

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center – 7:00 PM

March 20, 2019

- | | |
|---------------------------------------|--|
| 1. Caucus: 6:30 pm | All members of Council |
| 2. Call to Order: | Council President Ron Jackson |
| 3. Invocation/Pledge of Allegiance: | Councilwoman Sharri Thomas, District 6 |
| 4. Roll Call: | Council Clerk Leonette Cicirella |
| 5. Addendum: | |
| 6. Approval of Minutes: | February 20, 2019 (Regular Meeting of Council) |
| 7. Council Committee Reports: | |
| 8. Department Reports: | |
| 9. Citizen's Comments: | 3-minute limitation |
| 10. Legislation: | |

2019-11 A RESOLUTION ACCEPTING A FUNDING AWARD FROM CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT UNDER THE 2019 COMPETITIVE MUNICIPAL SUPPLEMENTAL GRANT PROGRAM (CDSG) AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO SOLICIT REQUESTS FOR PROPOSALS (RFPs) FOR THE STAFFORD PARK POOL REHABILITATION PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2019-13 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT TO PURCHASE AN UNIMPROVED VACANT LOT FROM FRANCES & RAYMOND SORACE IN THE AMOUNT OF \$2,800.00 TO FURTHER THE MILAN-HARLAN SEWER IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-14 AN ORDINANCE ADOPTING THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-15 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MR. TIMOTHY SHOOP TO SELL HIM THE UNIMPROVED VACANT LOT LOCATED AT 16112 WOODBROOK AVENUE IN THE CITY OF MAPLE HEIGHTS AT THE FAIR MARKET VALUE OF \$5,000.00 FOR CONSTRUCTION OF AN OWNER OCCUPIED NEW HOME, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-16 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CHRISTIAN UNITY BAPTIST CHURCH TO SELL THE UNIMPROVED VACANT LOT LOCATED AT 16811 BROADWAY AVENUE IN THE CITY OF MAPLE HEIGHTS AT THE FAIR MARKET VALUE OF \$5,000.00, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-17 AN ORDINANCE AUTHORIZING THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM TO ACCEPT THE TITLES TO TEN (10) PARCELS OF LAND IN THE CITY OF MAPLE HEIGHTS OBTAINED THROUGH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC), AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-18 AN ORDINANCE AUTHORIZING THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM TO ACCEPT THE TITLES TO SIX (6) PARCELS OF LAND IN THE CITY OF MAPLE HEIGHTS OWNED BY THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC), AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-19 A RESOLUTION AUTHORIZING THE MAYOR AND HOUSING MANAGER TO ACCEPT A DONATION OF THE UNIMPROVED REAL PROPERTY ON GLENBURN AVENUE, PERMANENT PARCEL NUMBER 781-05-046, INTO THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2019-20 A RESOLUTION DETERMINING THAT A CERTAIN UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY OF MAPLE HEIGHTS IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

- 11. Expenditures over \$1,000.00**
- 12. Mayor's Report**
- 13. Council & Council President's Reports**
- 14. Adjournment**

RESOLUTION NO. 2019-11

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION ACCEPTING A FUNDING AWARD FROM CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT UNDER THE 2019 COMPETITIVE MUNICIPAL SUPPLEMENTAL GRANT PROGRAM (CDSG) AND AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO SOLICIT REQUESTS FOR PROPOSALS (RFPs) FOR THE STAFFORD PARK POOL REHABILITATION PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 30, 2018, per Council authorization outlined in **Resolution No. 2018-98, As Amended**, the Mayor and the City Engineer filed an application for funding to the Cuyahoga County Department of Development for the Stafford Park Pool Rehabilitation Project under the 2019 Community Development Supplemental Grant Program; and

WHEREAS, the Cuyahoga County Department of Development has recommended to the Cuyahoga County Council that the City of Maple Heights be awarded \$50,000.00 for the Stafford Park Pool Rehabilitation Project under the 2019 Community Development Supplemental Grant Program (CDSG) which will include the repair, renovation, and reopening of the municipally owned Stafford Park Pool for public use and recreation in Summer 2019.

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

Section 1. The Mayor and/or City Engineer is hereby authorized and directed to accept the funding award for the Stafford Park Pool Rehabilitation Project from Cuyahoga County and is hereby authorized to sign and file all necessary documents and contracts required by the County to accept the award and comply with the requirements of the CDSG program.

Section 2. The City Engineer is hereby authorized and directed to begin the preparation of plans and specifications and to seek Request for Proposals (RFPs) from qualified firms for the repair and renovation necessary for the Stafford Park Pool Rehabilitation Project in the City of Maple Heights.

Section 3. The Council of the City of Maple Heights hereby authorizes and directs the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution:

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution constitutes an emergency measure necessary for the health and welfare of the residents of the City, and to begin the project in a timely manner which will allow the Stafford Park Pool to be rehabilitated in time for a June 2019 opening for public use, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

RESOLUTION NO. 2019-13

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT TO PURCHASE AN UNIMPROVED VACANT LOT FROM FRANCES & RAYMOND SORACE IN THE AMOUNT OF \$2,800.00 TO FURTHER THE MILAN-HARLAN SEWER IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and City Engineer have advised Council that Frances and Raymond Sorace desire to sell the unimproved vacant lot they own on Milan Drive, **PPN: 782-18-034** to the City in the amount of \$2,800.00, which lot is necessary for the City to satisfactorily complete the Milan-Harlan Sewer Improvement Project, and which purchase amount will be reimbursed to the City through the Milan-Harlan Sewer Improvement Project.

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

Section 1. The Mayor is authorized to purchase from Frances and Raymond Sorace the unimproved vacant lot they own on Milan Drive, **PPN: 782-18-034**, in the amount of \$2,800.00, which lot is necessary for the City to satisfactorily complete the Milan-Harlan Sewer Improvement Project, and which purchase amount will be reimbursed to the City through the Milan-Harlan Sewer Improvement Project.

Section 2. The Mayor, Housing Manager and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents and tender any closing fees or property taxes and assessments, including prorations, necessary to effectuate the transfer of the real property to the City.

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

Section 4. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately utilize in completing the Milan-Harlan Sewer Improvement Project, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Resolution No. 2019-13

Page Two

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

Primary Owner	SORACE, FRANCES E. & RAYMOND V.
Property Address	Milan Dr Maple Hts,OH 44137
Tax Mailing Address	SORACE, FRANCES E. & RAYMOND V. 7843 DALEBROOK INDEPENDENCE, OH 44131
Legal Description	4 LIB GAR 0078 ALL
Property Class	RESIDENTIAL VACANT LAND
Parcel Number	782-18-034
Taxset	Maple Hts.
Tax Year	2018

Assessed Values

Land Value	\$980
Building Value	\$
Total Value	<u>\$980</u>
Homestead Value	\$

Market Values

Land Value	\$2,800
Building Value	\$
Total Value	<u>\$2,800</u>

Flags

Owner Occupancy Credit	N
Homestead Reduction	N
Foreclosure	N
Cert. Pending	N
Cert. Sold	N
Payment Plan	N

Half Year Charge Amounts

Gross Tax	\$66.95
Less 920 Reduction	\$8.28
Sub Total	<u>\$58.67</u>
10% Reduction Amount	\$5.53
Owner Occupancy Credit	\$0.00
Homestead Reduction Amount	<u>\$0.00</u>
Total Assessments	\$0.00
Half Year Net Taxes	<u>\$53.14</u>

Rates

Full Rate	136.63
920 Reduction Rate	.123737
Effective Rate	119.723804

Escrow

Escrow	N
Payment Amount	\$0.00

	Charges	Payments	Balance Due
Tax Balance Summary	\$106.28	\$53.14	\$53.14

2018 (pay in 2019) Charge and Payment Detail

Taxset	Charge Type	Charges	Payments	Balance Due
Maple Hts.				
	1st half tax	\$53.14	\$53.14	\$0.00
	1ST HALF BALANCE	\$53.14	\$53.14	\$0.00
	2nd half tax	\$53.14	\$0.00	\$53.14
	2ND HALF BALANCE	\$53.14	\$0.00	\$53.14
C100420-Sewer Maintenance				
	1st half tax	\$0.00	\$0.00	\$0.00
	1ST HALF BALANCE	\$0.00	\$0.00	\$0.00
		Charges	Payments	Balance Due
Total Balance		\$106.28	\$53.14	\$53.14

* Taxes are updated within the hour

ORDINANCE NO.: 2019-14

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

**AN ORDINANCE ADOPTING THE SOLID WASTE MANAGEMENT PLAN
FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT,
AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Maple 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 (2019-2033) for ratification to each of the legislative authorities of the District; and

WHEREAS, the City must decide whether it approves of said Solid Waste Management Plan Update no later than **April 11, 2019**.

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

Section 1. The City of Maple Heights approves the Cuyahoga County Solid Waste Management Plan Update.

Section 2. The Clerk of Council is hereby directed to send the District a copy of this Ordinance to the attention of Diane T. Bickett, Executive Director, Cuyahoga County Solid Waste Management District, 4750 East 131st Street, Garfield Heights, OH 44105.

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

Section 4. This Ordinance constitutes an emergency measure necessary for the public health and welfare and for the further reason that it must be adopted by **April 11, 2019** and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Ordinance No. 2019-14
Page Two

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

RATIFICATION OF THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE (2019 – 2033)
A Fact Sheet for Community Officials – TIME SENSITIVE!

The development of the solid waste plan is a requirement of Ohio law. Every solid waste management district in Ohio must periodically update their solid waste management plan and submit it to each political subdivision to be ratified. Ratification occurs when city/village councils and township trustees representing 60% of a district's population, including its largest city and the legislative authority of the county, vote to approve the plan. If a district's plan is not ratified, the Ohio EPA will prepare the plan and order it to be implemented. **This fact sheet provides general information about Cuyahoga County's solid waste plan which is now out for ratification.**

The Cuyahoga County Solid Waste Management Plan

The Cuyahoga County Solid Waste Management Plan was first ratified by communities in 1994 and three times since. The Cuyahoga County Solid Waste District (the District) and its Solid Waste Policy Committee are now seeking local approval for the fourth Plan Update. **The ratification process takes place from January 11, 2019 through April 11, 2019.** This Plan Update complies with an Ohio EPA format and contains 6 chapters and 21 appendices. It describes the waste management methods to be used in the upcoming planning period and details how the nine waste reduction and recycling goals established in the State Solid Waste Management Plan will be achieved. It also describes how the Plan will be implemented by the Cuyahoga County Solid Waste District.

What's the best way to review the Plan Update?

The plan chapters provide an executive summary of the plan. The District recommends reading the chapters for an overview of the plan and if additional information is desired, referring to the appendices for more detail. **See your council clerk for a printed copy of the plan chapters or for an electronic copy.** The complete Cuyahoga County Solid Waste Management Plan Update (2019 – 2033) is also available on the District's web site – CuyahogaRecycles.org and at the Cuyahoga County Solid Waste District's office.

Who prepared the Plan Update?

The Plan Update was prepared by the Cuyahoga County Solid Waste District in conjunction with the Cuyahoga County Solid Waste Policy Committee. Various stakeholders were also consulted through the 18-month process. **The Policy Committee consists of the Cuyahoga County Planning Commission members and two public members.**

Who implements the Plan Update and how is it funded?

The District is responsible for implementing the Plan Update which contains a variety of programs and services that support waste reduction and recycling. The District employs six staff and is funded by a "generation fee" which is a fee of \$1.50 levied on each ton of waste produced in Cuyahoga County and landfilled in Ohio. **The generation fee is approved by communities each time it ratifies the plan.** Cuyahoga County's current fee of \$1.50 per ton is one of the lowest in Ohio and was increased just once since 1994. **Under this Plan Update, the generation fee will increase by \$0.50 beginning in 2023.** For comparison, the statewide fee average is \$4.50 per ton.

Programs and services offered through the Plan

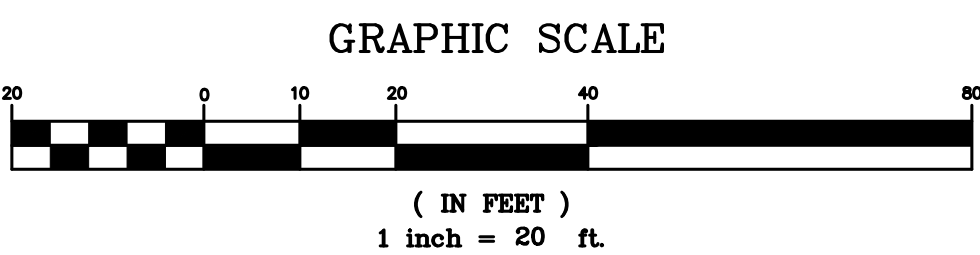
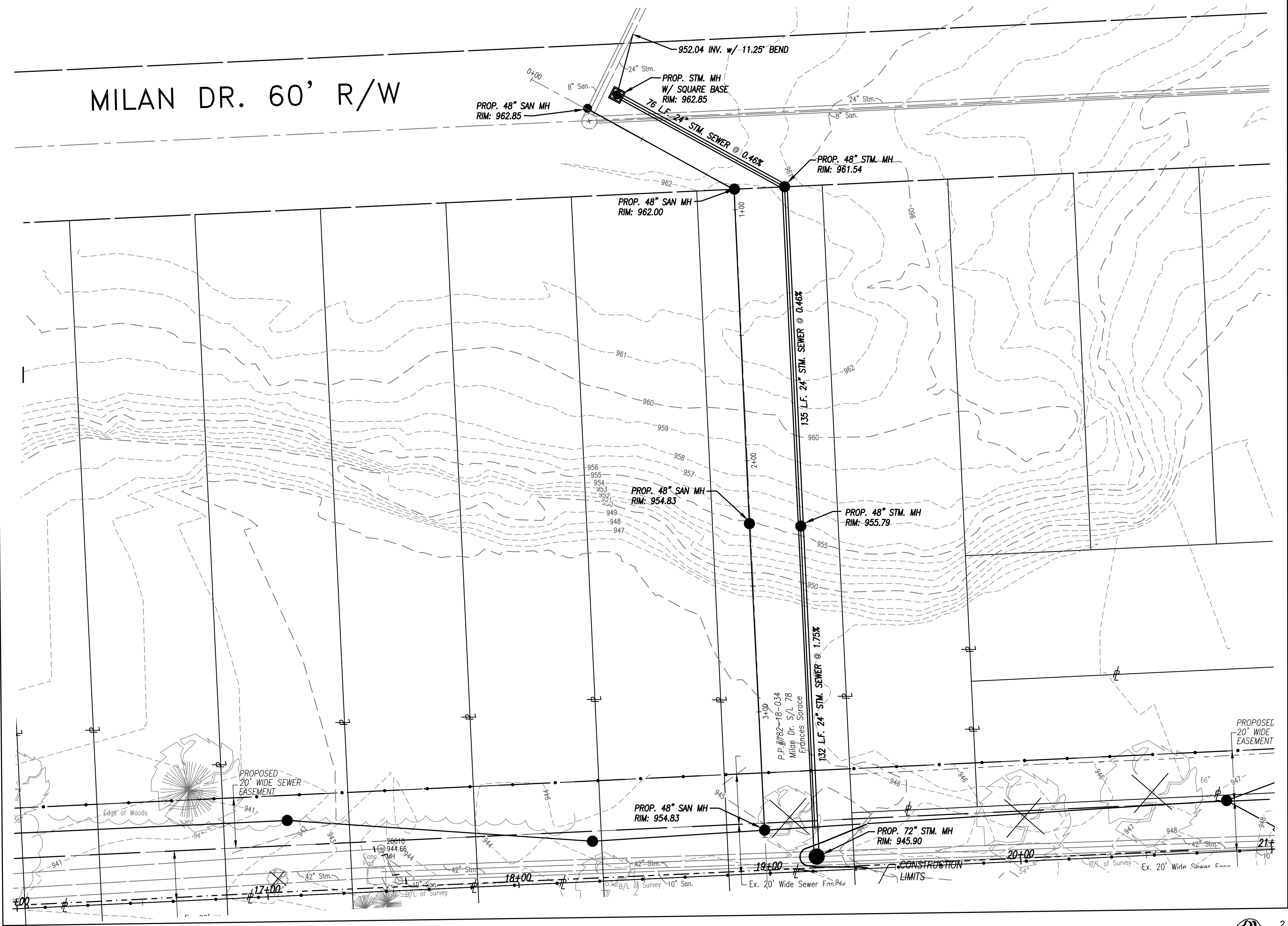
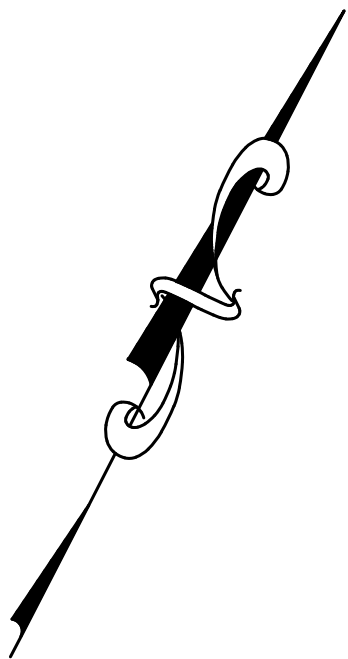
All the existing programs and services offered by the Cuyahoga County Solid Waste District will continue with the ratification of this Plan Update. Some programs will expand slightly while some programs will be modified to reflect the feedback the District received during its strategic planning process. A complete description of the District's action's priorities and programs for this Plan Update can be found in **Appendix I.**

For more information

The following **informational meetings** will be held for local officials about the Plan and the ratification process. Questions can also be directed to Diane Bickett or Jessica Fenos by calling the District at (216) 443-3749.

- February 6, 2019 - 4:30 p.m. Parma Heights City Hall, 6281 Pearl Rd, Parma Heights, 44130
- February 13, 2019 - 6:30 p.m. Ross DeJohn Community Center, 6306 Marsol Rd, Mayfield Heights, 44124
- February 19, 2019 6:00 p.m. Rocky River Library, 1600 Hampton Rd, Rocky River, OH 44116

MILAN DR. 60' R/W



2 WORKING DAYS
BEFORE YOU DIG



CALL TOLL FREE 800-362-2764
OHIO UTILITIES PROTECTION SERVICE
CALL TOLL FREE 800-925-0988
OHIO OIL AND GAS PRODUCERS
UNDERGROUND PROTECTION SERVICE

DESIGNED BY: PAZ
DRAWN BY: PAZ
CHECKED BY: EUH
DATE: 3.6.2019
SCALE: 1"=20'
SCALE: 1"=5'

PROJECT NUMBER
11034
Drawing Name
11034 Master.dwg

SHEET: **1**
TOTAL SHEETS: **2**

REVISIONS

ADDITIONAL SEWER WORK
**MILAN & HARLAN DRIVE SANITARY
REPLACEMENT PROJECT**
CITY OF MAPLE HEIGHTS
COUNTY OF CUYAHOGA, OHIO

CVE CHAGRIN VALLEY
ENGINEERING, LTD.
Creative Engineers. Intelligent Solutions.
22999 Forbes Road, Suite B
Cleveland, Ohio 44146-5467
Phone • 440.439.1999 Fax • 440.439.1969
www.cvelimited.com

RESOLUTION NO.: 2019-15

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MR. TIMOTHY SHOOP TO SELL HIM THE UNIMPROVED VACANT LOT LOCATED AT 16112 WOODBROOK AVENUE IN THE CITY OF MAPLE HEIGHTS AT THE FAIR MARKET VALUE OF \$5,000.00 FOR CONSTRUCTION OF AN OWNER OCCUPIED NEW HOME, AND DECLARING AN EMERGENCY.

WHEREAS, Mr. Timothy Shoop has advised the Mayor and Housing Manager that he desires to purchase the unimproved vacant lot located at **16112 Woodbrook Avenue, Maple Heights, Ohio, PPN: 786-16-016**; and

WHEREAS, the unimproved vacant lot located at **16112 Woodbrook Avenue, Maple Heights, Ohio, PPN: 786-16-016** is owned by the City through its Land Reutilization Program and the Mayor desires to sell the lot pursuant to R.C. 5722.07, with deed restrictions requiring the construction of a new single-family residence with two-car attached garage, at a fair market value of \$5,000.00, as determined by the Cuyahoga County Fiscal Officer. Said market value includes consideration of the afore-mentioned deed restrictions.

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

Section 1. The Mayor is hereby authorized to enter into an Agreement to sell the unimproved vacant lot located at **16112 Woodbrook Avenue, Maple Heights, Ohio, PPN: 786-16-016**, with deed restrictions requiring the construction of a new single-family residence with two-car attached garage, at a cost of \$5,000.00 to Mr. Timothy Shoop.

Section 2. Pursuant to R.C. 5722.07 the fair market value of **PPN: 786-16-016**, including deed restrictions, as determined by the Cuyahoga County Fiscal Officer, is \$5,000.00. Pursuant to R.C. 5722.08 all of the proceeds from the sale of the lot shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

Section 3. The Mayor, Housing Manager and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents and tender any closing fees necessary as the Seller to effect the transfer of **16112 Woodbrook Avenue, Maple Heights, Ohio, PPN: 786-16-016** from the Maple Heights Land Reutilization Program to the Buyer, Mr. Timothy Shoop.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to immediately allow the Buyer to use and develop the lot, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

ORDINANCE NO.: 2019-17

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AUTHORIZING THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM TO ACCEPT THE TITLES TO TEN (10) PARCELS OF LAND IN THE CITY OF MAPLE HEIGHTS OBTAINED THROUGH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC), AND DECLARING AN EMERGENCY

WHEREAS, the Maple Heights Land Reutilization Program fosters the return of non-productive land to tax revenue generating status or the devotion thereof to public use; and

WHEREAS, the Cuyahoga County Land Reutilization Corporation (CCLRC) seeks to revitalize neighborhoods, promote economic growth and create job and workforce development opportunities, and assists local governments in effective use and re-use of vacant property; and

WHEREAS, the Cuyahoga County Land Reutilization Corporation (CCLRC) has agreed to acquire the following tax delinquent parcels of vacant land, identified as: **1) PPN 782-18-026 Bellview St; 2) PPN 783-06-201 Waterbury Ave; 3) PPN 783-02-066 Cato St; 4) PPN 784-10-130 5734 Garfield Ave; 5) PPN 784-09-058 5642 Lafayette Ave; 6) PPN 786-11-077 Turney Rd; 7) PPN 781-04-075 Grant Ave; 8) PPN 784-07-009 Broadway Ave; 9) PPN 784-10-047 Adams Ave; and 10) PPN 784-30-021 14843 Granger Rd**, in the City of Maple Heights and desires to transfer said parcels to the City of Maple Heights for their redevelopment, according to the Pass-Through Sale-Purchase and Development Agreement available in the Office of the Housing Manager.

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

Section 1. The Mayor is hereby authorized to enter into a Pass-Through Sale-Purchase and Development Agreement with the Cuyahoga County Land Reutilization Corporation (CCLRC), and the City is authorized to accept the titles to the following parcels of vacant land:: **1) PPN 782-18-026 Bellview St; 2) PPN 783-06-201 Waterbury Ave; 3) PPN 783-02-066 Cato St; 4) PPN 784-10-130 5734 Garfield Ave; 5) PPN 784-09-058 5642 Lafayette Ave; 6) PPN 786-11-077 Turney Rd; 7) PPN 781-04-075 Grant Ave; 8) PPN 784-07-009 Broadway Ave; 9) PPN 784-10-047 Adams Ave; and 10) PPN 784-30-021 14843 Granger Rd**, in the City of Maple Heights, as listed in the Cuyahoga County Records for the Land Bank in the City of Maple Heights.

Section 2. The Director of Finance is authorized and directed, upon passage of this Ordinance, to send certified copies of this Ordinance to the County Auditor and the County Fiscal Officer requesting that the following vacant parcels, to wit: **1) PPN 782-18-026 Bellview St; 2) PPN 783-06-201 Waterbury Ave; 3) PPN 783-02-066 Cato St; 4) PPN 784-10-130 5734 Garfield Ave; 5) PPN 784-09-058 5642 Lafayette Ave; 6) PPN 786-11-077 Turney Rd;**

7) PPN 781-04-075 Grant Ave; 8) PPN 784-07-009 Broadway Ave; 9) PPN 784-10-047 Adams Ave; and 10) PPN 784-30-02 14843 Granger Rd, in the City of Maple Heights, as listed in the Cuyahoga County Records, be exempted from taxation as City-owned properties.

Section 3. According to Article XVI, Section 3 of the Charter of the City of Maple Heights, Council hereby waives the requirement that Council submit this acquisition of land to the Planning & Zoning Commission for their report and recommendation.

Section 4. The Clerk of Council shall enter this transaction into Table "E" of the Special Ordinances entitled, "Acquisition and Disposal of Real Property" at the next codification of the Codified Ordinances of the City of Maple Heights.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance constitutes an emergency measure necessary for the general welfare of the residents of the City, and to expedite the acquisition and tax exemption of these properties, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

ORDINANCE NO.: 2019-18

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AUTHORIZING THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM TO ACCEPT THE TITLES TO SIX (6) PARCELS OF LAND IN THE CITY OF MAPLE HEIGHTS OWNED BY THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC), AND DECLARING AN EMERGENCY.

WHEREAS, the Maple Heights Land Reutilization Program fosters the return of non-productive land to tax revenue generating status or the devotion thereof to public use; and

WHEREAS, the Cuyahoga County Land Reutilization Corporation (CCLRC) seeks to revitalize neighborhoods, promote economic growth and create job and workforce development opportunities, and assists local governments in effective use and re-use of vacant property; and

WHEREAS, the Cuyahoga County Land Reutilization Corporation (CCLRC) owns the following six (6) parcels of land identified as: **1) PPN 782-15-087 20806 Hansen Rd; 2) PPN 784-03-005 14900 Broadway Ave; 3) PPN 784-07-021 5488 Morgan St; 4) PPN 784-10-042 5619 Jefferson Ave; 5) PPN 784-10-043 5617 Jefferson Ave; and 6) PPN 781-06-029 15900 Raymond St**, in the City of Maple Heights, that the CCLRC desires to transfer to the Maple Heights Land Reutilization Program according to the Conveyance Agreement available in the Office of the Housing Manager.

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

Section 1. The Mayor is hereby authorized to enter into a Conveyance Agreement with the Cuyahoga County Land Reutilization Corporation (CCLRC) and the Maple Heights Land Reutilization Program is authorized to accept titles to the following vacant parcels:

1) PPN 782-15-087 20806 Hansen Rd; 2) PPN 784-03-005 14900 Broadway Ave; 3) PPN 784-07-021 5488 Morgan St; 4) PPN 784-10-042 5619 Jefferson Ave; 5) PPN 784-10-043 5617 Jefferson Ave; and 6) PPN 781-06-029 15900 Raymond St, in the City of Maple Heights, as listed in the Cuyahoga County Records for the Land Bank in the City of Maple Heights.

Section 2. The Director of Finance is authorized and directed, upon passage of this Ordinance, to send certified copies of this Ordinance to the County Auditor and the County Fiscal Officer requesting that the following vacant parcels, to wit: **1) PPN 782-15-087 20806 Hansen Rd; 2) PPN 784-03-005 14900 Broadway Ave; 3) PPN 784-07-021 5488 Morgan St; 4) PPN 784-10-042 5619 Jefferson Ave; 5) PPN 784-10-043 5617 Jefferson Ave; and 6) PPN 781-06-029 15900 Raymond St**, in the City of Maple Heights, as listed in the Cuyahoga County Records, be exempted from taxation as City-owned properties.

Section 3. According to Article XVI, Section 3 of the Charter of the City of Maple Heights, Council hereby waives the requirement that Council submit this acquisition of land to the Planning & Zoning Commission for their report and recommendation.

Section 4. The Clerk of Council shall enter this transaction into Table "E" of the Special Ordinances entitled, "Acquisition and Disposal of Real Property" at the next codification of the Codified Ordinances of the City of Maple Heights.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Ordinance constitutes an emergency measure necessary for the general welfare of the residents of the City, and to expedite the acquisition and tax exemption of these properties, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

RESOLUTION NO. 2019-19

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR AND HOUSING MANAGER TO ACCEPT A DONATION OF THE UNIMPROVED REAL PROPERTY ON GLENBURN AVENUE, PERMANENT PARCEL NUMBER 781-05-046, INTO THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the City's Housing Manager have advised Council that Amy Fisch, Jill Pastula and Wendy Snodgrass desire to donate the unimproved real property they inherited from their father located on **Glenburn Avenue, PPN: 781-05-046** to the Maple Heights Land Reutilization Program.

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

Section 1. The Mayor and Housing Manger are hereby authorized to accept from Amy Fisch, Jill Pastula and Wendy Snodgrass a donation of the unimproved real property they inherited from their father located on **Glenburn Avenue, PPN: 781-05-046** into the Maple Heights Land Reutilization Program.

Section 2. The Mayor and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents and tender any fees necessary to effectuate the transfer of the real property into the Maple Heights Land Reutilization Program

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

Section 4. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately place this unimproved real property into the City's Land Reutilization Program for return to productive tax-paying status, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Resolution No. 2019-19
Page Two

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

RESOLUTION NO. 2019-20

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION DETERMINING THAT A CERTAIN UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY OF MAPLE HEIGHTS IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Land Reutilization Program, as established in Chapter 1226 of the City's Codified Ordinances, has acquired many unimproved residential lots deemed to be of value to adjacent homeowners and whose purchase of said lots would benefit residents of the immediate neighborhood; and

WHEREAS, Section 1226.02 of the City's Codified Ordinances requires that the Mayor and Council first determine that the unimproved residential lots owned by the City are not needed for a municipal purpose prior to selling said lots; and

WHEREAS, the Mayor and Housing Manager have determined that the following unimproved residential lot owned by the City is not needed for a municipal purpose:

Vacant Lot Miller Avenue - PPN 781-03-029

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

Section 1. The following unimproved residential lot owned by the City is not needed for a municipal purpose:

Vacant Lot Miller Avenue - PPN 781-03-029

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately allow the sale of this unimproved residential lot to the adjacent homeowner to improve the neighborhood, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Resolution No. 2019-20

Page Two

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

CITY OF MAPLE HEIGHTS COUNCIL MEETING

Maple Heights Senior Center
15901 Libby Road, Maple Heights, OH 44137

MARCH 20, 2019

7:00 p.m.

ADDENDUM FOR
REGULAR COUNCIL MEETING
OF MARCH 20, 2019

LEGISLATION:

RESOLUTION NO. 2019-21

A RESOLUTION ENACTING A TEMPORARY MORATORIUM ON THE ENFORCEMENT OF SECTION 1494.07 OF THE CITY'S CODIFIED ORDINANCES REQUIRING POINT OF SALE/PROPERTY MAINTENANCE INSPECTIONS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

ORDINANCE NO. 2019-22

AN ORDINANCE CHANGING THE ZONING DISTRICT ON BOTH SIDES OF DUNHAM ROAD, BETWEEN CORRIDON AVENUE AND ROCKSIDE ROAD, FROM RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) TO NEIGHBORHOOD COMMERCIAL (NC), AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

RESOLUTION NO. 2019-23

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CHAGRIN VALLEY DISPATCH COUNCIL (CVD) TO PROVIDE MANAGED IT SERVICES TO THE CITY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

RESOLUTION NO. 2019-24

A RESOLUTION SUPPORTING SUBSTITUTE HOUSE BILL 62 AND THE INCREASE IN THE OHIO MOTOR FUEL TAX OF 10.7 CENTS PER GALLON OVER THE NEXT TWO (2) YEARS AND AN INCREASE OF THE LOCAL GAS TAX SHARE TO 45% TO LOCAL GOVERNMENTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

ORDINANCE NO. 2019-25

**AN ORDINANCE REMOVING SECTION 1282.04(L) OF THE CITY'S
CODIFIED ORDINANCES TO REMOVE "DAY CARE CENTER, ADULT OR
CHILD," AS A CONDITIONALLY PERMITTED USE IN THE BROADWAY
CORRIDOR OVERLAY (BCO) DISTRICT, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

RESOLUTION NO.: 2019-21

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION ENACTING A TEMPORARY MORATORIUM ON THE ENFORCEMENT OF SECTION 1494.07 OF THE CITY'S CODIFIED ORDINANCES REQUIRING POINT OF SALE/PROPERTY MAINTENANCE INSPECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Section 1494.07 of the City's Codified Ordinances provides that the owner of record for any improved real estate used or intended to be used for residential dwelling unit(s) or commercial use group(s) shall obtain a certificate of inspection for the point of sale/property maintenance inspection prior to selling, transferring or conveying, or entering into an agreement to sell, transfer, or otherwise convey, an interest in such property; and

WHEREAS, currently pending in Federal District Courts for the Northern and Southern Districts of Ohio are two class action lawsuits filed by residents challenging the constitutionality of a municipalities' point of sale and property maintenance inspection requirements; and

WHEREAS, while the lawsuits are pending and until the Ohio General Assembly provides guidance to municipalities with regard to point of sale and property maintenance inspections, the Mayor believes that it is prudent for a temporary moratorium be placed on the enforcement of Section 1494.07.

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

Section 1. A temporary moratorium is hereby placed on the enforcement of Section 1494.07 of the City's Codified Ordinances, which moratorium shall remain in effect until Council, after consultation with the Mayor and Law Director, by a motion duly made, terminates the temporary moratorium.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the public health and welfare and for the further reason to immediately cease enforcement of Section 1494.07 during the pendency of the lawsuits and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Resolution No. 2019-21

Page Two

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

ORDINANCE NO.: 2019-22

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE CHANGING THE ZONING DISTRICT ON BOTH SIDES OF DUNHAM ROAD, BETWEEN CORRIDON AVENUE AND ROCKSIDE ROAD, FROM RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) TO NEIGHBORHOOD COMMERCIAL (NC) AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor has advised Council that a number of properties along both sides of Dunham Road, between Corridon Avenue and Rockside Road, have been rezoned over the years from Residential Single Family-Medium Density District (RSF-M) to Neighborhood Commercial District (NC) and that individuals interested in placing new businesses on Dunham Road in this area are seeking the same rezoning; and

WHEREAS, the Law Director has advised Council that the rezoning of individual properties along Dunham Road from RSF-M District to NC District could be characterized as "spot zoning". Generally speaking, spot zoning means the granting to a particular parcel of land a classification concerning its use that differs from the classification of other land in the immediate area. This practice is widely disapproved and rarely upheld by courts; and

WHEREAS, Council desires to rezone properties along both sides of Dunham Road, between Corridon Avenue and Rockside Road, from Residential Single Family-Medium Density District (RSF-M) to Neighborhood Commercial District (NC); and

WHEREAS, Council, by a vote of $\frac{3}{4}$ of its full membership, desires to waive the requirements in Charter Article XVI Sections 3 and 4 that the rezoning of properties along both sides of Dunham Road, between Corridon Avenue and Rockside Road, from Residential Single Family-Medium Density District (RSF-M) to Neighborhood Commercial District (NC) be presented to the Planning and Zoning Commission for a report and recommendation before Council acts to rezone the properties.

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

Section 1. The properties along both sides of Dunham Road, between Corridon Avenue and Rockside Road, are hereby rezoned from Residential Single Family-Medium Density District (RSF-M) to Neighborhood Commercial District (NC).

Section 2. By a vote of $\frac{3}{4}$ of its full membership, Council hereby waives the requirements in Charter Article XVI Sections 3 and 4 that the rezoning of properties along both sides of Dunham Road, between Corridon Avenue and Rockside Road, from Residential Single Family-Medium Density District (RSF-M) to Neighborhood Commercial District (NC) be

presented to the Planning and Zoning Commission for a report and recommendation before Council acts to rezone the properties.

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

Section 4. This Ordinance constitutes an emergency measure necessary for the public health and welfare and for the further reason to allow Building Department applications by new businesses to operate in the NC District to immediately begin and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

RESOLUTION NO. 2019-23

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CHAGRIN VALLEY DISPATCH COUNCIL (CVD) TO PROVIDE MANAGED IT SERVICES TO THE CITY, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and City Department Heads have advised Council that it is critical for the City to change its current IT service provider because of concerns with responsiveness, work quality and experience in handling the IT requirements and needs of a large municipality, especially the IT requirements and needs of the Police and Fire Departments; and

WHEREAS, Chagrin Valley Dispatch Council (CVD) is experienced, qualified and knowledgeable with the IT requirements and needs of large municipalities, especially the IT requirements and needs of the Police and Fire Departments; and

WHEREAS, the monthly service fee charged by CVD will be \$3,000, which is significantly less than the \$3,453 monthly service charge of the City's current IT service provider;

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

Section 1. The Mayor is hereby authorized to enter into an Agreement with Chagrin Valley Dispatch Council (CVD) to provide managed IT services to the City at the monthly service fee of \$3,000, as set forth in the Agreement, a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten herein.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the public health and general welfare of the residents of the City and because the current IT service provider agreement expires on April 1, 2019, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Resolution No. 2019-23
Page Two

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

EXHIBIT "A"

AGREEMENT TO PROVIDE MANAGED IT SERVICES TO CITY OF MAPLE HEIGHTS

THIS MANAGED IT SERVICES AGREEMENT ("Agreement"), is entered into this 1st day of _____, _____, by and between the Chagrin Valley Dispatch Council located at 88 Center Street, Bedford, Ohio 44146 (hereinafter called "CVD"), and **City of Maple Heights** located at **5353 Lee Road.** (hereinafter called "Member"), both hereinafter "Parties", in consideration of the promises made in this Agreement and intending to be legally bound, the Parties do hereby agree as follow:

1. **Services and Service Delivery** – CVD shall provide help desk support, maintenance, administration, diagnostic, troubleshooting, repair and/or consultation services ("Services") to Member with respect to Member's computer technology, computer network, computer hardware and software listed below and collectively called ("Equipment").

Equipment As Described In Schedule A (this equipment establishes the pricing for this Agreement and is included only if selected by Member and listed in Schedule A)

- a) Microsoft Windows Servers {hardware, components and Operating System software}
- b) Microsoft Windows Workstations and Laptops (hardware, components and Operating System software)
- c) Microsoft Office software applications
- d) Member's third party software applications
- e) Wireless Access Points
- f) Wide Area Network (WAN) private data links to other facilities (VPN tunnels, Frame Relay circuits, Point-to-Point Private Line circuits)

All Other "Base" Equipment Included

- h) Switches
- i) Routers
- j) Firewalls
- k) Print Servers
- l) Printers
- m) Internet access circuits
- n) Internet email software
- o) Data Backup systems hardware and software
- p) Anti-Virus systems software
- q) Anti-Spyware systems software

CVD shall provide these Services to CVD Member during the “Support and Help Desk Hours” selected by and agreed upon by CVD Member and specified in the attached Schedule A. CVD and Member’s employees needing technical assistance are to call into CVD’s help desk via CVD’s generally published support phone number or email CVD’s generally published support email address. In the event that CVD is unable to resolve Member’s problem regarding the Equipment by means of a telephonic diagnostic consultation or remote administration, then CVD shall schedule an On-Site Service Call to resolve the problem or issue.

CVD will provide the Services pursuant to this Agreement and in recognition of the charges and fees described in this Agreement without charging for labor time whenever the Services can be performed remotely.

CVD will provide scheduled preventive maintenance on Member’s Equipment, with the schedule to be based on the specific needs of the Equipment as determined by CVD, within its sole discretion. In addition, CVD may provide unscheduled remedial maintenance on Member’s Equipment as and when CVD determines that said remedial maintenance might be needed. Both scheduled and unscheduled maintenance may include adjustments and replacement of part(s) to Member’s Equipment deemed necessary by CVD. Maintenance includes, but is not limited to:

- a) Patch Management. CVD will ensure proper and timely application of all critical patches and fixes to Member’s Equipment. This includes, but is not limited to, Windows updates.
- b) Upgrades and Updates. CVD will ensure proper, timely application and installation of all critical upgrades and updates to Member’s Equipment.

CVD reserves the right to source all necessary replacement part(s) needed in servicing Member and in repairing Equipment and/or resolving issues and problems. CVD, if sourced through CVD, will bill these part(s) at fair market value, to Member. CVD also reserves the right to source all part(s), software, hardware and Equipment with regards to complete new hardware and software systems installations. Member shall have ultimate purchase authority.

CVD shall provide all Services to Member and charge Member for these Services pursuant to Section 4. “Charges for Services”. CVD reserves the right to track all time spent servicing Member.

2. **Exclusions** – The Services performed pursuant to this Agreement shall not include any of the following:

- a) New hardware or software equipment installations, setups and configurations except for additional PC workstations, which are included. This Agreement is understood to be for support and maintenance of existing Equipment.
- b) Any form of service to Equipment, which, within the professional judgment and discretion of CVD, has not been operated or stored in accordance with the manufacturer’s specifications.
- c) Painting or refinishing the Equipment or furnishing the material for these services.
- d) Any type of work external to the Equipment.

3. **Access to Equipment** – CVD’s personnel shall have free access to the Equipment for the purpose of providing Services. This includes, but is not limited to, access to any keys or passes, electronic or otherwise, which will provide or grant access to the Equipment.

4. **Charges for Services** - The monthly charges for the Services CVD provides for the Equipment, pursuant to the terms of this Agreement, is set forth on the attached Schedule A and shall constitute the "Monthly Recurring Charge Contract Price" (MRC).

In the event Member places additional equipment in service, CVD will provide an amended Schedule A reflecting the increased MRC for the additions. The MRC amount for each piece of newly added Member equipment will be the same amount for said equipment as listed in the most recent Schedule A. In the event the additional equipment has not previously been priced, CVD and Member will agree on the new pricing prior to signing the amended Schedule A.

Member shall be solely responsible for, and shall pay, any shipping charges, including insurance, necessitated as a result of shipping any Equipment to CVD and/or shipping any Equipment from CVD to Member pursuant to the terms of this Agreement.

The most recently Amended Schedule A shall supersede all previous Schedule A's for purposes of this Agreement and shall constitute the MRC for the purpose of this Agreement and any renewal of this Agreement. Further, all Amended Schedule A's shall be signed

5. **Payment of Charges** – Member shall pay CVD the Monthly Recurring Charge (MRC) monthly in advance. Member shall pay CVD the MRC every month in advance throughout the entire term of this agreement and according to the terms of the related monthly CVD invoice. Member shall be solely responsible for and shall pay, or reimburse CVD, for all taxes arising as a result of this Agreement, including all sales, use and property taxes, except for taxes based upon CVD's income. CVD shall invoice CVD Member all appropriate costs, expenses, fees, taxes and charges when they are incurred.

6. **Term** – This Agreement shall be effective commencing on the date Member signs this Agreement ("Effective Date"), and shall remain in force and effect for the term stated in the attached Schedule A. This Agreement may be terminated by either party, without cause, at the end of the initial term or any time thereafter upon ninety (90) day written notice.

7. **Member Obligations, Responsibilities and Representations** – Member shall be responsible for the operation and storage of all Equipment in accordance with the manufacturer's specifications.

8. **Confidentiality of Agreement and Materials** – Except as otherwise provided in this Agreement and/or as provided by law, Member agrees to maintain in confidence and not to disclose, reproduce, or copy this Agreement, any materials, pricing, data, documentation, or specifications that are provided by CVD pursuant to the terms of this Agreement. Except as otherwise provided in this agreement and/or as provided by law, CVD agrees to maintain in confidence and not to disclose, reproduce, or copy any of Member's data, information or documentation that is provided by Member or that CVD observes during the normal course of support Services, pursuant to the terms of this Agreement.

9. **Termination on Occurrence of Stated Events** – If Member fails to pay CVD all or any part of any charges incurred pursuant to the terms of this Agreement on the date due, CVD, at CVD's option, may terminate this Agreement by giving written notification to Member, only after CVD has provided written notice to CVD Member setting forth the past due charges and providing Member ten (10) business days to pay said charges. If either party defaults in the performance of this Agreement or materially breaches any of the provisions of this Agreement, then either party at their option, may terminate this Agreement by giving written notification to the other party, only after said party has provided written notice to the other party setting forth the alleged breach of this Agreement and providing said party ten (10) business days to remedy the breach.

10. **Delays** - CVD shall not be liable for any delays in performance, or inability to perform Services, directly or indirectly resulting from acts of Member, its agents, employees, suppliers or subcontractors, or causes beyond the control of CVD. "Causes beyond the control of CVD" include, but are not limited to:

- a) Acts of God.
- b) Acts of a public enemy or war.
- c) Acts of the United States or the District of Columbia, any State or Territory of the United States, or any of their political subdivisions.
- d) Fire.
- e) Flood.
- f) Epidemics.
- g) Quarantine restrictions.
- h) Strikes, civil commotions, or revolution.
- i) Freight embargoes.
- j) Unusually severe weather conditions.
- k) Default of CVD's or Member's subcontractors, vendors or suppliers.

11. **Liability** – Member agrees that CVD's total aggregate limit of liability hereunder (whether contract, statutory, in tort or otherwise) for damages on any one or more or all claims (regardless of the number of different or other claims, claimants or occurrences) shall not exceed the annual total of professional fees paid under this contract. Member further agrees that CVD shall not be liable to Member for any indirect, incidental, special or consequential damages, or any lost profit, revenue, or data arising out of the Services and/or Equipment, components, parts and/or any other portion of this Agreement.

12. **Parties Bound** - This Agreement and any additional or supplementary document or documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the subject matter of this Agreement or any part thereof shall have any validity or bind any of the parties hereto.

13. **Notices** - Any notices required by this Agreement to be given by one party to the other party shall be made in writing to that party at the address shown at the beginning of this Agreement or at any other address that may be designated in writing from time to time by that party. All notices shall be delivered U.S. Certified Mail prepaid or via facsimile, and shall be effective upon the receipt by the party.

14. **Governing Law** - This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

15. **Entire Agreement of the Parties** - This Agreement supersedes any and all agreements, both oral and written, between the parties with respect to the subject matter of this Agreement and contains all of the covenants and agreements between the parties with respect to the subject matter of this Agreement. Each party acknowledges that no representations, inducements, promises, or agreements, written or oral, have been made by either party, or by anyone acting on behalf of either party, that are not embodied in this Agreement.

16. **Partial Invalidity**. – If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force and effect without being impaired or invalidated in any way.

17. **Amendments of Agreement**. – This Agreement shall be modified only by a written agreement duly executed by CVD and Member.

18. **Assignment of Agreement**. – Member shall not assign this Agreement or its rights under this Agreement without the prior written consent of CVD. Any attempt to make an assignment without CVD's consent shall be void.

19. **Nonwaiver** – CVD and Member agree that no failure to exercise and no delay in exercising any right, power, or privilege under this Agreement on the part of either party shall operate as a waiver of any right, power, or privilege under this Agreement. However, CVD and Member expressly agree that the various deadlines for the performance of certain acts provided in this Agreement are mandatory and cannot be waived, unless waived in writing by CVD and Member.

20. **Indemnification** – Each party shall, to the extent permitted by law, and not inconsistent with the doctrine of sovereign immunity as to third parties, be responsible for all damages, costs, fees and expenses which arise out of the performance of this Agreement and which are due to that party's own negligence, tortious acts and other unlawful conduct and the negligence, tortious acts and unlawful conduct of its respective agents, officers and employees. In the absence of negligence or intentional misconduct in CVD's performance hereunder, to the extent permitted by law, Member shall defend, indemnify and hold CVD free and harmless from and against any claims, demands, actions, damages, expenses, fees and liabilities arising by virtue of any and all claims, demands or actions brought by third parties which are in any way related to Member implementation of CVD's recommendations and findings.

21. **Matters to be Disregarded** - The titles of the several sections, subsections, and paragraphs set forth in this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this Agreement.

IN WITNESS WHEREOF, the parties have signed this Agreement on the date and year first above written.

CHAGRIN VALLEY DISPATCH COUNCIL

By: _____ Date: _____
Mayor Susan Renda, President

Approved as to Form:

_____ Date: _____
David J. Matty, Director of Law

MEMBER

By: _____ Date: _____

Approved as to Form:

_____ Date: _____

SCHEDULE A

Fee / Support Hours

City of Maple Heights agrees to pay CVD \$3,000.00 per month for up to 40-hours of on-site / off-site work. Additional hours will be billed at \$75.00 per hour. Support and Help Desk Hours are 8:00 am to 4:00 pm, Monday through Friday except all legal holidays. After hour support is available at no additional cost for mission critical system failures. In the event of such failure, response is guaranteed to be under four (4) hours.

Equipment

An equipment list will be established after a complete inventory of all computer related equipment that the City of Maple Heights intends to include under this agreement.

Additional and/or replacement equipment purchases are not included, unless such equipment is recommended by CVD IT personnel and, approved and paid for by the City of Maple Heights.

Additional

CVD will provide the City of Maple Heights set up and configuration of basic computer, network and server additions and/or replacements (less equipment costs), however, major network overhaul or additional projects where specific vendors require certified and/or specifically trained staff to deploy such technology is not included without the prior approval and agreement of CVD.

The City of Maple Heights agrees to maintain all vendor support / maintenance contracts, including but not limited to, Anti-Virus Software, Security Hardware, Networking equipment, and other necessary equipment / software vendors to ensure the most up to date software availability and continued support.

RESOLUTION NO. 2019-24

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION SUPPORTING SUBSTITUTE HOUSE BILL 62 AND THE INCREASE IN THE OHIO MOTOR FUEL TAX OF 10.7 CENTS PER GALLON OVER THE NEXT TWO (2) YEARS AND AN INCREASE OF THE LOCAL GAS TAX SHARE TO 45% TO LOCAL GOVERNMENTS, AND DECLARING AN EMERGENCY.

WHEREAS, the recently passed Substitute House Bill 62 provides for an increase in the Ohio Motor Fuel Tax of 10.7 cents phased in over the next two years; and

WHEREAS, Substitute House Bill 62 also will increase the local gas tax share from the current 40% to 45% to local governments; and

WHEREAS, an increase in the motor fuel tax will allow the State and Local Governments to improve the deteriorating local roadway infrastructure thereby increasing the safety of all those traveling on the roads.

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

Section 1. Council of the City of Maple Heights hereby supports Substitute House Bill 62 and its increase in the Ohio Motor Fuel Tax and increase in the local share of the gas tax.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the safety, health and general welfare of the City, and to support this legislative initiative that will benefit local governments, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Resolution No. 2019-24
Page Two

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

OHIO'S TRANSPORTATION FUNDING PROBLEM: An Emerging Crisis



Ohio's roads, highways and bridges are critical factors in to our state's overall prosperity. Unfortunately, Ohio's ability to maintain a safe, efficient and effective transportation infrastructure is in jeopardy as the state faces a major shortage of reliable funding for our roads and bridges. Unless action is taken soon, the system will continue to fall into disrepair and become further congested – damaging the overall vitality of our state and the safety of the people who live here.

Fix Our Roads Ohio (FOR Ohio) is a statewide coalition of Ohioans who share an interest in the future of our state's safety, economy and lifestyle. The coalition is working to educate Ohio citizens and our lawmakers on the critical needs of Ohio's transportation infrastructure and is advocating for a long-term, dedicated funding solution to invest in Ohio's roadways and bridges. We agree with Ohio Department of Transportation Director Jack Marchbanks, who has said, "We are facing a future where we will clearly not be able to maintain the quality of the system we have, let alone improve upon it. This will endanger the safety of every single person who travels Ohio's transportation network."

HOW DID WE GET HERE?

The primary source of road and bridge funding in the state is through the Motor Fuel User Fee, established in 1925. Currently, the federal fee is 18.4 cents per gallon and the state fee is 28 cents per gallon. The federal fee has remained unchanged since 1993, and the last adjustment to the state fee occurred in 2005. Due to inflation, the purchasing power of Ohio's 28 cents per gallon fee has significantly diminished to a value of only 18 cents in 2019 dollars.

To generate revenue in the short term, the Ohio Turnpike and Infrastructure Commission borrowed against future toll income by issuing bonds for \$1 billion in August 2013 and again in 2018 for \$550 million. The entirety of those funds will be encumbered for specific projects by the end of June 2019 and the state will be paying on the debt until 2048.

Due to the conclusion of the Ohio Turnpike Bond Program and the impact of inflation on the motor fuel user fee, the Ohio Department of Transportation's (ODOT's) projected capital program is dropping from \$2.4 billion in state fiscal years 2014 and 2015 to \$1.5 billion in state fiscal year 2020 which begins on July 1, 2019. That is a \$900 million reduction in just five years.

OHIO AT A GLANCE

- 2nd largest inventory of bridges
- 3rd largest in freight volume
- 4th largest interstate highway system (based on lane miles)
- 6th in the country in total Vehicle Miles Traveled, at 118.6 billion miles annually

HOW DO WE FIX IT?

A lack of adequate funding to invest in Ohio's transportation system will negatively impact our state's economy and quality of life for every citizen. In a [case statement](#), FOR Ohio offers a list of policy options for the DeWine Administration and the Ohio General Assembly to consider. Those include phased in increases to Ohio's Motor Fuel User Fee and indexing the fee so it keeps up with inflation, levying an annual fee on electric-powered vehicles, studying future funding alternatives that account for technological advancements and identifying a dedicated funding source to better support public transit.

THE COST OF INACTION

The anticipated shortfall in transportation funding will eliminate funding for new projects designed to add capacity and relieve congestion on Ohio roads. It will also delay other needed maintenance and upgrades to existing bridges and roadways. This will send a negative ripple through Ohio's economy as road conditions worsen and construction jobs are lost. Beyond these critical existing needs, the future of transportation will include advanced technology such as autonomous vehicles and smart mobility. Ohio has been a leader in the development of these innovations, however at current funding levels, the state will be unprepared to build the infrastructure for tomorrow when it's unable to maintain its existing system today.



OUR COALITION

Fix Our Roads Ohio (FOR Ohio) is a coalition of stakeholders that have united in an effort to educate state leaders on the critical needs of Ohio's transportation infrastructure, and to advocate for a dedicated funding solution that provides long term, smart investment in Ohio's transportation future.

LOCAL GOVERNMENT

Ohio Municipal League
County Commissioners Association of Ohio
Ohio Council of County Officials
County Engineers Association of Ohio
Ohio Township Association
Ohio Mayors Alliance
Northeast Ohio Mayors and City Managers Association
Cuyahoga County Mayors and City Managers Association
Central Ohio Mayors and Managers Association
Ohio Rural Development Alliance
Ohio Public Transit Association

BUSINESS

Cincinnati USA Regional Chamber
Columbus Chamber of Commerce
Greater Cleveland Partnership
Greater Akron Chamber Of Commerce
Dayton Area Chamber of Commerce
Toledo Regional Chamber of Commerce
Youngstown/Warren Regional Chamber of Commerce
Ohio Hotel and Lodging Association
AAA Clubs of Ohio
BIA of Central Ohio
Dayton Area Logistics Association
Ohio Restaurant Association
Ohio Manufacturers' Association
Clean Fuels Ohio
UPS
Ohio Chemistry Technology Council

TRANSPORTATION

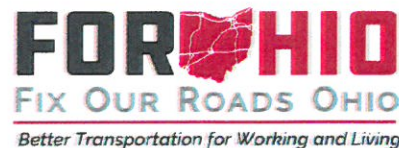
American Council of Engineering Companies of Ohio
Flexible Pavements of Ohio
Ohio Trucking Association
Ohio Aggregates and Industrial Minerals Association
Ohio Contractors Association
Transportation Advocacy Group of Northwest Ohio
Ohio Association of Movers
Ohio Prestressers Association
American Society of Civil Engineers
Ohio Concrete
UNITED Equipment Dealers Association
Ohio Equipment Distributors Association
COTA

PUBLIC SAFETY

Ohio Fire Chiefs' Association
Buckeye State Sheriffs' Association
Emergency Management Association of Ohio
Ohio Association of Public Safety Directors

REGIONAL COUNCILS

Ohio Association of Regional Councils
Akron Metropolitan Area Transportation Study (AMATS)
Belomar Regional Council and Interstate Planning Commission
Brooke-Hancock Jefferson Metropolitan Planning Commission
Buckeye Hills Regional Council
Clark County-Springfield Transportation Coordinating Committee
Eastgate Regional Council of Governments
Erie County Regional Planning Commission
KYOVA Interstate Planning Commission
Licking County Planning Commission; Licking County Area Transportation Study
Lima-Allen County Regional Planning Commission
Logan-Union Champaign Regional Planning Commission
Maumee Valley Planning Organization
Miami Valley Regional Planning Commission (MVRPC)
Mid-Ohio Regional Planning Commission (MORPC)
Mid-Ohio Valley Regional Council
Northeast Ohio Areawide Coordinating Agency (NOACA)
Northeast Ohio Four-County Regional Planning & Development Organization
Ohio Mid-Eastern Governments Association
Ohio Valley Regional Development Commission
Richland County Regional Planning Commission
Stark County Regional Planning Commission
Toledo Metropolitan Area Council of Governments (TMACOG)
Wood-Washington-Wirt Interstate Planning Commission



Follow us on Twitter, Facebook, and Instagram!
@FixOurRoadsOhio



ORDINANCE NO.: 2019-25

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE REMOVING SECTION 1282.04(L) OF THE CITY'S CODIFIED ORDINANCES TO REMOVE "DAY CARE CENTER, ADULT OR CHILD", AS A CONDITIONALLY PERMITTED USE IN THE BROADWAY CORRIDOR OVERLAY (BCO) DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Housing Manager have advised Council that in the interest of safety and economic development it is best for the City to remove adult and child day care centers as conditionally permitted uses in the Broadway Corridor Overlay District given the vacant store fronts and buildings, traffic, congestion, neighboring commercial businesses, and lack of adequate safe outdoor play areas; and

WHEREAS, Council desires to delete Section 1282.04(L) of the City's Codified Ordinances to remove adult and child day care centers as conditionally permitted uses in the Broadway Corridor Overlay (BCO) District; and

WHEREAS, Council, by a vote of $\frac{3}{4}$ of its full membership, desires to waive the requirements in Charter Article XVI Sections 3 and 4 that the deletion of Section 1282.04(L) to remove adult and child day care centers as conditionally permitted uses in the Broadway Corridor Overlay (BCO) District be presented to the Planning and Zoning Commission for a report and recommendation before Council acts.

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

Section 1. Section 1282.04(L) of the City's Codified Ordinances, entitled "Day Care Center, Adult or Child", is hereby deleted and Section (L) is to be designated as "reserved for future use".

Section 2. By a vote of $\frac{3}{4}$ of its full membership, Council hereby waives the requirements in Charter Article XVI Sections 3 and 4 that the deletion of Section 1282.04(L) to remove adult and child day care centers as conditionally permitted uses in the Broadway Corridor Overlay (BCO) District be presented to the Planning and Zoning Commission for a report and recommendation before Council acts.

Section 3. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended Section 1282.04 in the current print and electronic editions of the City's Codified Ordinances.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance constitutes an emergency measure necessary for the public health, safety and general welfare of the residents of the City and for the further reason to immediately prohibit applications for day care center conditional use permits in the BCO District, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council

City of Maple Heights
Council Expenditures over \$1,000.00
Wednesday, March 20, 2019

Date Requested	APPROVAL NUMBER	Requested By	Fund/Dept./Account	Fund	Department	Account	Beginning Department Budget Balance	Department Cost	Remaining Budget Balance	VENDOR	ITEM and DESCRIPTION	Add'l \$ Needed	Transfer from Budget Acct
3/12/2019	2019-029	Service Director	270-6100-56001	S.C.M. & R	Streets	Asphalt Supplies	\$789,609.69	\$6,000.00	\$783,609.69	Kokosing Materials Inc.	Hot Mix/ Asphalt for City Streets		
<i>Total Cost for Approval:</i>								\$6,000.00					
3/13/2019	2019-030	Police	100-1100-55000	General	Police	Other Administrative	\$2,956,868.75	\$5,000.00	\$2,951,868.75	Southeast Area Law Enforcement	2019 SEALE (Southeast Area Law Enforcement) dues		
<i>Total Cost for Approval:</i>								\$5,000.00					
3/15/2019	2019-031	Service Director	252-1100-55072	Ambulance Billing	Police	Repairs	\$205,180.65	\$1,532.08	\$203,648.57	Liberty Ford	Replace Catalytic Convertor/ Manifold on Police #4427		
<i>Total Cost for Approval:</i>								\$1,532.08					
3/15/2019	2019-032	Service Director	252-1100-55072	Ambulance Billing	Police	Repairs	\$203,648.65	\$1,532.08	\$202,116.57	Liberty Ford	Replace Catalytic Convertor/ Manifold on Police #4426		
<i>Total Cost for Approval:</i>								\$1,532.08					
3/15/2019	2019-033	Service Director	252-1100-55072	Ambulance Billing	Police	Repairs	\$202,116.65	\$1,754.30	\$200,362.35	Liberty Ford	Replace Catalytic Convertor/ Manifold on Police #4426		
<i>Total Cost for Approval:</i>								\$1,754.30					
							TOTAL	\$15,818.46					

All Approved _____ YES _____ NO

Pull Out # _____

Council President

REQUEST FOR A PURCHASE ORDER
(THIS IS NOT A PURCHASE ORDER)

(THIS IS NOT A PURCHASE ORDER)

CITY OF MAPLE HEIGHTS
Department of Administrative Services
Purchasing Division

Date: MARCH 12, 2019

Suggested Supplier: KOKOSING MATERIALS INC

Ship To: SERVICE DEPT

Address: PO Box 932723

5501 DUNHAM ST.

CLEVELAND OH 44193

Telephone No.: 740-694-9585

MAPLE HEIGHTS OH

44/37

[illegible]

Total Amount: \$10,000.00

Date Required:

Appropriation Code(s):

Requisitioned By:

Approved By:

(Departmental Director/Chief)

Competitive Price Quotations:

Date Received by Purchasing Division:

783,609.69



CITY OF MAPLE HEIGHTS
Department of Administrative Services
Purchasing Division

SEALE050

Suggested Supplier: Southeast Area Law Enforcement

Address:

Telephone No.

Date: March 13, 2019

Ship To: MHPD

2019-030

REQUEST FOR A PURCHASE ORDER

(THIS IS NOT A PURCHASE ORDER)

NO. 19-044

QUANTITY	ITEM	UNIT PRICE	TOTAL
	2019 SEALE (Southeast Area Law Enforcement) dues		\$5,000.00

Total Amount: \$5,000.00

Date Required: March 13, 2019

Appropriate Code (s) 100-1100-55000

Other Admin

2956,868 75

Requisitioned By: Chief Todd T. Hansen

Approved By: (Signature) 183
(Departmental Director/Chief)

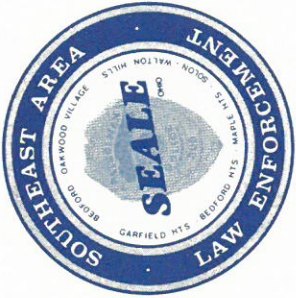
Competitive Price Quotations:

Date Received by Purchasing Division:

SOUTHEAST AREA LAW ENFORCEMENT

Dedicated to Community Protection

Federal No. 34-1199591



Bedford
Bedford Heights
Garfield Heights
Maple Heights
Oakwood Village
Solon
Walton Hills

Phone _____

TO: ALL SEAL CHIEFS

FROM: KIM JAWORSKI
FISCAL OFFICER

SUBJ: 2019 SEAL DUES

DATE: FEBRUARY 5, 2019

*****INVOICE*****

THE 2019 "SEAL DUES" ARE NOW DUE. PLEASE SEND YOUR CHECK FOR \$5,000.00 MADE OUT TO "SOUTHEAST AREA LAW ENFORCEMENT" A.S.A.P.

MAIL TO: KIM JAWORSKI
CITY OF BEDFORD
165 CENTER ROAD
BEDFORD, OH 44146



Printed on recycled paper.



REQUEST FOR A PURCHASE ORDER

(THIS IS NOT A PURCHASE ORDER)

2019-031

CITY OF MAPLE HEIGHTS
Department of Administrative Services
Purchasing Division

Date: MARCH 15, 2019

Suggested Supplier: LIBERTY FORD
Address: 5500 WARRENOVILLE CIR RD
MARLE HTS ON 44137
Telephone No.: 716.662.3613

Ship To: SERVICE DEPT
5501 DUNHAM RD
MARLE HTS ON 44137

QUANTITY	UNIT PRICE	TOTAL
REPLACE CATALYTIC CONVERTOR / MANIFOLDS ON 4427		# 1532. ⁰⁸
4427		
POLICE DEPT		
* SEE ATTACHED QUOTE		

Total Amount: 1532.00

Date Required: 4.5.4.2

Appropriation Code(s): 2521100 55072 Requisitioned By:

Approved By:

(Departmental Director/Chief)

Competitive Price Quotations:

Date Received by Purchasing Division:

203, 648. 65

LIBERTY FORD INC.
Service Quote

STQ-C

Name: CITY OF MAPLE HEIGHTS
Address: 5353 LEE RD
MAPLE HEIGHTS, OH 44137-2574

Contact: (216) 587-9018
Home Phone: (216) 587-9018
Customer #: 6622633
E-mail: VKAVALIUNAS@MAPLEHEIGHTSOHIO.COM
Service Advisor: CLAYPOOL, BILL (5603)

Quote Date: 17:57 12MAR2019
Make: FORD
Model: TAURUS
Year: 14
Odometer: 80957
VEHID: EG156275
VIN: 1FAHP2MK2EG156275

Line OpCode	Operation Description	Price
A	REPLACE THE CATALYTIC CONVERTORS/MANIFOLDS	1532.08

Subtotal: 1532.08
Tax: 0.00
Total: 1532.08

QUOTE GOOD FOR 30 DAYS.....
FOR AN APPOINTMENT PLEASE CALL
YOUR SERVICE ADVISOR AT 216-662-3673

Customer Copy
Page 1



REQUEST FOR A PURCHASE ORDER
(THIS IS NOT A PURCHASE ORDER)

(THIS IS NOT A PURCHASE ORDER)

2019-032

CITY OF MAPLE HEIGHTS
Department of Administrative Services
Purchasing Division

Date: MARCH 15, 2019

Suggested Supplier: LIBERTY FORD
Address: 5500 WARRENDALE CTR RD
MARLE HTS OH 44137

Telephone No.: 216 4402.3673

QUANTITY		UNIT PRICE	TOTAL
	REPLACEMENT OF CATALYTIC CONVERTORS / MANIFOLD ON 4426		\$ 1532.00
	4426		
	POLICE DEPT		
	* SEE ATTACHED QUOTE		

Total Amount: p 1532.

Date Required: 454.2

Appropriation Code(s): 252-1100-55072 Requisitioned By:

Approved By:

(Departmental Director/Chief)

Competitive Price Quotations:

Date Received by Purchasing Division:

Date Received by Purchasing Division:

\$202,116.65

LIBERTY FORD INC.
Service Quote

STQ-C

Name: CITY OF MAPLE HEIGHTS
Address: 5353 LEE RD
MAPLE HEIGHTS, OH 44137-2574

Contact: (216)587-9018
Home Phone: (216)587-9018
Customer #: 6622633
E-mail: VKAVALIUNAS@MAPLEHEIGHTSOHIO.COM
Service Advisor: CLAYPOOL,BILL (5603)

Quote Date: 17:57 12MAR2019
Make: FORD
Model: TAURUS
Year: 14
Odometer: 80957
VEHID: EG156275
VIN: 1FAHP2MK2EG156275

Line	OpCode	Operation Description	Price
A		REPLACE THE CATALYTIC CONVERTORS/MANIFOLDS	1532.08

Subtotal: 1532.08
Tax: 0.00
Total: 1532.08

QUOTE GOOD FOR 30 DAYS.....
FOR AN APPOINTMENT PLEASE CALL
YOUR SERVICE ADVISOR AT 216-662-3673

Customer Copy
Page 1



REQUEST FOR A PURCHASE ORDER
(THIS IS NOT A PURCHASE ORDER)

(THIS IS NOT A PURCHASE ORDER)

CITY OF MAPLE HEIGHTS
Department of Administrative Services
Purchasing Division

LIBERTY FORD

Address: 5500 WARRENVILLE GR RD

MAPLE Hts ON 4437

MAE 115 OF 4437

Telephone No.: 216.6662.3673

QUANTITY		UNIT PRICE	TOTAL
	REPLACE OF POWER TAKE OUT UNIT FOR 4427	#	1754. ³⁰
	4427		
	POLICE DEPT		
	* SEE ATTACHED QUOTE		

Date Required: ASAP

Appropriation Code(s): 252-1100-5502

Requisitioned By:

Approved By:

(Departmental Director/Chief)

Competitive Price Quotations:

Date Received by Purchasing Division:

200, 362. 35

LIBERTY FORD INC.
Service Quote

STQ-C

Name:
Address:

CITY OF MAPLE HEIGHTS
5353 LEE RD
MAPLE HEIGHTS, OH 44137-2574

Contact:
Home Phone:
Customer #:
E-mail:
Service Advisor:

(216)587-9018
(216)587-9018
6622633
VKAVALIUNAS@MAPLEHEIGHTSOHIO.COM
CLAYPOOL,BILL (5603)

Quote Date: 17:50 12MAR2019
Make: FORD
Model: TAURUS
Year: 14
Odometer: 80957
VEHID: EG156275
VIN: 1FAHP2MK2EG156275

Line	OpCode	Operation Description	Price
A		DIAGNOSIS AND REPLACEMENT OF THE POWER TAKE OFF UNIT , INCLUDING COOLANT AND TRANSMISSION FLUID AND COOLER LINES	1754.30

Subtotal: 1754.30
Tax: 0.00
Total: 1754.30

QUOTE GOOD FOR 30 DAYS.....
FOR AN APPOINTMENT PLEASE CALL
YOUR SERVICE ADVISOR AT 216-662-3673

Customer Copy
Page 1

RESOLUTION NO.: 2019-16

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CHRISTIAN UNITY BAPTIST CHURCH TO SELL THE UNIMPROVED VACANT LOT LOCATED AT 16847 BROADWAY AVENUE IN THE CITY OF MAPLE HEIGHTS AT THE FAIR MARKET VALUE OF \$5,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, Christian Unity Baptist Church has advised the Mayor and Housing Manager that it desires to purchase the unimproved vacant lot located at **16847 Broadway Avenue, Maple Heights, Ohio, PPN: 781-15-007 (S/L 187 with building)**; and

WHEREAS, the unimproved vacant lot located at **16847 Broadway Avenue, Maple Heights, Ohio, PPN: 781-15-007 (S/L 187 with building)** is owned by the City through its Land Reutilization Program and the Mayor desires to sell the lot pursuant to R.C. 5722.07, with deed restrictions requiring the lot be used only for a parking lot and installation of landscaping to beautify the lot, at a fair market value of \$5,000.00 as determined by the Cuyahoga County Fiscal Officer. Said market value includes consideration of the afore-mentioned deed restrictions.

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

Section 1. The Mayor is hereby authorized to enter into an Agreement to sell the unimproved vacant lot located at **16847 Broadway Avenue, Maple Heights, Ohio, PPN: 781-15-007 (S/L 187 with building)**, with deed restrictions requiring the lot be used only for a parking lot and installation of landscaping to beautify the lot, at a cost of \$5,000.00 to Christian Unity Baptist Church.

Section 2. Pursuant to R.C. 5722.07 the fair market value of **PPN: 781-15-007 (S/L 187 with building)**, including deed restrictions, as determined by the Cuyahoga County Fiscal Officer, is \$5,000.00. Pursuant to R.C. 5722.08 all of the proceeds from the sale of the lot shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

Section 3. The Mayor, Housing Manager and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents and tender any closing fees necessary as the Seller to effect the transfer of **16847 Broadway Avenue, Maple Heights, Ohio, PPN: 781-15-007 (S/L 187 with building)** from the Maple Heights Land Reutilization Program to the Buyer, Christian Unity Baptist Church.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to immediately allow the Buyer to use and develop the lot, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2019

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette F. Cicirella, Clerk of Council

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

Date: _____

Leonette F. Cicirella, Clerk of Council