



**PUBLIC NOTICE
CITY OF MAPLE HEIGHTS
CHANGE IN CONDUCTING OF COUNCIL MEETING AND
AGENDA**

In accordance with Sub. H. B. 197, signed into law by Gov. DeWine on March 27, 2020, notice is hereby given of a change in the **Conducting of, and Order of Business, for the April 15, 2020 Regular Meeting of Council for the City of Maple Heights, Ohio**. This Regular Meeting of Council will be conducted by teleconference. The public may access the meeting by dialing 1-646-749-3112 and entering access code 165-984-597. Members of the public will only be allowed to listen and will not be allowed to speak. The Council will suspend all regular items of the Council Meeting agenda except for the Legislation and Expenditures. There will be no Caucus Meeting, Reports or Citizens Comments. The teleconference meeting will begin at 7:00 p.m.

**Leonette Cicirella Johnson
Clerk of Council
City of Maple Heights**

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Via Teleconference– 7:00 PM

April 15, 2020

- | | | |
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| 1. | Caucus: 6:30 pm | Suspended |
| 2. | Call to Order: | Council President Ron Jackson |
| 3. | Invocation/Pledge of Allegiance: | Suspended |
| 4. | Roll Call: | Council Clerk Leonette Cicirella |
| 5. | Addendum: | |
| 6. | Approval of Minutes: | Suspended |
| 7. | Communications: | Suspended |
| 8. | Council Committee Reports: | Suspended |
| 9. | Department Reports: | Suspended |
| 10. | Citizens' Comments: | Suspended |
| 11. | Legislation: | |

2019-61, As Amended AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 660.16(C) CREATING A COST-SHARING PROGRAM WITH PRIVATE PROPERTY OWNERS FOR REMOVAL OF DEAD, DISEASED, OR DAMAGED TREES AND THOSE TREES WHOSE ROOTS HAVE ADVERSELY IMPACTED SIDEWALKS AND SEWERS FROM TREE LAWNS, AND DECLARING AN EMERGENCY.

This Ordinance is currently in the Finance Committee

2020-30 AN ORDINANCE AMENDING SECTION 1062.07(e) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING THE USE OF THE PAVILIONS AT STAFFORD PARK, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2020-34 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH THE VILLAGE OF WALTON HILLS FOR THE REHABILITATION OF DUNHAM ROAD FROM TURNEY ROAD TO TINKERS CREEK ROAD IN THE CITY OF MAPLE HEIGHTS AND THE VILLAGE OF WALTON HILLS., AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2020-35 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TINKER'S CREEK WATERSHED PARTNERS (TCWP) TO PROVIDE U.S. EPA PHASE II STORMWATER SERVICES FOR THE 2020 CALENDAR YEAR, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2020-38 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE MAPLE HEIGHTS CITY HALL ADA IMPROVEMENTS PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2020-39 AN ORDINANCE AMENDING AND RESTATING CHAPTER 898 “COMMUNITY REINVESTMENT AREAS” OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell and Shenett)

12. Expenditures over \$1,000.00:
13. Mayor’s Report: Suspended
14. Council/Council President’s Reports: Suspended
15. Adjournment

ORDINANCE NO.: 2019-61, AS AMENDED
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:

AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 660.16(C) CREATING A COST-SHARING PROGRAM WITH PRIVATE PROPERTY OWNERS FOR REMOVAL OF DEAD, DISEASED, OR DAMAGED TREES AND THOSE TREES WHOSE ROOTS HAVE ADVERSELY IMPACTED SIDEWALKS AND SEWERS FROM TREE LAWNS, AND DECLARING AN EMERGENCY.

WHEREAS, Section 660.16 of the City’s Codified Ordinances declares that dead, diseased and damaged trees on private property, including tree lawns, are a nuisance that must be abated by the private property owner; and

WHEREAS, the Mayor and Service Director, based on the significant amount of tall and older trees in the City that are dead, diseased or damaged or whose roots have impacted sidewalks and sewers, have recommended that it is necessary and in the public interest for the City to participate and share in the expense of removing dead, diseased and damaged trees and those trees whose roots have adversely impacted sidewalks and sewers from tree lawns;

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

Section 1. New Section 660.16(c) of the Codified Ordinances of the City of Maple Heights is enacted to read as follows:

“(c) Beginning April 1, 2020, the City will pay an amount not to exceed five hundred dollars (\$500) per tree lawn property, or a total amount of ten thousand dollars (\$10,000) per calendar year, to participate and share in the expense of removing dead, diseased and damaged trees and those trees whose roots have adversely impacted sidewalks and sewers from tree lawns, on as many tree lawn properties as the funds will cover, provided hereinafter that Council will appropriate funds for such purpose after estimates of cost and applications for such assistance have been filed with the Director of Finance and the Service Director. The Mayor, the Director of Finance and the Safety Director are hereby authorized and directed to plan and effectuate a program to accomplish this tree removal program in substantially the following manner:

(1) By March 31 of each year, the Service Director will request qualification statements from tree removal companies. These statements will be kept on file and made available to residents applying for the tree removal program. Tree removal companies that are hired to remove trees as set forth in this Section will be required to obtain the proper registration certificates and permits required by the Building Commissioner.

(2) The owner of each tree lawn property must apply in writing to the Service Director for tree removal assistance.

(3) The Service Director, or his designee, which may be an arborist, will investigate each tree lawn property for which application for tree removal has been made to determine whether the tree is dead, diseased, or damaged or its roots adversely impact sidewalks or sewers making removal necessary. After the Service Director, or his designee, confirms the need for tree removal, the private property owner must obtain two estimates of cost to perform the work from tree companies who submitted qualification statements to the Service Director.

(4) The applicant's cost estimates and the Safety Director's approval will be submitted to the Finance Director, who shall document each application for City financial assistance based upon the availability of appropriated funds.

(5) If funds are available, the Finance Director will notify the private property owner and the Service Director, in writing, that the City will contribute such funds, in an amount not to exceed \$500, for the tree removal by the private property owner.

(6) Upon completion of the work and approval of the work from the Service Director, the private property owner shall forward a copy of the bill from the tree removal company to the Service Director for delivery to the Finance Director.

(7) Upon receiving the bill and approval from the Service Director, the Finance Director will reimburse the private property owner up to \$500, which amount is totally at the discretion of the Finance Director based on the amount of funds available for the tree removal program each year.”

Section 2. 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 new Section 660.16(c) in the current print and electronic editions of the City’s Codified Ordinances.

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 of this Council, and that all deliberations of this Council, and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including O.R.C. Section 121.22.

Section 4. This Ordinance constitutes an emergency measure necessary for the public safety, health and welfare and for the further reasons stated in the Preamble 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.: 2020-30

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE AMENDING SECTION 1062.07(e) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING THE USE OF THE PAVILIONS AT STAFFORD PARK, AND DECLARING AN EMERGENCY.

WHEREAS, due to the economic position of the City, the Mayor desires to require a deposit in the amount One Hundred Fifty Dollars and Zero Cents (\$150.00) and a refund in the amount of Twenty-Five Dollars and Zero cents (\$25.00) to the resident upon clean-up of the pavilions.

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

Section 1.: **Section 1062.07(e)** of the Codified Ordinances of the City of Maple Heights entitled FEES is hereby amended to read as follows:

“A deposit in the amount of One Hundred Fifty Dollars and No Cents (\$150.00) shall be required at the time of registration for a City pavilion at Stafford Park. Of this amount, Twenty-five Dollars and Zero Cents (\$25.00) will be refundable only after the City’s Service Department has determined no damage was made to City property, and the pavilion has been cleaned properly after usage. All Maple Heights residents shall be required to show proof of residency at the time of registration. The deposit is required of all registrants.”

Section 2. Section 1062.07(e) of the Codified Ordinances as it previously existed is hereby repealed and amended accordingly.

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 the 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 daily operation of municipal departments, and to reduce expenses in order to preserve the City’s financial strength, 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: _____, 2020

Ron Jackson, Council President

Approved as to legal form:

Annette M. Blackwell, Mayor

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2020-34

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH THE VILLAGE OF WALTON HILLS FOR THE REHABILITATION OF DUNHAM ROAD FROM TURNEY ROAD TO TINKERS CREEK ROAD IN THE CITY OF MAPLE HEIGHTS AND THE VILLAGE OF WALTON HILLS AND DECLARING AN EMERGENCY.

WHEREAS, Dunham Road from the Walton Hills Corporation line to Turney Road is in need of sewer repairs and resurfacing; and

WHEREAS, the Ohio Public Works Commission (OPWC) has committed to directly disburse 70% of the project construction costs for both labor and materials, up to Four Hundred Twenty Thousand Four Hundred Twelve Dollars and No Cents (\$420,412.00), as required to complete the sewer repairs on Dunham Road from Schreiber Road to Turney Road; and

WHEREAS, the Cuyahoga County Department of Public Works has committed to utilize Maple Heights Sewer District 9 funds as required to supplement Ohio Public Works Commission and local sewer funds for the sewer repairs on Dunham Road from the Walton Hills Corporation line to Turney Road as required to complete the project; and

WHEREAS, the County of Cuyahoga has committed to reimburse the City of Maple Heights for 50% of the project construction costs for both labor and materials, up to One Hundred Twenty-Three Thousand Two Hundred Fifty-Five Dollars and No Cents (\$123,255.00), as required to complete the resurfacing of Dunham Road from the Walton Hills Corporation line to Turney Road; and

WHEREAS, the County of Cuyahoga has committed to reimburse the City of Maple Heights for 100% of the project construction costs for both labor and materials, up to Five Hundred and Fifty Thousand Dollars and No Cents (\$550,000.00), as required to complete the widening of Dunham Road to provide for bike lanes from the Walton Hills Corporation line to Mendota Avenue; and

WHEREAS, the County of Cuyahoga has committed to reimburse the Village of Walton Hills for similar project construction costs for both labor and materials, as required to complete the widening and resurfacing of Dunham Road to provide for bike lanes from the Maple Heights Corporation line to Tinkers Creek Road in the Village of Walton Hills; and

WHEREAS, on January 28, 2020 the Cuyahoga County Council passed **Resolution 2020-0032** which authorized the County Executive to enter into an agreement with the City of Maple Heights and the the Village of Walton Hills to expend up to \$1,908,255.00 in county funds to rehabilitate Dunham Road; and

WHEREAS, the Cuyahoga County Department of Public Works has requested that the Dunham Road widening and resurfacing project from Turney Road in the City of Maple Heights to Tinkers Creek Road in the Village of Walton Hills be administered as a joint construction project with the Village of Walton Hills serving as Project Lead.

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 and directed to enter into a Cooperation Agreement with the Village of Walton Hills for the rehabilitation of Dunham Road from Turney Road in the City of Maple Heights to Tinkers Creek Road in the Village of Walton Hills with the Village of Walton Hills serving as the Project Lead.

Section 2. The City of Maple Heights will pay the cost of labor and materials for the actual line item costs associated with construction work that occurs within the Maple Heights Corporate Limits and the Village of Walton Hills will pay the cost of labor and materials for the actual line item costs associated with all construction work that occurs within the Walton Hills Corporate Limits. Project engineering, inspection and other miscellaneous costs, including but not limited to maintenance of traffic, will be split proportionately between the City of Maple Heights and the Village of Walton Hills based upon the total length of the project as determined by the Maple Heights City Engineer and the Village of Walton Hills Engineer.

Section 3. The City of Maple Heights will agree to pay their portion of the cost of the Dunham Road rehabilitation project as invoices are due and will be credited for the \$550,000.00 committed to by Cuyahoga County for the widening of Dunham Road to construct bike lanes in the Maple Heights portion of the project and the \$123,255.00 committed to by Cuyahoga County for the resurfacing of Dunham Road in the Maple Heights portion of the project.

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, safety and general welfare of the residents of the City, and to complete the Project in the time specified for the award, 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: _____, 2020

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2020-35

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TINKER'S CREEK WATERSHED PARTNERS (TCWP) TO PROVIDE U.S. EPA PHASE II STORMWATER SERVICES FOR THE 2020 CALENDAR YEAR, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights is an operator of a small municipal separate storm sewers system (MS4) which was required to, and did obtain, by March 10, 2003, National Pollutant Discharge Elimination System permit (MS4 Permit) coverage, through the Ohio EPA, for storm water discharge as a result of U.S. EPAs Storm Water Phase II Rule; and

WHEREAS, the Storm Water Phase II Rule is part of the U.S. EPA's effort to preserve, protect, and improve the nation's water resources from polluted storm water runoff, Phase II is intended to further reduce adverse water quality and aquatic habitat conditions by instituting the use of controls on the unregulated sources of storm water discharges that have the greatest likelihood of causing environmental degradation. The Phase II rule automatically covers on a nationwide basis all small municipal separate storm sewer systems (MS4s) located in "urbanized areas" as delineated by the Census Bureau; and

WHEREAS, MS4s are required to design a storm water management plan to reduce the discharge of pollutants to the maximum extent practicable. The Phase II Rule defines a small MS4 storm water management program as comprised of six (6) minimum control measures that, when administered in concert, are expected to result in reduction of the discharge of pollutants into receiving water bodies. Operators of regulated small MS4s are required to design their programs to do the following: reduce the discharge of pollutants to the "maximum extent practicable" (MEP), protect water quality and satisfy the appropriate water quality requirements of the Clean Water Act. Implementation of the MEP standard will require the development and implementation of best management practices and the achievement of measurable goals to satisfy each of the following six (6) minimum control measures (MCM):

MCM 1. Public Education and Outreach

Distributing educational materials and performing outreach to inform citizens about the impacts polluted storm water runoff discharges can have on water quality.

MCM 2. Public Participation/Involvement

Providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a storm water management panel.

MCM 3. Illicit Discharge Detection and Elimination

Developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (includes developing a system map and informing

the community about hazards associated with illegal discharges and improper disposal of waste).

MCM 4. Construction Site Runoff Control

Developing, implementing and enforcing an erosion and sediment control program for construction activities that disturb one (1) or more acres of land (controls could include silt fences and temporary storm water detention ponds).

MCM 5. Post-Construction Runoff Control

Developing, implementing and enforcing a program to address discharges of post-construction storm water runoff from new development and redevelopment areas. Applicable controls could include preventive actions such as protecting sensitive areas (e.g., wetlands) or the use of structural BMPs such as grassed swales or porous pavement.

MCM 6. Pollution Prevention/Good Housekeeping

Developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and techniques (e.g., regular street sweeping, reduction in the use of pesticides or street salt, or frequent catch-basin cleaning); and

WHEREAS, TCWP is a non-profit organization formed by communities in the Tinker's Creek and Brandywine Creek watersheds to assist those communities in the management of stormwater runoff and related resource management issues; and

WHEREAS, the City of Maple Heights is a member in good standing of the TCWP; and

WHEREAS, TCWP will work with NEORSD and the City to assist with various public education and involvement activities to meet the requirements of MCM Nos. 1 and 2; and

WHEREAS, TCWP will work with NEORSD, the City, and other providers of services to the City to assist with pollution prevention training and good housekeeping activities to meet the requirements of MCM No. 6; and

WHEREAS, the City desires to enter into a Memorandum of Understanding (MOU) with TCWP for a period of twelve (12) calendar months beginning in January 2020, and subsequent annual renewals, to retain the services of TCWP, and participate with TCWP, in meeting the requirements of MCM Nos. 1, 2, and 6 and provide an annual report to the Ohio EPA, all as more fully set forth in the MOU, which is attached hereto as Exhibit A, and incorporated as if fully rewritten herein; and

WHEREAS, NEORSD has agreed to reimburse the City for the cost of the \$1,000.00 annual membership fee that will be paid to TCWP for the calendar year 2020 under the Community Cost Share Program.

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

Section 1. The Mayor is hereby authorized and directed to enter into the MOU with TCWP for the calendar year 2020, which is attached hereto as Exhibit A, and incorporated as if fully rewritten herein, and to pay the annual membership fee, in an amount not to exceed \$1,000.00, which will assist with funding the implementation of the services set forth in the MOU.

Section 2. 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 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City and to execute this MOU as soon as possible, 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: _____, 2020

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2020-38

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE MAPLE HEIGHTS CITY HALL ADA IMPROVEMENTS PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 20, 2019, by **Resolution 2019-100**, Council authorized and directed the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2020 Community Development Block Grant Program (CDBG); and

WHEREAS, on November 20, 2019, by **Resolution 2019-101**, Council authorized and directed the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2020 Community Development Supplemental Grant Program (CDSG); and

WHEREAS, the City of Maple Heights has been awarded \$150,000.00 by the Cuyahoga County Department of Development under the 2020 Community Development Block Grant Program (CDBG) and \$50,000.00 under the 2020 Community Development Supplemental Grant Program (CDSG) for the Maple Heights City Hall ADA Improvements Project which will help to fund improvements to City Hall to make it accessible to persons with disabilities pursuant to the Americans With Disabilities Act (ADA); and

WHEREAS, the funds awarded for the Maple Heights City Hall ADA Improvements Project by the Cuyahoga County Department of Development under the 2020 Community Development Block Grant Program are required to be expended before December 31, 2020; and

WHEREAS, the funds awarded for the Maple Heights City Hall ADA Improvements Project by the Cuyahoga County Department of Development under the 2020 Community Development Supplemental Grant Program are required to be expended before February 28, 2021; and

WHEREAS, Council deems it necessary and in the best interests of the health, safety and welfare of all of the City residents to proceed with improvements to City Hall to make it accessible to persons with disabilities pursuant to the Americans With Disabilities Act (ADA),

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

Section 1. The City Engineer is hereby authorized and directed to begin the preparation of plans and specifications and to provide advertising for bids for the Maple Heights City Hall ADA Improvements Project in City of Maple Heights.

Section 2. The Mayor is hereby authorized and directed to engage the services of Calvin M. Singleton, Jr., of Calvin Singleton and Associates, a registered Professional Architect in the State of Ohio to assist the City Engineer as required in the preparation of plans and specifications and the advertising for bids for the Maple Heights City Hall ADA Improvements Project.

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, safety and general welfare of the residents of the City, and to begin the project in a timely manner under these grant programs, 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: _____, 2020

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

ORDINANCE NO. 2020-39

INTRODUCED BY: Mayor Annette M. Blackwell and Councilman Stafford L. Shenett, Sr.

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING AND RESTATING CHAPTER 898 "COMMUNITY REINVESTMENT AREAS" OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, on December 4, 2002, pursuant to Ordinance No. 2002-073, Council passed legislation enacting Chapter 898 of the Codified Ordinances of the City of Maple Heights pertaining to Community Reinvestment Area, Housing Officer, Housing Council and Tax Incentive Review Council within the City of Maple Heights establishing boundaries of Community Reinvestment Area (CRA) in the City of Maple Heights and Designating a Housing Officer to administer the program and creating a Community Reinvestment Housing Council and a Tax Incentives Review Council; and

WHEREAS, Chapter 898 of the Codified Ordinances of the City of Maple Heights was amended on September 4, 2019 by Ordinance No. 2019-76 to establish new CRA boundaries, but the changes were never published and submitted for review as required by the approval procedures of the Ohio Department of Development; and

WHEREAS, the Mayor and Economic Development Director have recommended to Council that it is again necessary to amend Chapter 898 to re-state the new CRA boundaries for publication and submission, as well as to establish updated criteria for tax exemptions and fees.

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

Section 1. Chapter 898 "Community Reinvestment Areas" of the Codified Ordinances of the City of Maple Heights, is hereby restated and amended to read as follows, with amendments underlined:

**CHAPTER 898
"Community Reinvestment Areas"**

898.01 Community Reinvestment Area I; Housing Officer; Housing Council Tax Incentive Review Council;

Appendix A Community Reinvestment Area- Maple Heights, Ohio (Map)

898.01 COMMUNITY REINVESTMENT AREA I; HOUSING OFFICER; HOUSING COUNCIL; TAX INCENTIVE REVIEW COUNCIL.

(a) The area designated as the Maple Heights Community Reinvestment Area I constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

(b) Pursuant to Ohio R.C. 3735.66, the Maple Heights Community Reinvestment Area I is hereby established as Area Number 03547306-01 (described as follows):

Community Reinvestment Area Boundaries:

The boundaries of the area are at Interstate 480 at the northern border, Northfield Road to the east, and East 141st Street to the west. The City's southern border juts in and out along various roads and

municipalities. The City is bisected by rail lines that run diagonally through the City center, parallel to Broadway Avenue. See attached Appendix A which is incorporated as if fully rewritten herein.

(c) All properties identified as being within the designated Maple Heights Commercial Community Reinvestment Area are eligible for this incentive. This proposal is a public/private partnership intended to promote and expand conforming uses in the designated area. As part of the project, the City of Maple Heights intends to undertake supporting public improvements in the designated area.

(d) For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods. Residential applications must be filed with the Housing Officer no later than six months after construction completion.

(1) Ten (10) years, for the remodeling of every residential dwelling unit containing not more than two housing units and upon which the cost of remodeling is at least \$2,500 but less than \$25,000, as described in ORC Section 3735.67, and with such exemption being fifty percent (50%) for each of the ten (10) years.

(2) Fifteen (15) years, for the remodeling of every residential dwelling unit containing more than two housing units and upon which the cost of remodeling is at least \$25,000, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the fifteen (15) years.

(3) Fifteen (15) years, for the construction of dwellings containing not more than twenty-five (25) housing units, as described in ORC Section 3735.67, with such exemption being one hundred percent (100%) for each of the fifteen (15) years.

(e) Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671.

(1) All commercial and industrial projects are required to comply with the State application fee requirements of Ohio R.C. 3735.672(C) and the local annual monitoring fee as outlined in Ohio R.C. 3735.671(D): one percent of the amount of taxes exempted under the agreement (a minimum of five hundred dollars (\$500.00) up to a maximum of two thousand five hundred dollars (\$2,500.00) annually; the monitoring fee is a local option).

(f) In order to administer and implement the provisions of this chapter, the Director of Economic Development is designated as the Housing Officer, as described in Ohio R.C. 3735.65 through 3725.70.

(g) Community Reinvestment Area Housing Council shall be established, consisting of two members appointed by the Mayor, two members appointed by the Council and one member appointed by the Planning Commission. The majority of the members shall then appoint two (2) additional members who shall be residents within the area. The term of each of the members of this Housing Council shall be for three (3) years. An unexpired term resulting from a vacancy in this Housing Council shall be filled in the same manner as the initial appointment was made.

(h) The Tax Incentive Review Council, which has been established pursuant to Ohio R.C. 5709.85, shall review annually the compliance of all agreements involving the granting of exemptions for

commercial or industrial real property improvements under R.C. 3735.671 and make written recommendations to the Council of the City of Maple Heights as to continuing, modifying or terminating any said agreement based upon the performances of the agreement.

(i) The council reserves the right to re-evaluate the designation of the Maple Heights Commercial Community Reinvestment Area after December 31, 2020, and annually thereafter at which time the Council may direct the Director of Economic Development not to accept any new applications for exemptions as described in R.C. 3735.67.

(j) The Community Reinvestment Area Housing Council shall make an annual inspection of the properties within the district for which an exemption has been granted under R.C. 3735.67. The Community Reinvestment Area Housing Council shall also hear appeals under R.C. 3735.70.

Section 2. The Director of Economic Development is authorized and directed to take all actions necessary to obtain approval from the Ohio Department of Development for the City's CRA, including the publication of this Ordinance and the amendments to the City's CRA, including publicizing the CRA boundaries and criteria for tax exemptions and fees.

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 Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to immediately offer CRA incentives to applicants, 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: _____, 2020

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council