



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

In accordance with Sub. H. B. 404, signed into law by Gov. Mike DeWine on November 22, 2020, notice is hereby given of a change in the **Conducting of the March 3, 2021 Regular Meeting of Council for the City of Maple Heights, Ohio**. This Regular Meeting of Council will be conducted by video/teleconference. Council Members, Administrative Staff and the Public may access the meeting by the following methods:

**By computer (if have a camera and microphone), tablet or smartphone:**

1. Download the Go To Meeting App on your computer, tablet or smartphone:  
<https://global.gotomeeting.com/install/165984597>
2. Once installed then download the link below onto your computer, tablet or smart phone to join the Council meeting:  
<https://www.gotomeet.me/FrankConsolo>

**By telephone:**

1. Dial **1-646-749-3112**
2. Enter Access Code **165-984-597**

The video/teleconference meeting will begin with the Caucus Meeting at 6:30 p.m. followed by the Council Meeting at 7:00 p.m. Members of the public will only be allowed to speak during the Citizens' Comments portion of the Council Meeting.

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

**CITY OF MAPLE HEIGHTS  
COUNCIL MEETING AGENDA (Amended)**

**Via Video/Teleconference— 7:00 PM**

**March 3, 2021**

1. **Caucus: 6:30 pm** All members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilwoman Tanglyn Madden, District 5
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum:**
6. **Approval of Minutes:** February 17, 2021 (Regular Meeting of Council)
7. **Communications:**
8. **Council Committee Reports:** Public Works and Safety Committee  
Community Life and Education Committee
9. **Department Reports:**
10. **Citizens' Comments:** Per Council Rule 220.01(c)(9)  
*Comments from City residents will be entertained at Regular Council Meetings only, and shall be limited to three (3) minutes per person during comments on the agenda and comments of a general nature and no person shall be allowed to speak more than once. A person wishing to address Council shall first be recognized by the President of Council, and when recognized, shall come forward, state his or her name and address and state the subject matter which he or she wishes to discuss. Total resident comments shall be limited to 45 minutes for all comments. Under special circumstances, this rule can be extended or modified by a majority of Council present. No profanity or comments of a personal or inflammatory nature will be tolerated under any circumstances. The Presiding Officer shall permit a one (1) minute response from the Mayor or Council Member or Department Director to whom the Citizen's question is directed.*
11. **Legislation:**

**2021-20 A RESOLUTION AUTHORIZING THE COMMUNITY LIFE AND EDUCATION COMMITTEE TO EXPEND PUBLIC FUNDS AND ACCEPT PRIVATE DONATIONS TO HOST THE FOLLOWING 2021 COMMUNITY EVENTS: HOOP IT UP; TRUNK OR TREAT; GOBBLE GOBBLE TURKEY GIVEAWAY; AND YOUTH HOLIDAY PARTY, AND DECLARING AN EMERGENCY.**

**Reading 2 (Shenett, Madden and Agee)**

**2021-23 A RESOLUTION DESIGNATING MARCH 2021 AS "MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH" IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Jackson)**

**2021-24 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR RONYAK PAVING, INC., INCREASING THE CONTRACT BY \$13,882.63, FOR THE LEE ROAD SOUTH PAVEMENT REPAIR PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2021-25 AN ORDINANCE ENACTING NEW CHAPTER 1488 – TENANT’S RIGHT TO PAY TO STAY OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2021-26 A RESOLUTION APPROVING THE 2021 PAINT THE CITY PROGRAM AND AUTHORIZING THE MAYOR TO AWARD FUNDING TO ELIGIBLE APPLICANTS, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**Motion: A Motion pursuant to Sect. 1262.045(A) of the Maple Heights Codified Ordinances approving the appointment of Mr. Mike Wildermuth to the Architectural Review Board.**

- 12. Expenditures over \$3,500.00:**
- 13. Mayor’s Report:**
- 14. Council/Council President’s Reports:**
- 15. Adjournment:**

**RESOLUTION NO. 2021-20**

**INTRODUCED BY:** Councilman Stafford L. Shenett, Sr., Councilwoman Tanglyn Madden and  
Councilwoman Edwina Agee

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING THE COMMUNITY LIFE AND EDUCATION COMMITTEE TO EXPEND PUBLIC FUNDS AND ACCEPT PRIVATE DONATIONS TO HOST THE FOLLOWING 2021 COMMUNITY EVENTS: HOOP IT UP; TRUNK OR TREAT; GOBBLE GOBBLE TURKEY GIVEAWAY; AND YOUTH HOLIDAY PARTY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Community Life and Education Committee desires to use public funds and accept private donations to host the following community-wide events in 2020: 1) Hoop It Up in August; 2) Trunk or Treat in October; 3) Gobble Gobble Turkey Giveaway in November; and 4) Youth Holiday Party in December; and

**WHEREAS**, each of the events is for the general good of all Maple Heights residents and the primary objective of each event is to further the public purposes of promoting good will, civic pride, harmony and understanding throughout the entire Maple Heights community by fostering interaction between residents and members of the City's Police and Fire Departments, Service Department, and other City staff and personnel in settings offering fun, food, non-alcoholic refreshments, and turkey and toy giveaways in celebration of residency in the City of Maple Heights; and

**WHEREAS**, Auditor of State Bulletin 2003-005 states "the Auditor of State's Office will require that expenditures of public funds for coffee, meals, refreshments, or other amenities have prior authorization by the appropriate legislative authority;" and

**WHEREAS**, Ohio Attorney General Opinion 82-006 cites with approval the Ohio Supreme Court case of State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) to provide guidance as to what may be construed as a public purpose as follows: First, the expenditure is required for the general good of all inhabitants; Secondly, the primary objective of the expenditure is to further a public purpose; and

**WHEREAS**, the decision to expend public funds must be memorialized by a duly enacted ordinance or resolution and may have prospective effect only.

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

**Section 1.** Council finds that each of the following 2021 Community Life & Education Committee hosted events is for the general good of all Maple Heights residents and the primary objective of each event is to further the public purposes of promoting good will, civic pride, harmony and understanding throughout the entire Maple Heights community by fostering interaction between residents and members of the City's Police and Fire Departments, Service Department, and other City staff and personnel in settings offering fun, food, non-alcoholic refreshments, and turkey and toy giveaways in celebration of their residency in the City of Maple

Heights and the use of public funds and acceptance of private donations for each of these events is hereby authorized:

1) Hoop It Up in August; 2) Trunk or Treat in October; 3) Gobble Gobble Turkey Giveaway in November; and 4) Youth Holiday Party in December.

**Section 2.** Private donations shall be kept track of by the Committee Chair by preparing a report describing the donor (name, address and contact information), the date of the donation, the amount of the donation, whether the donation was made by cash or check, and the event for which the donation is made. This report shall be submitted to the Finance Director along with the donation within two (2) business days after receipt of the donation. The Finance Director shall deposit the donation into the General Fund but must account for the donation by placing the amount of the donation in a line item within the General Fund designated exclusively for use of the event for which the donation was received.

**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 public peace, safety and general welfare of the City and for the further reason that preparing budgets and plans for each of these events must begin 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: \_\_\_\_\_, 2021

\_\_\_\_\_  
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. 2021-23**

**INTRODUCED BY:** Council President Ron Jackson

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**A RESOLUTION DESIGNATING MARCH 2021 AS “MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, multiple sclerosis (MS) is a neurological disease of the central nervous system, affecting nearly 1 million people in the United States alone; and

**WHEREAS**, multiple sclerosis generally strikes people in the prime of life, between ages 20 through 50, and the cause and course of the often-debilitating symptoms of MS remain unknown and no cure currently exists; and

**WHEREAS**, the National Multiple Sclerosis Society has been committed for 75 years to a world free of MS, heightening public knowledge about and insight into the disease;

**WHEREAS**, together we have transformed what it means to live with MS and provided global leadership to help achieve our vision of a world free of MS; and

**WHEREAS**, since 1946 the National Multiple Sclerosis Society has been a driving force of MS research, relentlessly pursuing prevention, treatments and a cure, and has invested more than \$1 billion in groundbreaking research; and

**WHEREAS**, funds raised through the National Multiple Sclerosis Society fuel research on pathways to MS cures and invest in the MS research workforce at the best medical centers, universities and other institutions throughout the U.S. and abroad, leading to many breakthroughs in the treatment of MS; and

**WHEREAS**, stopping MS in its tracks, restoring what has been lost, and ending MS forever is the mission of the National Multiple Sclerosis Society and one that all Americans and Ohioans should support; and

**WHEREAS**, the City of Maple Heights recognizes the importance of finding the cause and cure of MS and expresses its appreciation for the dedication that the National Multiple Sclerosis Society – Ohio has shown toward creating a world free of MS.

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



**Section 1.** Council hereby designates March 2021 as Multiple Sclerosis Education and Awareness Month in the City to raise public awareness of multiple sclerosis, to encourage education of this disease, promote early detection strategies and support individuals with multiple sclerosis and their families.

**Section 2:** Council hereby recognizes the National Multiple Sclerosis Society for its 75 years of commitment to and efforts in the prevention, treatments and cure of MS.

**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 safety, health and welfare of the City, and to educate the public about Multiple Sclerosis, 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: \_\_\_\_\_, 2021

\_\_\_\_\_  
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. 2021-23**

**Page Two**



**RESOLUTION NO. 2021-24**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR RONYAK PAVING, INC, INCREASING THE CONTRACT BY \$13,882.63, FOR THE LEE ROAD SOUTH PAVEMENT REPAIR PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, the creation and retention of jobs and employment opportunities are integral to the continued economic health of the City of Maple Heights, Ohio and its citizens; and

**WHEREAS**, the use of governmental resources for the promotion of economic development in the community is in the public interest and is a proper exercise of municipal powers; and

**WHEREAS**, the Cuyahoga County Department of Development and the City of Maple Heights have worked together to assemble a package of County and Municipal programs and commitments that compelled GOJO Industries, Inc. to develop a new manufacturing facility at the existing warehouse space at 5700 Lee Road South and bring investment, employment, and payroll to the City of Maple Heights; and

**WHEREAS**, on June 17, 2020 Council passed **Ordinance No. 2020-59** which authorized the Mayor to enter into an agreement with GOJO Industries, Inc. for a Job Creation and Retention Program Grant whereby the City will provide GOJO Industries, Inc. with various grant payments from City non-tax revenues based on the length of stay and the number of employees to be retained at 5700 Lee Road South, as more fully outlined in the agreement on file in the Office of the Economic Development Director; and

**WHEREAS**, the City of Maple Heights wishes to make any necessary infrastructure improvements on Lee Road South so that the new GOJO Industries, Inc. manufacturing facility will operate without disruption and maintain peak efficiency by providing uninterrupted access to and from the facility; and

**WHEREAS**, the City Engineer has recommended that the Lee Road South pavement, between Rockside Road and the northerly termini at the cul-de-sac, be improved by repairing and sealing deteriorated joints and pavement areas in the concrete pavement and applying an asphalt overlay at a cost estimated to not exceed One Hundred Eight-Eight Thousand Dollars and Zero Cents (\$188,000.00), and

**WHEREAS**, on August 5, 2020, by **Resolution 2020-74**, Council authorized and directed the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Lee Road South Pavement Repair Project in the City of Maple Heights, and

**WHEREAS**, on August 27, 2020, the bids for the Lee Road South Pavement Repair Project were opened and inspected by the City Engineer to determine the lowest and best bid, and

**WHEREAS**, on September 2, 2020, by **Resolution 2020-78**, the Council of the City of Maple Heights authorized the Mayor to enter into a contract with Ronyak Paving, Inc., for the Lee Road South Pavement Repair Project, for a cost not to exceed One Hundred Forty-Eight Thousand Nine Hundred Dollars and Zero Cents (\$148,900.00), and

**WHEREAS**, the City Engineer directed additional work to be performed, specifically quantities in excess of the contract line item amounts for concrete pavement repairs and asphalt.

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

**Section 1.** The Council of the City of Maple Heights hereby authorizes Change Order No. 1 for Ronyak Paving, Inc., to increase the contract for the Lee Road South Pavement Repair Project, in the amount of Thirteen Thousand Eight Hundred Eighty-Two Dollars and Sixty-Three Cents (\$13,882.63), to provide for work performed in excess of the contract line item amounts.

**Section 2.** The Council of the City of Maple Heights hereby authorizes the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution:

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

**Section 4.** This Resolution constitutes an emergency measure necessary for the health and welfare of the residents of the City, and to begin the project in a timely manner so that it can be completed prior to the close of the 2021 construction season, 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: \_\_\_\_\_, 2021

\_\_\_\_\_  
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. 2021-25**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**AN ORDINANCE ENACTING NEW CHAPTER 1488 - TENANT'S RIGHT TO PAY TO STAY OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, international, national, state, and local governments and health authorities are responding to an outbreak of a disease caused by the novel coronavirus referred to as COVID-19; and

**WHEREAS**, the State of Ohio, the County of Cuyahoga, and the City of Maple Heights are experiencing a public health crisis from the COVID-19 pandemic that will have lasting impacts on residents and the economy; and

**WHEREAS**, on March 9, 2020, the Governor of the State of Ohio declared a State of Emergency to exist in Ohio as a result of the threat of COVID-19; and

**WHEREAS**, the Centers for Disease Control and Prevention, the Ohio Department of Health, and the Cuyahoga County Department of Public Health have all issued recommendations including, but not limited to, social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

**WHEREAS**, as a result of the public health emergency and the precautions recommended by health authorities, many residents and businesses in the City of Maple Heights have experienced or expect to soon experience sudden and unplanned income loss; and

**WHEREAS**, the Governor of the State of Ohio has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19 and individuals directly affected by COVID-19 may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

**WHEREAS**, further economic impacts are anticipated, leaving residential tenants vulnerable to eviction; and

**WHEREAS**, during this local emergency and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement to protect the City's affordable housing stock and to prevent housed individuals from falling into homelessness; and

**WHEREAS**, housing displacement and homelessness place the City's residents at a higher risk of COVID-19 infections; and

**WHEREAS**, unemployment compensation, rental assistance and other dollars are being made available to Ohioans so they can meet their basic needs but these dollars have been slow to make their way into people's bank accounts.

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

**Section 1:** Council hereby enacts New **Chapter 1488** of the Codified Ordinances of the City of Maple Heights entitled "**Tenant's Right to Pay to Stay**" to read as follows:

**CHAPTER 1488**  
**"Tenant's Right to Pay to Stay"**

<b>1488.01</b>	<b>Definition</b>
<b>1488.02</b>	<b>Tenant's right to pay to stay prior to the filing of an eviction action (Complaint for Forcible Entry and Detainer)</b>
<b>1488.03</b>	<b>Tenant's right to pay to stay prior to an eviction judgment (Judgment for Restitution)</b>
<b>1488.04</b>	<b>Tenant's right to pay to stay prior to the execution of the eviction judgement for non-payment of rent (Writ of Restitution)</b>
<b>1488.05</b>	<b>Late fees</b>
<b>1488.06</b>	<b>Rent receipt required</b>
<b>1488.07</b>	<b>Other Causes for Eviction</b>
<b>1488.08</b>	<b>Legislative Review</b>
<b>1488.09</b>	<b>Severability</b>

**1488.01      Definition**

As used in this Chapter:

- (a) "Tenant" means any person, company, organization, or franchise that rents or leases a rental unit for living, dwelling or business purposes with the consent of the owner or agent in charge.
- (b) "Tender" means an offer of payment.

**1488.02      Tenant's right to pay to stay prior to the filing of an eviction action (Complaint for Forcible Entry and Detainer)**

- (a) At any time prior to the filing of an action under Ohio Revised Code 1923 for

nonpayment of rent by a landlord, a tenant shall have the right to pay the landlord all past due rent with reasonable late fees to avoid the filing of such action for the restitution of the lands or tenements.

If the tenant tenders all accrued rent and reasonable late fees to the landlord, the landlord shall accept the tendered payment and allow the tenant to maintain the tenancy.

- (b) If the tenant tenders all past due rent with reasonable late fees to the landlord prior to the filing of an action under Ohio Revised Code 1923 and the landlord refuses the tender, the tenant's tender of all past due rent with reasonable late fees shall be an affirmative defense to any action filed by the landlord against the tenant for nonpayment of rent.

**1488.03      Tenant's right to pay to stay prior to an eviction judgment for non-payment of rent (Judgment for Restitution)**

- (a) After the filing of an action under Ohio Revised Code 1923 for nonpayment of rent but prior to a judgment, the tenant shall have the right to pay the landlord all past due rent, reasonable late fees and court costs so that the tenant may maintain the tenancy. If the tenant tenders all past due rent amounts, including late fees and court costs, the landlord must accept the payment. Upon receipt of the payment, the landlord shall dismiss the action against the tenant.
- (b) If the tenant tenders all past due rent with reasonable late fees and court costs to the landlord prior to a judgment and the landlord refuses the tender, the tenant's tender of all past due rent, reasonable late fees and court costs shall be an affirmative defense to the eviction action filed by the landlord against the tenant for nonpayment of rent.

**1488.04      Tenant's right to pay to stay prior to the execution of the eviction judgment (Writ of Restitution)**

- (a) After the filing of an action under Ohio Revised Code 1923 for nonpayment of rent but prior to the execution of the eviction judgment through a writ of restitution, the tenant shall have the right to pay the landlord all past due rent, reasonable late fees and court costs, including the cost of obtaining the writ, so that the tenant may maintain the tenancy. If the tenant tenders all past due rent amounts, including reasonable late fees and court costs, the landlord must accept the payment. Upon receipt of the payment, the landlord shall notify the court who shall vacate the eviction judgment and dismiss the eviction action against the tenant.
- (b) If the tenant tenders all past due rent with reasonable late fees and court costs to the

landlord prior to the execution of the eviction judgment through a writ of restitution and the landlord refuses the tender, the bailiff shall not enforce the eviction judgment until the court instructs the bailiff to do so after an emergency hearing on the tenant's right to pay and stay at the premises. If the court finds during the emergency hearing that the tenant tendered all past due rent, reasonable late fees and court costs, the court shall vacate the eviction judgment and dismiss the eviction action against the tenant.

**1488.05      Late fees**

If a rental agreement includes a provision that authorizes the landlord to assess the tenant a fee for late payment of the monthly rent, the total amount of that late payment fee for any month may not exceed the larger of: (i) twenty-five dollars (\$25.00); or (ii) five percent (5%) of the monthly contract rent.

**1488.06      Rent receipt required**

The landlord shall provide the tenant with a signed receipt for the security deposit and all rental payments except for payments made by personal check of the tenant, at the time the security deposit or rental payments are made.

**1488.07      Other Causes for Eviction**

This Chapter in no way limits the ability of a landlord to initiate an eviction action for reasons other than solely for non-payment of rent.

**1488.08      Legislative Review**

This Chapter is subject to review by Council one year after adoption and annually thereafter.

**1488.09      Severability**

If any provision of this ordinance is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this ordinance which can be implemented without the invalid provisions and, to this end, the provisions of this ordinance are declared to be severable. The City Council/Commission hereby declares that it would have adopted this ordinance and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional or otherwise unenforceable.

**Section 2.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and



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

**Section 3:** This Ordinance constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and for the further reason that it is necessary to assure that tenants have stable housing to assure health and safety during the current pandemic, 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: \_\_\_\_\_, 2021

\_\_\_\_\_  
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. 2021-26**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**AN RESOLUTION APPROVING THE 2021 PAINT THE CITY PROGRAM AND  
AUTHORIZING THE MAYOR TO AWARD FUNDING TO ELIGIBLE APPLICANTS,  
AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor and Economic Development Director have proposed a grant program known as the 2021 Paint The City Program ("the Paint Program"), the terms of which are attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide owners who occupy their homes with financial assistance to repaint the exterior of their homes as a way to preserve and promote the curb appeal of homes in the City; and

**WHEREAS**, pursuant to Section 240.13 of the City's Codified Ordinances, Council created the Housing Reinvestment Grant Fund which shall be the source of funding for the City to make awards to eligible applicants of the Paint Program.

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

**Section 1.** Council hereby approves the 2021 Paint The City Program, as described in the attached Exhibit A and authorizes the Mayor to use funds in the Housing Reinvestment Grant Fund to provide funding awards for eligible applicants pursuant to the terms of this Paint Program.

**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 peace, safety and general welfare of the City and for the further reason that applications for the Paint Program will be available beginning May 1, 2021, 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: \_\_\_\_\_, 2021

\_\_\_\_\_  
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

City of Maple Heights													
Council Expenditures over \$3,500.00													
Wednesday, March 3, 2021													
Date Requested	APPROVAL NUMBER	Requested By	Fund/Dept. Account	Fund	Department	Account Name	Beginning Overall "Professional Services/ Other" Budget	Department Cost	Remaining Overall "Professional Services/ Other" Budget Balance	VENDOR	ITEM and DESCRIPTION	Add'l \$ Needed	Transfer from Budget Acct
02/19/21	2021-020	Service Director	100.716055079	General	Lands & Bldgs	Traffic Signal Repairs	\$677,552.53	\$3,803.00	\$673,749.53	Signal Service Co.	Complete Repairs to Traffic Signal Control Cabinet Back Panel, North West Corner Pedestrian Signal Due to Accident on Broadway & Libby. Ticket #183842		
Total Cost for Approval								\$3,803.00					
02/22/21	2021-021	Service Director	270.610055072	SCMR	Streets	Parts & Repairs	\$1,371,602.21	\$9,010.75	\$1,362,591.46	Winter Equipment	Carbide Blades, Curb Corners, Wear Plates, Bolts, and Etc. Supplies		
Total Cost for Approval								\$9,010.75					
02/22/21	2021-022	Police Chief	252.110055015	Ambulance Billing	Police	Prof. Services	\$218,946.92	\$10,000.00	\$208,946.92	The City of Bedford	SEALE - 2021 Drug Law Enforcement Dues		
Total Cost for Approval								\$10,000.00					
GRAND TOTAL					\$22,813.75								

All Approved YES NO  
 Pull Out # Additions #  
 Pull Out # Additions #  
 Pull Out # Additions #

Council President