrender of the Notes at their maturity at the office of the Note Registrar. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this Ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this Ordinance and is entitled to the security and benefit of this Ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such other person acting as an agent of the Note Registrar as shall be approved by the Director of Finance on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

Section 10. Appointment of Note Registrar. The Director of Finance is authorized and directed to execute on behalf of the City a Note Registrar Agreement with such bank or other appropriate financial institution as shall be acceptable to the Director of Finance and the Original Purchaser, pursuant to which such bank or financial institution shall agree to serve as authenticating agent, note registrar, transfer agent, and paying agent (the “Note Registrar”) for the Notes. Interest shall be payable at maturity by check or draft mailed to the Registered Owner hereof, as shown on the registration books of the City maintained by the Note Registrar. If at any time the Note Registrar shall be unable or unwilling to serve as such, or the Director of Finance in such officer’s discretion shall determine that it would be in the best interest of the City for such functions to be performed by another party, the Director of Finance may, and is hereby authorized and directed to, enter into an agreement with a national banking association or other appropriate institution experienced in providing such services, to perform the services required of the Note Registrar hereunder. Each such successor Note Registrar shall promptly advise all noteholders of the change in identity and new address of the Note Registrar. So long as any of the Notes remain outstanding, the City shall cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the “Note Register”). Subject to the provisions of this Ordinance, the person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Notes, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of the same form and of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes

surrendered, and bearing interest at the same rate and maturing on the same date.

The City and the Note Registrar shall not be required to transfer or exchange (i) any Note during a period beginning at the opening of business 15 days before the day of mailing of a notice of redemption of Notes, and ending at the close of business on the day of such mailing, or (ii) any Notes selected for redemption, in whole or in part, following the date of such mailing.

In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed, and the Note Registrar shall authenticate and deliver, the Notes in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the owner; except that the Council and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The Council or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under this Ordinance, as the Notes surrendered upon that transfer or exchange.

Section 11. Book-Entry System. For purposes of this Ordinance, the following terms shall have the following meanings for the purposes of this Ordinance:

“Book-entry form” or “book-entry system” means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book-entry and (ii) physical Notes in fully registered form are issued only to a Depository or its nominee as registered owner, with the Notes “immobilized” to the custody of the Depository, and the book-entry is the record that identifies the owners of beneficial interests in those Notes.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book-entry system to record beneficial ownership of notes and to effect transfers of notes, in book-entry form, and includes The Depository Trust Company (a limited purpose trust company), New York, New York.

The Notes may initially be issued to a Depository for use in a book-entry system, and the provisions of this Section shall apply, notwithstanding any other provision of this Ordinance: (i) there shall be a single Note of each maturity, (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book-entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book-entry form shall be shown by book-entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book-entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Note service charges on Notes in book-entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative upon presentation and surrender of Notes as provided in this Ordinance.

The Note Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in this Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Note Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note

Registrar will furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, this Ordinance.

If requested, any of the Mayor, Director of Finance, Clerk of Council and any other officer of this Council, is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, the letter agreement among the City, the paying agent for the Notes and The Depository Trust Company, as depository, to be delivered in connection with the issuance of the Notes to the Depository for use in a book- entry system.

The City may decide to discontinue use of the book-entry system through the Depository. In that event, Note certificates will be printed and delivered to the Depository.

If any Depository determines not to continue to act as a depository for the Notes for use in a book-entry system, the City and the Note Registrar may attempt to establish a securities depository/book-entry relationship with another qualified Depository under this Ordinance. If the City and the Note Registrar do not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing and delivering definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

Section 12. Income Tax Pledge. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges on the Notes and Bonds in each year until full payment is made.

Section 13. Federal Tax Law Compliance. The Director of Finance may determine to issue all or any series or portion of the Notes as obligations that the interest thereon is excluded from the noteholders' gross income for federal income tax purposes, and the following provisions of this Section shall apply to such Notes (or series or portions thereof):

The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Notes so that the Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

Each of the Director of Finance, and any other officer of the City, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the Director of Finance, which action shall be in writing and signed by the Director of Finance, or any other officer of the City, including the Mayor,

on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The Director of Finance shall keep and maintain adequate records pertaining to investment of all proceeds of the Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Notes which limits the amount of Note proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The Director of Finance of the City is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Notes requires any such reports or rebates.

Section 14. Ohio Market Access Program. If determined necessary by the Director of Finance of the City, the City is hereby by authorized to participate in the Ohio Market Access Program (“OMAP”) with the respect to the Notes. The Standby Note Purchase Agreement for OMAP is hereby authorized in the form presented to this Council with such changes not materially adverse to the City as may be approved by the officers of the City executing that Standby Note Purchase Agreement. The City acknowledges the agreement of the Treasurer of State in the Standby Note Purchase Agreement that, in the event the City is unable to repay the principal amount and accrued and unpaid interest of the Notes at their maturity, whether through its own funds or through the issuance of other obligations of the City, the Treasurer of State agrees (a) to purchase the Notes from the holders or beneficial owners thereof upon their presentation to the Treasurer of State for such purchase at a price of par plus accrued interest to maturity or (b) to purchase renewal notes of the City in a principal amount not greater than the principal amount of the Notes plus interest due at maturity, with such renewal notes bearing interest at a rate of the lower of the maximum interest rate provided by law or the 1-year MMD (Municipal Market Data) Index for “AAA”-rated obligations plus 400 basis points (or such other rate methodology in effect as part of the Program), maturing not more than one year after the date of their issuance, and being prepayable at any time with 30 days’ notice, provided that in connection with the Treasurer of State’s purchase of such renewal notes the City shall deliver to the Treasurer of State an unqualified opinion of nationally recognized bond counsel that (i) such renewal notes are the legal, valid and binding general obligations of the City, and the principal of and interest on such renewal notes, unless paid from other sources, are to be paid from the proceeds of the levy of ad valorem taxes within the ten-mill limitation imposed by law on all property subject to ad valorem taxes levied by the City, and (ii) interest on the renewal notes is excluded from gross income for federal income tax purposes under Section 103 of the Code to the same extent that interest on the Notes is so excluded.

Such officers signing the Notes are authorized to take all actions that may in their judgment reasonably be necessary to provide for such Standby Note Purchase Agreement, including but not limited to the inclusion of a notation on the form of the Notes providing notice to the holders or beneficial owners of the existence of such Standby Note Purchase Agreement and providing instructions to such holders or beneficial owners regarding the presentation of the Note for purchase by the Treasurer of State at stated maturity.

Section 15. Appointment of Bond Counsel. The Director of Finance, on behalf of this Council, is hereby authorized to appoint the law firm of Bricker Graydon LLP to serve as bond counsel for the Notes. The fees to be paid to such firm shall be subject to review and approval of the

Director of Finance, shall not exceed the fees customarily charged for such services, and shall be paid upon closing of the financing from proceeds of the Notes.

Section 16. Transcript of Proceedings; Execution of Additional Documents. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the Clerk of Council and a no-litigation certificate of the Mayor and the Director of Finance, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein. Except for the procedure for authenticating the Notes set forth herein, documents (including this Ordinance) executed, scanned and transmitted electronically and electronic and digital signatures shall be deemed original signatures for said transcript of the Notes, for the purposes of this Ordinance, and for all matters related thereto, with any such scanned, electronic, and digital signatures having the same legal effect as original signatures.

The Director of Finance is hereby authorized and directed to take such action and to execute and deliver, on behalf of the Council, such additional instruments, agreements, certificates, and other documents as may be in their discretion necessary or appropriate in order to carry out the intent of this Ordinance. Such documents shall be in the form not substantially inconsistent with the terms of this Ordinance, as the Director of Finance in their discretion shall deem necessary or appropriate.

Section 17. Satisfaction of Conditions for Note Issuance. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

Section 18. Compliance with Open Meeting Requirements. The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in formal action were taken in meetings open to the public, in full compliance with the law.

Section 19. Filing of Note Ordinance. The Clerk of Council is hereby directed to forward a certified copy of this Ordinance to the County Fiscal Officer of Cuyahoga County, Ohio.

Section 20. Effective Date. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Parma Heights, Ohio; and to provide for the usual daily operations of municipal departments, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes to enable the City to combine the Notes with other notes to be issued by the City into a consolidated note issue and obtain savings in the issuance of the Notes; wherefore this Ordinance shall take effect and be in force upon receiving the affirmative vote of five members of the City Council and signature of the Mayor, otherwise it shall take effect and be in force after the earliest period allowed.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

CERTIFICATE OF ESTIMATED LIFE AND MAXIMUM MATURITY

To: The City Council of the City of Parma
Heights, Ohio

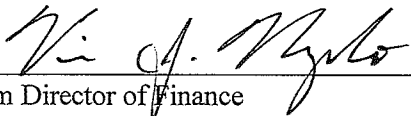
The undersigned Director of Finance of the City of Parma Heights, Ohio as the fiscal officer of said City, hereby certifies as follows:

1. The estimated life of the improvements described as follows (the "Improvements") exceeds five years:

Acquiring vehicles for the Public Service Department

2. The maximum maturity of bonds proposed to be issued to pay the cost of the Improvements, calculated in accordance with Section 133.20, Ohio Revised Code, is 10 years, provided that if notes are issued in anticipation of the issuance of such bonds, the maximum maturity of such notes is 15 years.

Dated: May 12, 2025



Interim Director of Finance
City of Parma Heights, Ohio

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of Ordinance No. _____ duly passed by the Council of the City of Parma Heights, Ohio on _____, 2025 and that a true copy thereof was certified to the County Fiscal Officer of Cuyahoga County, Ohio.

Clerk of Council
City of Parma Heights, Ohio

**RECEIPT OF COUNTY FISCAL OFFICER FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES**

I, Michael W. Chambers, the duly elected, qualified, and acting County Fiscal Officer in and for Cuyahoga County, Ohio hereby certify that a certified copy of the ordinance duly adopted by the City Council of the City of Parma Heights, Ohio on _____, 2025 providing for the issuance of general obligation notes designated City of Parma Heights, Ohio Equipment Acquisition Notes, Series 2025, or as otherwise determined by the Director of Finance, in the amount of not to exceed \$600,000 was filed in this office on _____, 2025.

County Fiscal Officer
Cuyahoga County, Ohio

RESOLUTION NO. 2025 - 34

A RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATION TO ENTER INTO A WORK ORDER AGREEMENT WITH THE BREWER GARRETT COMPANY, THROUGH SOURCEWELL, AND AUTHORIZING AND DIRECTING AN EXPENDITURE FOR THE PURCHASE AND INSTALLATION OF A HOT WATER BOILER FOR THE PARMA HEIGHTS FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

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, the work order agreement and accompanying documentation for the purchase and installation of a hot water boiler from The Brewer Garrett Company dated April 11, 2025, listed as Exhibit “A”, attached hereto, and made a part hereof as though fully rewritten, was obtained through the National Joint Power Alliance [now known as Sourcewell]; and

WHEREAS, Council may authorize the Agreement through the City’s membership in the National Joint Power Alliance [now known as Sourcewell], a purchasing cooperative, pursuant to Article V Sections 1 and 6 of the Charter, and Ohio Revised Code Section 9.48 without a competitive bidding process.

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 hereby authorized and directed to enter into a work order agreement with The Brewer Garrett Company, and to expend funds in the amount of \$92,260.98, in the form identified as Exhibit “A” attached hereto, and made a part hereof as though fully rewritten, for the purchase and installation of a hot water boiler for the Parma Heights Fire Department.

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 it is necessary to replace the hot water boiler at the Fire Department as soon as possible to avoid any disruption in public service; wherefore, this Resolution 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



Work Order Signature Document

EZIQC Contract No.: OH-R2-HVAC-071124

New Work Order

Modify an Existing Work Order

Work Order Number: 141040.00

Work Order Date: 04/11/2025

Work Order Title: Parma Heights Fire Station Boiler Replacement

Owner Name: OHIO - City of Parma Heights -

Contractor Name: The Brewer Garrett Company

Contact: Pete DiFranco

Contact: Tadhg O'Crowley

Phone: 216.377.3813

Phone:

Work to be Performed

Work to be performed as per the Final Detailed Scope of Work Attached and as per the terms and conditions of EZIQC Contract No OH-R2-HVAC-071124.

Brief Work Order Description:

Replace boiler at fire station. Options for in-kind replacement or two stage model were discussed and to be discussed ahead of proposal building.

Time of Performance

Liquidated Damages

Will apply:

Will not apply:

Work Order Firm Fixed Price: \$92,260.98

Owner Purchase Order Number:

Approvals

Owner

Date

Contractor

Date

Detailed Scope of Work

To: Tadhg O’Crowley
 Brewer Garrett
 No Data Input
 No Data Input,
 No Data Input

From: Pete DiFranco
 OHIO - City of Parma Heights
 6281 Pearl Road
 Parma Heights, OH 44130
 216.377.3813

Date Printed: April 11, 2025

Work Order Number: 141040.00

Work Order Title: Parma Heights Fire Station Boiler Replacement

Brief Scope: Replace boiler at fire station. Options for in-kind replacement or two stage model were discussed and to be discussed ahead of proposal building.

Preliminary

Revised

Final

The following items detail the scope of work as discussed at the site. All requirements necessary to accomplish the items set forth below shall be considered part of this scope of work.

Brewer-Garrett will install a single replacement boiler at the Parma Heights Police Station to replace the existing heating hot water boiler. The new boiler will match the existing boiler output as closely as possible. Existing boiler will be demolished completely. The heating hot water, gas, relief, vent and drain piping will be demolished back to valve or first elbow, whichever is adequate for installation of new boiler. The flue piping will also be demolished back to first elbow.

New boiler to match existing will be installed on existing equipment pad. New heating hot water piping, flue, relief, gas train, and vent will be connected to the new boiler from the existing system. All heating hot water piping will be insulated with standard fiberglass insulation. Electrical power will be disconnected and reworked to match the footprint of the new boiler. The new boiler will operate with local controls that will enable the boiler and include the required temperature sensors and pump enabling. After the project is complete Brewer-Garrett will provide startup of the new boiler and project O&M documents.

Included:

- New flue
- Local temperature controls
- Insulation
- Water balancing
- Electrical power
- New HHW Boiler to match existing
- Pipefitting
- Startup
- 1-year parts and labor warranty
- Project management
- Bond
- Dumpsters
- 1st Shift M-F 7:30-3:30

Detailed Scope of Work Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Excluded:

Permits

Stamped engineered drawings

General trades (preliminary review did not seem to require any)

New equipment pad

Taxes

Temporary bathroom facilities

Fire alarm

MBE/FBE or minority/local participation

Hazardous material testing or abatement

Chemical treatment

Roofing

Structural

Contractor

Date

Owner

Date

Contractor's Price Proposal - Summary

Date: April 11, 2025

Re: IQC Master Contract #: OH-R2-HVAC-071124
Work Order #: 141040.00
Owner PO #:
Title: Parma Heights Fire Station Boiler Replacement
Contractor: The Brewer Garrett Company
Proposal Value: \$92,260.98

.01 Bond	\$1,096.50
Control	\$6,883.77
Electrical	\$2,347.60
Electrical Design Services	\$4,476.86
Equipment	\$32,645.15
Insulation	\$846.90
Material Hauling	\$4,351.47
Mechanical Design Services	\$5,125.07
Pipefitting	\$27,194.52
Sheet Metal	\$5,936.81
Water Balance	\$1,356.33
Proposal Total	\$92,260.98

The Percentage of NPP on this Proposal: %

Contractor's Price Proposal - Detail

Date: April 11, 2025
Re: IQC Master Contract #: OH-R2-HVAC-071124
 Work Order #: 141040.00
 Owner PO #:
 Title: Parma Heights Fire Station Boiler Replacement
 Contractor: The Brewer Garrett Company
 Proposal Value: \$92,260.98

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		
.01 Bond					
1	01 22 16 00 0002		EA	Reimbursable Fees Reimbursable Fees will be paid to the contractor for eligible costs as directed by Owner. Insert the appropriate quantity to adjust the base cost to the actual Reimbursable Fee. If there are multiple Reimbursable Fees, list each one separately and add a comment in the "note" block to identify the Reimbursable Fee (e.g. sidewalk closure, road cut, various permits, extended warranty, expedited shipping costs, etc.). A copy of each receipt, invoice, or proof of payment shall be submitted with the Price Proposal.	\$1,096.50
			Installation	Quantity 905.00 x Unit Price 1.00 x Factor 1.2116 = Total 1,096.50	
			Bond		
Subtotal for .01 Bond					\$1,096.50

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		
Control					
2	23 09 23 27 0011		EA	10K Ohm Thermistor Outdoor Air Temperature Sensor (Kele ST-O24)	\$286.07
			Installation	Quantity 1.00 x Unit Price 236.11 x Factor 1.2116 = Total 286.07	
			Local control setup		
3	23 09 23 27 0017		EA	5" Immersion 20K Ohm Water Temp Sensor (Honeywell C7041D2001)	\$307.04
			Installation	Quantity 2.00 x Unit Price 126.71 x Factor 1.2116 = Total 307.04	
			Local control setup		
4	23 09 23 53 0035		HR	EMCS Site Inspection Of Existing Facilities	\$468.28
			Installation	Quantity 2.00 x Unit Price 193.25 x Factor 1.2116 = Total 468.28	
			Local control setup		
5	23 09 23 53 0036		HR	EMCS Engineering Project Management	\$936.57
			Installation	Quantity 4.00 x Unit Price 193.25 x Factor 1.2116 = Total 936.57	
			Local control setup		
6	23 09 23 53 0037		HR	EMCS System Engineering, Schematic Design And Layout	\$496.66
			Installation	Quantity 2.00 x Unit Price 204.96 x Factor 1.2116 = Total 496.66	
			Local control setup		
7	23 09 23 53 0041		HR	EMCS On Site System Diagnostics Field Technician	\$1,873.13
			Installation	Quantity 8.00 x Unit Price 193.25 x Factor 1.2116 = Total 1,873.13	
			Local control setup		

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		
Control					
8	23 09 23 53 0043		HR	EMCS Travel Time (All Personnel)	\$809.06
				Quantity	Unit Price
				4.00 x	166.94 x
					Factor =
					Total
					809.06
				Installation	
				Local control setup	
9	23 09 23 53 0045		PNT	EMCS Functional Performance Tests (Field Based Tests / Trend Analysis)Priced per controller. Task used after warranty period only.	\$117.67
				Quantity	Unit Price
				4.00 x	24.28 x
					Factor =
					Total
					117.67
				Installation	
				Local control setup	
10	23 09 23 53 0049		PNT	EMCS Field TestPriced per point.	\$248.43
				Quantity	Unit Price
				2.00 x	102.52 x
					Factor =
					Total
					248.43
				Installation	
				Local control setup	
11	23 09 23 53 0051		PNT	EMCS Field CommissioningPriced per point.	\$993.71
				Quantity	Unit Price
				8.00 x	102.52 x
					Factor =
					Total
					993.71
				Installation	
				Local control setup	
12	26 27 26 00 0349		EA	10 Amperes, 24 Volt Coil, 2 Position Relay	\$347.15
				Quantity	Unit Price
				4.00 x	71.63 x
					Factor =
					Total
					347.15
				Installation	
				Local control setup	
Subtotal for Control					\$6,883.77

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		
Electrical					
13	26 01 20 91 0003		EA	Lock Out/Tag Out Breaker Or Motor StarterExcludes tag or padlock See CSI section 26 01 20 91-0004 for padlock, 26 01 20 91-0005 for tag(s).	\$34.06
				Quantity	Unit Price
				1.00 x	28.11 x
					Factor =
					Total
					34.06
				Installation	
				electrical safety	
14	26 05 19 16 0056		MLF	3 Conductors, #12 AWG, 600 Volt, XLP (XHHW-2), Copper, Stranded, Power Cable, Installed In Conduit	\$144.08
				Quantity	Unit Price
				0.05 x	1,894.67 x
					Factor =
					Total
					114.78
				Installation	
				Demolition	
				0.05 x	483.70 x
					Factor =
					Total
					29.30
				wire needed for new boiler	
15	26 05 33 13 0063		LF	3/4" Rigid Galvanized Steel (RGS) Conduit With Threaded Coupling	\$589.44
				Quantity	Unit Price
				50.00 x	8.02 x
					Factor =
					Total
					485.85
				Installation	
				Demolition	
				50.00 x	1.71 x
					Factor =
					Total
					103.59
				power and control wiring conduit	
16	26 05 33 13 0076		EA	3/4" Rigid Galvanized Steel (RGS) 90 Degree Standard Radius Elbow	\$275.88
				Quantity	Unit Price
				6.00 x	29.21 x
					Factor =
					Total
					212.35
				Installation	
				Demolition	
				6.00 x	8.74 x
					Factor =
					Total
					63.54
				power and control wiring conduit	

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description				Line Total
Labor	Equip.	Material	(Excluded if marked with an X)					
Electrical								
17	26 05 33 13 0188		EA	3/4" Rigid Galvanized Steel (RGS) Steel Bushing				\$67.17
				Quantity	Unit Price	Factor	Total	
				Installation	3.00 x 12.79	x 1.2116 =	46.49	
				Demolition	3.00 x 5.69	x 1.2116 =	20.68	
				power and control wiring conduit				
18	26 05 33 13 0471		EA	3/4" Rigid Galvanized Steel (RGS) Sealing Locknut				\$16.76
				Quantity	Unit Price	Factor	Total	
				Installation	3.00 x 3.55	x 1.2116 =	12.90	
				Demolition	3.00 x 1.06	x 1.2116 =	3.85	
				power and control wiring conduit				
19	26 05 33 13 0541		EA	3/4" Rigid Galvanized Steel (RGS) Threadless Compression Connectors				\$98.18
				Quantity	Unit Price	Factor	Total	
				Installation	3.00 x 19.89	x 1.2116 =	72.30	
				Demolition	3.00 x 7.12	x 1.2116 =	25.88	
				power and control wiring conduit				
20	26 05 33 13 0592		EA	3/4" Rigid Galvanized Steel (RGS) Pulling Elbow				\$37.33
				Quantity	Unit Price	Factor	Total	
				Installation	1.00 x 23.34	x 1.2116 =	28.28	
				Demolition	1.00 x 7.47	x 1.2116 =	9.05	
				power and control wiring conduit				
21	26 05 33 16 0005		EA	3-1/2" Depth, 4" Square Steel Box				\$53.65
				Quantity	Unit Price	Factor	Total	
				Installation	1.00 x 32.60	x 1.2116 =	39.50	
				Demolition	1.00 x 11.68	x 1.2116 =	14.15	
				junction box				
22	26 24 19 00 0794		EA	150 Amperes Rating, 15 To 100 Amperes Trip Range, 3 Pole Circuit Breaker Disconnect				\$1,031.05
				Quantity	Unit Price	Factor	Total	
				Installation	1.00 x 738.43	x 1.2116 =	894.68	
				Demolition	1.00 x 112.55	x 1.2116 =	136.37	
				boiler disconnect switch				

Subtotal for Electrical **\$2,347.60**

Sect.	Item	Modifier	UOM	Description				Line Total
Labor	Equip.	Material	(Excluded if marked with an X)					
Electrical Design Services								
23	01 22 20 00 0056		HR	Senior Engineer				\$1,235.83
				Quantity	Unit Price	Factor	Total	
				Installation	6.00 x 170.00	x 1.2116 =	1,235.83	
				Electrical review				
24	01 22 20 00 0057		HR	Engineer				\$3,241.03
				Quantity	Unit Price	Factor	Total	
				Installation	20.00 x 133.75	x 1.2116 =	3,241.03	
				electrical connection design				

Subtotal for Electrical Design Services **\$4,476.86**

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total						
Labor	Equip.	Material	(Excluded if marked with an X)								
Equipment											
25	23 52 33 13 0024		EA	1,071 MBH, 85% Efficient, Gas Fired, Copper Finned Tube Boiler (Lochinvar CHN1262)	\$32,085.06						
				Quantity	Unit Price	Factor	Total				
				Installation	1.00	x	25,689.90	x	1.2116	=	31,125.88
				Demolition	1.00	x	791.66	x	1.2116	=	959.18
				standard efficiency boiler							
26	23 52 33 13 0024 0664		MOD	For Low Water Cut-Off, Probe Type, Manual Reset With Test, Add	\$560.09						
				Quantity	Unit Price	Factor	Total				
				Installation	1.00	x	462.27	x	1.2116	=	560.09

Subtotal for Equipment **\$32,645.15**

Sect.	Item	Modifier	UOM	Description	Line Total						
Labor	Equip.	Material	(Excluded if marked with an X)								
Insulation											
27	23 07 19 00 0037		LF	2-1/2" Diameter Pipe, 2" Thick Calcium Silicate Insulation	\$419.27						
				Quantity	Unit Price	Factor	Total				
				Installation	15.00	x	19.56	x	1.2116	=	355.48
				Demolition	15.00	x	3.51	x	1.2116	=	63.79
				Insulate HHW piping							
28	23 07 19 00 0038		LF	3" Diameter Pipe, 2" Thick Calcium Silicate Insulation	\$427.63						
				Quantity	Unit Price	Factor	Total				
				Installation	15.00	x	19.90	x	1.2116	=	361.66
				Demolition	15.00	x	3.63	x	1.2116	=	65.97
				Insulate HHW piping							

Subtotal for Insulation **\$846.90**

Sect.	Item	Modifier	UOM	Description	Line Total						
Labor	Equip.	Material	(Excluded if marked with an X)								
Material Hauling											
29	01 22 23 00 1067		WK	5,000 LB Straight Mast, Rough Terrain Construction Forklift With Full-Time Operator	\$9,994.44						
				Quantity	Unit Price	Factor	Total				
				Installation	2.00	x	4,124.48	x	1.2116	=	9,994.44
				move material and boiler							
30	01 22 23 00 1067 0035		MOD	For Equipment Without Operator, Deduct	-\$7,278.81						
				Quantity	Unit Price	Factor	Total				
				Installation	2.00	x	-3,003.80	x	1.2116	=	-7,278.81
31	01 66 19 00 0007		CY	Transfer Demolition Debris Between Floors Via Stairs, Per FloorQuantity equals material volume times bulk factor times number of floors traveled.	\$447.44						
				Quantity	Unit Price	Factor	Total				
				Installation	30.00	x	12.31	x	1.2116	=	447.44
				Material Basement to parking lot							
32	01 66 19 00 0010		CY	Transfer Demolition Debris Distances Greater Than 125', Per CY Of Material Per 125'	\$181.74						
				Quantity	Unit Price	Factor	Total				
				Installation	30.00	x	5.00	x	1.2116	=	181.74
				material basement to parking lot							

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		

Material Hauling

33	01 71 13 00 0002	EA		Equipment Delivery, Pickup, Mobilization And Demobilization Using A Rollback Flatbed TruckIncludes loading, tie-down of equipment, delivery of equipment, off loading on site, rigging, dismantling, loading for return and transporting away. For equipment such as trenchers, skid-steer loaders (bobcats), industrial warehouse forklifts, sweepers, scissor platform lifts, telescoping and articulating boom man lifts with up to 40' boom lengths, etc.	\$425.10	
		Installation	Quantity	Unit Price	Factor	Total
			1.00	350.86	1.2116 =	425.10
						boiler delivery
34	01 74 19 00 0013	EA		15 CY Dumpster (2 Ton) "Construction Debris"Includes delivery of dumpster, rental cost, pick-up cost, hauling, and disposal fee. Non-hazardous material.	\$581.56	
		Installation	Quantity	Unit Price	Factor	Total
			1.00	479.99	1.2116 =	581.56
						dumpster for demo materials

Subtotal for Material Hauling **\$4,351.47**

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		

Mechanical Design Services

35	01 22 20 00 0056	HR		Senior Engineer	\$1,235.83	
		Installation	Quantity	Unit Price	Factor	Total
			6.00	170.00	1.2116 =	1,235.83
						Mech review
36	01 22 20 00 0057	HR		Engineer	\$3,889.24	
		Installation	Quantity	Unit Price	Factor	Total
			24.00	133.75	1.2116 =	3,889.24
						boiler selection design, startup

Subtotal for Mechanical Design Services **\$5,125.07**

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		

Pipefitting

37	23 05 19 00 0004	EA		2-1/2" Diameter Dial, Bi-Metal, 4" To 9" Stem, Steel Case, Brass Stem, Thermometer	\$334.30	
		Installation	Quantity	Unit Price	Factor	Total
			2.00	110.46	1.2116 =	267.67
		Demolition	Quantity	Unit Price	Factor	Total
			2.00	27.50	1.2116 =	66.64
						fittings, valves, gauges, etc. to install boiler
38	23 05 19 00 0034	EA		4" Diameter Dial, Brass Case, 0 To 60 PSI Or 0 To 100 PSI, Pressure Gauge	\$817.88	
		Installation	Quantity	Unit Price	Factor	Total
			2.00	326.78	1.2116 =	791.85
		Demolition	Quantity	Unit Price	Factor	Total
			2.00	10.74	1.2116 =	26.03
						fittings, valves, gauges, etc. to install boiler
39	23 05 19 00 0271	EA		Rigid Paddle, Single Switch, Brass Body, Water Flow Switch (Taco IFS01BR-1)	\$371.96	
		Installation	Quantity	Unit Price	Factor	Total
			1.00	281.67	1.2116 =	341.27
		Demolition	Quantity	Unit Price	Factor	Total
			1.00	25.33	1.2116 =	30.69
						fittings, valves, gauges, etc. to install boiler

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total			
Labor	Equip.	Material	(Excluded if marked with an X)					
Pipefitting								
40	23 05 23 00 0096		EA	1/2" Threaded Or Sweated, 125 LB, Regular Port, Carbon Steel Trim, Brass Body, Ball Valve	\$122.71			
				Quantity	Unit Price	Factor	Total	
				Installation	2.00 x	42.05 x	1.2116 =	101.90
				Demolition	2.00 x	8.59 x	1.2116 =	20.82
				fittings, valves, gauges, etc. to install boiler				
41	23 05 23 00 0430		EA	2" Diameter Plug Valve, Semi-Steel, Screwed Lubricated, 200 PSI, Wrench Operated, With Wrench	\$1,439.31			
				Quantity	Unit Price	Factor	Total	
				Installation	2.00 x	578.34 x	1.2116 =	1,401.43
				Demolition	2.00 x	15.63 x	1.2116 =	37.87
				fittings, valves, gauges, etc. to install boiler				
42	23 05 23 00 0661		EA	3" Check Valve, Twin Disc Type, Iron Body Wafer Type, 125 LB	\$1,142.27			
				Quantity	Unit Price	Factor	Total	
				Installation	1.00 x	808.19 x	1.2116 =	979.20
				Demolition	1.00 x	134.59 x	1.2116 =	163.07
				fittings, valves, gauges, etc. to install boiler				
43	23 05 23 00 1003		EA	2-1/2" NPT Flow Control Valve, Iron And Bronze, Water Balancing Valve With Pressures Up To 300 PSIG	\$3,716.39			
				Quantity	Unit Price	Factor	Total	
				Installation	1.00 x	2,892.86 x	1.2116 =	3,504.99
				Demolition	1.00 x	174.48 x	1.2116 =	211.40
				fittings, valves, gauges, etc. to install boiler				
44	23 05 23 00 1091		EA	3" Cast Iron Body, Bronze Disc, Gear Operated, 200 LB, Lug Type, Butterfly Valve	\$2,407.57			
				Quantity	Unit Price	Factor	Total	
				Installation	2.00 x	859.06 x	1.2116 =	2,081.67
				Demolition	2.00 x	134.49 x	1.2116 =	325.90
				fittings, valves, gauges, etc. to install boiler				
45	23 05 29 00 0006		EA	1" Steel Clevis Hanger (Cooper B-Line B3100)	\$161.08			
				Quantity	Unit Price	Factor	Total	
				Installation	5.00 x	18.68 x	1.2116 =	113.16
				Demolition	5.00 x	7.91 x	1.2116 =	47.92
				fittings, valves, gauges, etc. to install boiler				
46	23 05 29 00 0009		EA	2" Steel Clevis Hanger (Cooper B-Line B3100)	\$71.19			
				Quantity	Unit Price	Factor	Total	
				Installation	2.00 x	20.67 x	1.2116 =	50.09
				Demolition	2.00 x	8.71 x	1.2116 =	21.11
				fittings, valves, gauges, etc. to install boiler				
47	23 05 29 00 0011		EA	3" Steel Clevis Hanger (Cooper B-Line B3100)	\$125.04			
				Quantity	Unit Price	Factor	Total	
				Installation	3.00 x	24.91 x	1.2116 =	90.54
				Demolition	3.00 x	9.49 x	1.2116 =	34.49
				fittings, valves, gauges, etc. to install boiler				
48	23 05 29 00 0652		LF	3/8" Diameter, Plain Finish Steel, Low Carbon Threaded Rod	\$128.91			
				Quantity	Unit Price	Factor	Total	
				Installation	20.00 x	4.78 x	1.2116 =	115.83
				Demolition	20.00 x	0.54 x	1.2116 =	13.09
				fittings, valves, gauges, etc. to install boiler				

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total		
Labor	Equip.	Material	(Excluded if marked with an X)				
Pipefitting							
49	23 05 29 00 0653		LF	1/2" Diameter, Plain Finish Steel, Low Carbon Threaded Rod	\$276.97		
				Quantity	Unit Price	Factor	Total
				Installation 30.00 x	7.04 x	1.2116 =	255.89
				Demolition 30.00 x	0.58 x	1.2116 =	21.08
				fittings, valves, gauges, etc. to install boiler			
50	23 05 29 00 0661		EA	1/2" Diameter, Threaded Rod Coupling Nut	\$98.50		
				Quantity	Unit Price	Factor	Total
				Installation 10.00 x	8.13 x	1.2116 =	98.50
				fittings, valves, gauges, etc. to install boiler			
51	23 05 29 00 0668		EA	3/8" Inside Diameter, Zinc Plated Steel, Low Carbon Flat Washer	\$4.94		
				Quantity	Unit Price	Factor	Total
				Installation 6.00 x	0.51 x	1.2116 =	3.71
				Demolition 6.00 x	0.17 x	1.2116 =	1.24
				fittings, valves, gauges, etc. to install boiler			
52	23 05 29 00 0669		EA	1/2" Inside Diameter, Zinc Plated Steel, Low Carbon Flat Washer	\$4.41		
				Quantity	Unit Price	Factor	Total
				Installation 4.00 x	0.74 x	1.2116 =	3.59
				Demolition 4.00 x	0.17 x	1.2116 =	0.82
				fittings, valves, gauges, etc. to install boiler			
53	23 05 29 00 0676		EA	3/8" Diameter, Zinc Plated Steel, Low Carbon/Grade 2 Hex Nut	\$3.97		
				Quantity	Unit Price	Factor	Total
				Installation 4.00 x	0.61 x	1.2116 =	2.96
				Demolition 4.00 x	0.21 x	1.2116 =	1.02
				fittings, valves, gauges, etc. to install boiler			
54	23 05 29 00 0677		EA	1/2" Diameter, Zinc Plated Steel, Low Carbon/Grade 2 Hex Nut	\$7.56		
				Quantity	Unit Price	Factor	Total
				Installation 6.00 x	0.83 x	1.2116 =	6.03
				Demolition 6.00 x	0.21 x	1.2116 =	1.53
				fittings, valves, gauges, etc. to install boiler			
55	23 05 29 00 0888		EA	3/8" x 3-1/2" Long, Hex Lag Bolt	\$36.83		
				Quantity	Unit Price	Factor	Total
				Installation 10.00 x	3.04 x	1.2116 =	36.83
				fittings, valves, gauges, etc. to install boiler			
56	23 05 29 00 0949		EA	4" Outside Diameter, 18 Gauge Insulation Protection Shield, 12" Length (Cooper B-Line B3151)	\$137.10		
				Quantity	Unit Price	Factor	Total
				Installation 6.00 x	16.67 x	1.2116 =	121.18
				Demolition 6.00 x	2.19 x	1.2116 =	15.92
				fittings, valves, gauges, etc. to install boiler			
57	23 21 13 23 0021		LF	1-1/2" Schedule 40, Threaded And Coupled, Black Steel Pipe	\$287.96		
				Quantity	Unit Price	Factor	Total
				Installation 10.00 x	22.39 x	1.2116 =	271.28
				Demolition 3.00 x	4.59 x	1.2116 =	16.68
				fittings, valves, gauges, etc. to install boiler			

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total		
Labor	Equip.	Material	(Excluded if marked with an X)				
Pipefitting							
58	23 21 13	23 0022	LF	2" Schedule 40, Threaded And Coupled, Black Steel Pipe	\$620.82		
				Quantity	Unit Price	Factor	Total
				Installation 15.00 x	28.63 x	1.2116 =	520.32
				Demolition 15.00 x	5.53 x	1.2116 =	100.50
				fittings, valves, gauges, etc. to install boiler			
59	23 21 13	23 0037	EA	1-1/2", 150 LB, Black Malleable Iron 90 Degree Elbow	\$545.12		
				Quantity	Unit Price	Factor	Total
				Installation 8.00 x	56.24 x	1.2116 =	545.12
				fittings, valves, gauges, etc. to install boiler			
60	23 21 13	23 0038	EA	2", 150 LB, Black Malleable Iron 90 Degree Elbow	\$267.18		
				Quantity	Unit Price	Factor	Total
				Installation 2.00 x	81.70 x	1.2116 =	197.98
				Demolition 2.00 x	28.56 x	1.2116 =	69.21
				fittings, valves, gauges, etc. to install boiler			
61	23 21 13	23 0086	EA	2", 150 LB, Black Malleable Iron Tee	\$195.75		
				Quantity	Unit Price	Factor	Total
				Installation 1.00 x	119.31 x	1.2116 =	144.56
				Demolition 1.00 x	42.25 x	1.2116 =	51.19
				fittings, valves, gauges, etc. to install boiler			
62	23 21 13	23 0123	EA	2", 150 LB, Black Malleable Iron Reducing Coupling	\$253.03		
				Quantity	Unit Price	Factor	Total
				Installation 2.00 x	75.86 x	1.2116 =	183.82
				Demolition 2.00 x	28.56 x	1.2116 =	69.21
				fittings, valves, gauges, etc. to install boiler			
63	23 21 13	23 0135	EA	2", 150 LB, Black Malleable Iron Cap	\$65.09		
				Quantity	Unit Price	Factor	Total
				Installation 1.00 x	40.98 x	1.2116 =	49.65
				Demolition 1.00 x	12.74 x	1.2116 =	15.44
				fittings, valves, gauges, etc. to install boiler			
64	23 21 13	23 0344	EA	2", 125 LB, Black Cast Iron Flange	\$887.91		
				Quantity	Unit Price	Factor	Total
				Installation 4.00 x	141.21 x	1.2116 =	684.36
				Demolition 4.00 x	42.00 x	1.2116 =	203.55
				fittings, valves, gauges, etc. to install boiler			
65	23 21 13	23 0365	EA	1-1/2", Cut And Thread Existing In Place Black Steel Pipe	\$85.32		
				Quantity	Unit Price	Factor	Total
				Installation 2.00 x	35.21 x	1.2116 =	85.32
				fittings, valves, gauges, etc. to install boiler			
66	23 21 13	23 0366	EA	2", Cut And Thread Existing In Place Black Steel Pipe	\$89.49		
				Quantity	Unit Price	Factor	Total
				Installation 2.00 x	36.93 x	1.2116 =	89.49
				fittings, valves, gauges, etc. to install boiler			
67	23 21 13	23 0439	EA	3" Standard Weight, Welded Plain End Black Steel 90 Degree Elbow	\$1,115.30		
				Quantity	Unit Price	Factor	Total
				Installation 3.00 x	198.35 x	1.2116 =	720.96
				Demolition 3.00 x	108.49 x	1.2116 =	394.34
				fittings, valves, gauges, etc. to install boiler			

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total	
Labor	Equip.	Material	(Excluded if marked with an X)			
Pipefitting						
68	23 21 13 23 0504	EA		3" Standard Weight, Welded Plain End Black Steel Reducing Tee	\$686.13	
			Quantity	Unit Price	Factor	Total
	Installation		1.00 x	371.31 x	1.2116 =	449.88
	Demolition		1.00 x	194.99 x	1.2116 =	236.25
	fittings, valves, gauges, etc. to install boiler					
69	23 21 13 23 0528	EA		3" x 2-1/2" Standard Weight, Welded Plain End, Black Steel Eccentric Reducer	\$370.11	
			Quantity	Unit Price	Factor	Total
	Installation		1.00 x	197.38 x	1.2116 =	239.15
	Demolition		1.00 x	108.09 x	1.2116 =	130.96
	fittings, valves, gauges, etc. to install boiler					
70	23 21 13 23 0639	EA		2-1/2", 150 LB, Welded Plain End Black Steel Neck Flange	\$1,101.59	
			Quantity	Unit Price	Factor	Total
	Installation		4.00 x	151.79 x	1.2116 =	735.64
	Demolition		4.00 x	75.51 x	1.2116 =	365.95
	fittings, valves, gauges, etc. to install boiler					
71	23 21 13 23 0640	EA		3", 150 LB, Welded Plain End Black Steel Neck Flange	\$3,082.31	
			Quantity	Unit Price	Factor	Total
	Installation		10.00 x	168.06 x	1.2116 =	2,036.21
	Demolition		10.00 x	86.34 x	1.2116 =	1,046.10
	fittings, valves, gauges, etc. to install boiler					
72	23 21 13 23 0696	EA		2-1/2", 3,000 LB, Forge Steel Weld-O-Let	\$665.65	
			Quantity	Unit Price	Factor	Total
	Installation		2.00 x	274.70 x	1.2116 =	665.65
	fittings, valves, gauges, etc. to install boiler					
73	23 21 13 23 0836	EA		2-1/2", Cut And Prepare For Welding Existing In Place Black Steel Pipe	\$32.26	
			Quantity	Unit Price	Factor	Total
	Installation		1.00 x	26.63 x	1.2116 =	32.26
	fittings, valves, gauges, etc. to install boiler					
74	23 21 13 23 0837	EA		3", Cut And Prepare For Welding Existing In Place Black Steel Pipe	\$70.76	
			Quantity	Unit Price	Factor	Total
	Installation		2.00 x	29.20 x	1.2116 =	70.76
	fittings, valves, gauges, etc. to install boiler					
75	23 21 13 23 0850	LF		2-1/2" Electric Resistance Weld Black Pipe, Plain End Schedule 40 ASTM A-135, Not Including Hangers Or Fittings	\$540.13	
			Quantity	Unit Price	Factor	Total
	Installation		10.00 x	34.95 x	1.2116 =	423.45
	Demolition		10.00 x	9.63 x	1.2116 =	116.68
	fittings, valves, gauges, etc. to install boiler					
76	23 21 13 23 0851	LF		3" Electric Resistance Weld Black Pipe, Plain End Schedule 40 ASTM A-135, Not Including Hangers Or Fittings	\$1,185.43	
			Quantity	Unit Price	Factor	Total
	Installation		20.00 x	39.45 x	1.2116 =	955.95
	Demolition		20.00 x	9.47 x	1.2116 =	229.48
	fittings, valves, gauges, etc. to install boiler					
77	23 21 13 23 1013	EA		3" Plain End Piping Sys Nipple	\$1,142.33	
			Quantity	Unit Price	Factor	Total
	Installation		7.00	122.04 x	1.2116 =	1,035.05
	Demolition		7.00	12.65 x	1.2116 =	107.29
	fittings, valves, gauges, etc. to install boiler					

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		

Pipefitting

78	23 21 16 00 0039	EA		3" Flanged, 125 LB, Iron Body, Y-Type Strainer	\$1,213.42	
			Quantity	Unit Price	Factor	Total
			1.00	855.42	x 1.2116 =	1,036.43
			1.00	146.08	x 1.2116 =	176.99
				Installations, valves, gauges, etc. to install boiler		
79	33 53 16 00 0006	EA		2" Gas Pressure Regulator, Screwed End	\$1,282.54	
			Quantity	Unit Price	Factor	Total
			1.00	1,029.28	x 1.2116 =	1,247.08
			1.00	29.27	x 1.2116 =	35.46
				gas pressure regulator		

Subtotal for Pipefitting

\$27,194.52

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		

Sheet Metal

80	23 51 13 16 0009	EA		12" Round Flue Shutter Draft Control Damper	\$2,162.21	
			Quantity	Unit Price	Factor	Total
			1.00	1,726.09	x 1.2116 =	2,091.33
			1.00	58.50	x 1.2116 =	70.88
				flue rework/tie into existing		
81	23 51 13 19 0003	EA		12" x 12" Barometric Damper	\$805.84	
			Quantity	Unit Price	Factor	Total
			1.00	655.52	x 1.2116 =	794.23
			1.00	9.58	x 1.2116 =	11.61
				flue rework/tie into existing		
82	23 51 16 00 0010	LF		12" Round Flue/Vent Pipe, Galvanized Double Wall Breech/Smoke Pipe 0.014" (inner wall) and 0.018" (outer wall) material thickness	\$1,743.25	
			Quantity	Unit Price	Factor	Total
			15.00	84.17	x 1.2116 =	1,529.71
			15.00	11.75	x 1.2116 =	213.54
				flue rework/tie into existing		
83	23 51 16 00 0037	EA		12" Round Flue/Vent, 90 Degree Elbow, Galvanized Double Wall Breech/Smoke Pipe	\$1,225.51	
			Quantity	Unit Price	Factor	Total
			3.00	313.75	x 1.2116 =	1,140.42
			3.00	23.41	x 1.2116 =	85.09
				flue rework/tie into existing		

Subtotal for Sheet Metal

\$5,936.81

Sect.	Item	Modifier	UOM	Description	Line Total
Labor	Equip.	Material	(Excluded if marked with an X)		

Water Balance

84	23 05 93 00 0044	EA		>500 To 1,000 MBH, Water Balance, Boiler	\$1,151.02	
			Quantity	Unit Price	Factor	Total
			1.00	950.00	x 1.2116 =	1,151.02
				measure boiler flow vs manufacturer specs		

Contractor's Price Proposal - Detail Continues..

Work Order Number: 141040.00
Work Order Title: Parma Heights Fire Station Boiler Replacement

Sect.	Item	Modifier	UOM	Description	Line Total								
Labor	Equip.	Material	(Excluded if marked with an X)										
Water Balance													
85	23 09 23 53 0644		EA	Field Test and Balance Support Cost Per ControllerThis unit cost is applicable for every network area controller and programmable DDC controller on the project. This cost includes supporting as well as purchasing extra commissioning tools for the air and water test and balance contractor as necessary.	\$205.31								
			Installation	<table> <tr> <td>Quantity</td> <td>Unit Price</td> <td>Factor</td> <td>Total</td> </tr> <tr> <td>1.00 x</td> <td>169.45 x</td> <td>1.2116 =</td> <td>205.31</td> </tr> </table>	Quantity	Unit Price	Factor	Total	1.00 x	169.45 x	1.2116 =	205.31	
Quantity	Unit Price	Factor	Total										
1.00 x	169.45 x	1.2116 =	205.31										
				support balancer in starting system									
Subtotal for Water Balance					\$1,356.33								
Proposal Total					\$92,260.98								

This total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding.

The Percentage of NPP on this Proposal: %

RESOLUTION NO. 2025 - 35

A RESOLUTION SUPPORTING THE CITY OF PARMA HEIGHTS CUYAHOGA COUNTY HEALTHY URBAN TREE CANOPY GRANT PROGRAM APPLICATION, AND DECLARING AN EMERGENCY

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

Section 1: That this Council of the City of Parma Heights hereby supports the City of Parma Heights Cuyahoga County Healthy Urban Tree Canopy Grant Program application to the Cuyahoga County Planning Commission to install trees on public lands pursuant to the Urban Forestry Master Plan.

Section 2: That this Council hereby respectfully requests that the Cuyahoga County Planning Commission give favorable consideration to the City of Parma Heights Healthy Urban Tree Canopy Grant Program application for funding.

Section 3: That Council hereby authorizes any obligation of funds required to satisfactorily complete the proposed project under the terms and conditions of the Healthy Urban Tree Canopy (HUTC) Grant Program, including any matching funds.

Section 4: That Council hereby authorizes the Administration to execute any further documents and/or contracts and to take any further actions necessary to apply for, receive, and/or expend grant awards.

Section 5: That Council hereby authorizes, in the event of a grant award, the Administration to receive and expend funds in furtherance of this project, in manners consistent with the Charter and Codified Ordinances of the City of Parma Heights, and as outlined in the HUTC Program.

Section 6: 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 7: 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 further reason that this measure is necessary for the timely submission of the application; 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