



**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 May 5, 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**

Via Video/Teleconference— 7:00 PM

1.	Caucus: 6:30 pm	All Members of Council
2.	Call to Order:	Council President Ron Jackson
3.	Invocation/Pledge of Allegiance:	Councilwoman Toni Jones, District 2
4.	Roll Call:	Council Clerk Leonette Cicirella Johnson
5.	Addendum:	
6.	Approval of Minutes:	April 21, 2021 (Regular Meeting of Council)
7.	Communications:	
8.	Council Committee Reports:	Finance 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.

2019-61, As Amended AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 660.16(C) CREATING A COST-SHARING PROGRAM WITH PRIVATE PROPERTY OWNERS FOR THE 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.

2020-12, As Amended AN ORDINANCE ENACTING “CHAPTER 295-AUDIT COMMITTEE” OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS IN ORDER TO PROVIDE INDEPENDENT REVIEW AND OVERSIGHT OF THE CITY’S FINANCIAL REPORTING PROCESSES, INTERNAL CONTROLS, AND THE INDEPENDENT AUDITOR COMMENTS, AND DECLARING AN EMERGENCY.

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.

This Ordinance is currently in the Housing/Economic Development Committee

2021-33 A RESOLUTION ACCEPTING A FUNDING AWARD FROM THE CLEVELAND WATER DEPARTMENT SUBURBAN WATER MAIN RENEWAL (SWMR) PROJECT FUND AND DIRECTING THE CITY ENGINEER TO PREPARE PLANS, BID SPECIFICATIONS AND COST ESTIMATES FOR THE LIBBY ROAD WATERMAIN REPLACEMENT PROJECT, FROM BROADWAY AVENUE TO LEE ROAD, AND TO PROVIDE THE ADVERTISING FOR BIDDING SAID PROJECT, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2021-34 A RESOLUTION ACCEPTING A FUNDING AWARD FROM THE CUYAHOGA COUNTY HEALTHY TREE CANOPY PROGRAM (HTCP) AND DIRECTING THE CITY ENGINEER TO PREPARE PLANS, BID SPECIFICATIONS AND COST ESTIMATES FOR THE DUNHAM ROAD GREENWAY TREE PLANTING PROJECT (COUNTY PROJECT NO. MAP-21-01), AND TO PROVIDE FOR BIDDING SAID PROJECT, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2021-36, As Amended A RESOLUTION DESIGNATING THE THIRD SATURDAY OF MAY ANNUALLY AS MAPLE HEIGHTS CLEAN-UP DAY, AND DECLARING AN EMERGENCY.

Reading 2 (Anderson and Trojanski)

2021-37 A RESOLUTION CHANGING THE REGULAR MEETING SCHEDULE OF COUNCIL FOR THE MONTHS OF JUNE, JULY AND AUGUST 2021, AND DECLARING AN EMERGENCY.

Reading 1 (Jackson)

2021-38 AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF MAPLE HEIGHTS, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022; SUBMITTING THE SAME TO THE BUDGET COMMISSION OF CUYAHOGA COUNTY; AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-39 AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2021, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-40 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AMATO HOMES I, LLC TO SELL FOUR (4) VACANT LOTS LOCATED AT 6000 DUNHAM ROAD (PPN 785-12-106); 6101 DUNHAM ROAD (PPN 786-09-038); 6105 DUNHAM ROAD (PPN 786-09-034); 16112 WOODBROOK AVENUE (PPN 786-16-016) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-41 A RESOLUTION DESIGNATING JUNE 2021 AS “PROSTATE CANCER AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell and Jackson)

2021-42 A RESOLUTION IN SUPPORT OF SUBMISSION OF AN APPLICATION TO THE OHIO ASSOCIATION OF REGIONAL COUNCILS (OARC) THROUGH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING FOR THE CITYWIDE SIGNAL SAFETY AND EFFICIENCY UPGRADES PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-43 A RESOLUTION IN SUPPORT OF SUBMISSION OF AN APPLICATION TO THE OHIO ASSOCIATION OF REGIONAL COUNCILS (OARC) THROUGH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING FOR THE PUBLICLY OWNED ALTERNATIVE FUEL VEHICLES PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-44 A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR METIS CONSTRUCTION SERVICES, INCREASING THE CONTRACT BY \$6,930.00, FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

12. Expenditures over \$3,500.00:
13. Mayor’s Report:
14. Council/Council President’s Reports:
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) **Effective upon passage of this Section**, 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 Service 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 by the Service Director, the private property owner shall submit a 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: _____, 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.: 2020-12, As Amended

INTRODUCED BY: Mayor Annette Blackwell and Council President Ron Jackson

MOTION FOR ADOPTION BY:

AN ORDINANCE ENACTING “CHAPTER 295-AUDIT COMMITTEE” OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS IN ORDER TO PROVIDE INDEPENDENT REVIEW AND OVERSIGHT OF THE CITY’S FINANCIAL REPORTING PROCESSES, INTERNAL CONTROLS, AND THE INDEPENDENT AUDITOR COMMENTS, AND DECLARING AND EMERGENCY.

WHEREAS, the State Auditor through its Fiscal Supervisors, has advised the Finance Director that the City must organize an Audit Committee to provide independent review and oversight of the City’s financial reporting processes, internal controls, and the independent auditor comments, which Committee shall review financial statements, independent auditor reports and follow up on corrective actions; review the City of Maple Height’s comprehensive framework of internal controls; to assess the performance of the independent auditor; and to provide an independent forum to report findings of management fraud, abuse or control override to the independent auditor; and

WHEREAS, the Finance Director has recommended to the Council and its Finance Committee that an Audit Committee be established as required by the State Auditor.

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

Section 1. Chapter 295-Audit Committee, of the Codified Ordinances of the City of Maple Heights is hereby adopted as follows:

CHAPTER 295-AUDIT COMMITTEE

295.01 ESTABLISHMENT; PURPOSE.

Effective June 15, 2021, The City of Maple Heights Audit Committee is hereby established to provide independent review and oversight of the City’s financial reporting processes, internal controls, and the independent auditor comments. The Committee shall review financial statements, independent auditor reports and follow up on corrective actions; review the City of Maple Height’s comprehensive framework of internal controls; to assess the performance of the independent auditor; and to provide an independent forum to report findings of management fraud, abuse or control override to the independent auditor.

295.02 MEMBERSHIP.

The Audit Committee shall be composed of the Maple Heights City Council Finance Committee members, two Maple Heights residents appointed by City Council President and four Maple Heights residents appointed by the Mayor. The appointed Maple Heights residents must currently or formerly have been employed in the finance industry, or serve

in a finance capacity, preferably within government finance, and/or must be a recognized expert of the finance industry. Committee members shall receive no compensation for their service and shall have a point of contact in the Department of Finance.

295.03 TERMS.

Initially, one Council President appointment and two Mayoral appointments shall be for a period of one year. Thereafter, each appointment and the remainder of all other initial appointments shall be for a period of two years.

295.04 GENERAL RULES OF OPERATION AND BYLAWS.

The Committee shall meet at least on a quarterly basis. The committee shall devise its own officers, governance, place and time of assembly and bylaws.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all such 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 Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to begin the financial oversight process, 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"

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

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.: 2021-36, As Amended

INTRODUCED BY: Councilwoman Dana D. Anderson and Councilman Richard Trojanski

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

**A RESOLUTION DESIGNATING THE THIRD SATURDAY OF MAY ANNUALLY
AS MAPLE HEIGHTS CLEAN-UP DAY, AND DECLARING AN EMERGENCY.**

WHEREAS, a Clean-Up Day will prompt individuals to take greater responsibility for their local environment by creating cleaner parks, streetscapes, and public spaces through litter removal and elimination.

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

Section 1. The third Saturday of May is hereby designated Maple Heights Clean-Up Day and all residents and business are encouraged to volunteer to create cleaner parks, streetscapes, and public spaces in the City through litter removal and elimination.

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 May 15 is the date chosen for the Clean-Up day, 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. 2021-37

INTRODUCED BY: Council President Ron Jackson

MOTION FOR ADOPTION BY:

**A RESOLUTION CHANGING THE REGULAR MEETING SCHEDULE
OF COUNCIL FOR THE MONTHS OF JUNE, JULY AND AUGUST 2021,
AND DECLARING AN EMERGENCY.**

WHEREAS, it is the desire of the Council, in accordance with Section 220.01(a)(1) of the Codified Ordinances of the City of Maple Heights, to change its regular meeting schedule and establish a Summer Schedule of Meetings for the months of June, July, and August, 2021.

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

Section 1. Pursuant to Section 220.01(a)(1) of the City's Codified Ordinances, the regularly scheduled Council Meetings for the months of June, July and August 2021 ("2021 Summer Months") are hereby changed. During the 2021 summer months, regular Council Meetings shall be held on the first Wednesday of the month, and there will be no regular Council Meeting on the third Wednesday of the month. Accordingly, the 2021 Summer Meetings of Council will be held at 7:00 p.m. on Wednesday, **June 2, 2021**, Wednesday, **July 7, 2021** and Wednesday, **August 4, 2021**. Special Meetings of Council may be held as needed with proper notice.

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 daily operation of municipal departments, 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. 2021-38

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE ADOPTING THE ALTERNATIVE TAX BUDGET INFORMATION OF THE CITY OF MAPLE HEIGHTS, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022; SUBMITTING THE SAME TO THE BUDGET COMMISSION OF CUYAHOGA COUNTY; AND DECLARING AN EMERGENCY.

WHEREAS, on October 11, 2002, the Cuyahoga County Budget Commission with an affirmative vote of all members waived the requirement for taxing authorities of subdivisions or other taxing units (including schools) to adopt a Tax Budget as provided under O.R.C. Section 5705.281, but instead requires the filing of Alternative Tax Budget Information on an annual basis; and

WHEREAS, the Alternative Tax Budget Information for the City of Maple Heights, Ohio for the fiscal year beginning January 1, 2022 has been prepared and presented to the Council; and

WHEREAS, after due consideration, Council deems it advisable in the interest of the Municipality to adopt the Alternative Tax Budget Information.

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

Section 1. The Alternative Tax Budget Information of the City of Maple Heights, Ohio for the fiscal year beginning January 1, 2022, heretofore prepared by the Mayor and Director of Finance and submitted to this Council, copies of which are on file in the offices of the Director of Finance and Clerk of Council, is hereby adopted as the official Alternative Tax Budget Information of the City of Maple Heights, Ohio, for the fiscal year beginning January 1, 2022.

Section 2. The Finance Director is authorized and directed to promptly certify a copy of said Alternative Tax Budget Information and a copy of this Ordinance and transmit the same to the Budget Commission of Cuyahoga County, Ohio.

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 peace, safety and general welfare of the City and for the further reason to comply with all State, County and Local requirements concerning tax budgets, 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. 2021-39

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2021, AND DECLARING AN EMERGENCY.

WHEREAS, Council adopted a municipal budget pursuant to **Ordinance No. 2020-100** for the fiscal year January 1, 2021 through December 31, 2021 setting forth certain annual appropriations; and

WHEREAS, the Finance Director has recommended to Council that amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated May 5, 2021 which is incorporated as if fully rewritten herein, are necessary to account for certain additional expenditures.

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

Section 1. The annual appropriations of the City, established by **Ordinance No. 2020-100** shall be amended by the Council, as recommended by the Finance Director in accordance with Exhibit A dated May 5, 2021 which is incorporated as if fully rewritten herein, and such amended budget is hereby adopted.

Section 2. To provide for operating expenditures during the fiscal year ending December 31, 2021, the amended appropriations, as recommended by the Finance Director in Exhibit A, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A dated May 5, 2021 to the Cuyahoga County Fiscal Officer.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings 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 the City's Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the City and for the further reason that the amended appropriations must be immediately made to insure the financial integrity of the City's budget and presented to the County Fiscal Officer. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

members of Council and approval by the Mayor; otherwise, it shall become effective at the earliest time 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.: 2021-40

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AMATO HOMES I, LLC TO SELL FOUR (4) VACANT LOTS LOCATED AT 6000 DUNHAM ROAD (PPN 785-12-106); 6101 DUNHAM ROAD (PPN 786-09-038); 6105 DUNHAM ROAD (PPN 786-09-034); 16112 WOODBROOK AVENUE (PPN 786-16-016) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, Amato Homes I, LLC ("the Developer") has advised the Mayor and Economic Development Director that it desires to purchase the four (4) vacant lots owned by the City located at 6000 DUNHAM ROAD (PPN 785-12-106); 6101 DUNHAM ROAD (PPN 786-09-038); 6105 DUNHAM ROAD (PPN 786-09-034); 16112 WOODBROOK AVENUE (PPN 786-16-016), (each referred to as the "Property", and together as the "Properties") for the construction and sale of a single family, owner-occupied home on each property; and

WHEREAS, the Properties are owned by the City through its Land Reutilization Program and the Mayor desires to sell the lots to the Developer, with the Developer required to build the homes within 360 days of title transfer and to make the following minimum improvements: 1) the homes must be an owner-occupied single family colonial style home with a full basement and an attached garage; and 2) the homes must have at least 1500 square feet, 4 bedrooms and 2.5 baths; and

WHEREAS, pursuant to R.C. 5722.07, the fair market value of the lots, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required minimum improvements, is \$500.00 per lot.

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 Amato Homes I, LLC ("the Developer") to sell the four (4) vacant lots owned by the City located at 6000 DUNHAM ROAD (PPN 785-12-106); 6101 DUNHAM ROAD (PPN 786-09-038); 6105 DUNHAM ROAD (PPN 786-09-034); 16112 WOODBROOK AVENUE (PPN 786-16-016) (collectively referred to as "the Properties"), with the Developer required to build the homes within 360 days of title transfer and to make the following minimum improvements: 1) the homes must be an owner-occupied single family colonial style home with a full basement and an attached garage; and 2) the homes must have at least 1500 square feet, 4 bedrooms and 2.5 baths, at a sales price of \$500.00 each, for a total sale price of \$2,000.00. A copy of the Agreement is available in the office of the Director of Economic Development and incorporated as if fully rewritten herein.

Section 2. Pursuant to R.C. 5722.07, the fair market value of the Properties, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the time to build and required minimum improvements, is \$500.00 per lot. Pursuant to R.C. 5722.08 all of the proceeds from the sale

of the Properties shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

Section 3. The Mayor, Economic Development Director 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 the Properties from the City to the Developer, Amato Homes I, LLC.

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 allow the Developer to begin development during the 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

Resolution No. 2021-40

Page Two

RESOLUTION NO. 2021-41

INTRODUCED BY: Mayor Annette M. Blackwell and Council President Ron Jackson

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DESIGNATING JUNE 2021 AS “PROSTATE CANCER AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, this year approximately 191,930 men will be diagnosed with prostate cancer in the United States and approximately 33,330 men will die from the disease; and

WHEREAS, in Ohio an estimated 9,010 new cases of prostate cancer will be diagnosed and an estimated 2,000 deaths will occur in 2021; and

WHEREAS, men with a family history of prostate cancer are twice as likely to develop the disease; and

WHEREAS, prostate cancer is the most commonly diagnosed cancer in American men and is the second leading cause of cancer death behind lung cancer; and

WHEREAS, men who have served in the military or who have been exposed to chemicals and herbicides are at a higher risk for developing prostate cancer; and

WHEREAS, nearly 3.1 million men in the U.S. are living with a prostate cancer diagnosis and that number is estimated to climb to 4 million men by 2024 as men in the “baby boomer generation” age; and

WHEREAS, approximately 1 in 9 men will be diagnosed with prostate cancer in their lifetime and African American men are diagnosed with prostate cancer at a rate of 1 in 6 and are 2.2 times more likely to die from the disease; and

WHEREAS, since all men are at risk for prostate cancer, education and increased awareness of the importance of prostate screenings and early detection strategies are critical to save lives, preserve and protect families and prevent economic hardship; and

WHEREAS, the month of June has been designated “Prostate Cancer Awareness Month” in Ohio since 1991 and legislation authorizing ZERO The End of Prostate Cancer license plates was signed into law on October 22, 2020 to generate funding to assist prostate cancer patients in Ohio.

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 designates June 2021 as Prostate Cancer Awareness Month in the City to raise public awareness of prostate cancer, to encourage education of this disease, promote early detection strategies and support individuals with prostate cancer and their families.

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 welfare of the residents of the City, and to educate the public about prostate cancer 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.: 2021-42

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION IN SUPPORT OF SUBMISSION OF AN APPLICATION TO THE OHIO ASSOCIATION OF REGIONAL COUNCILS (OARC) THROUGH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING FOR THE CITYWIDE SIGNAL SAFETY AND EFFICIENCY UPGRADES PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the United States Congress has set aside monies for Congestion Mitigation and Air Quality (CMAQ) projects through the State of Ohio Department of Transportation (ODOT) and administered by the Northeast Ohio Areawide Coordinating Agency (NOACA); and

WHEREAS, Local Public Agencies (LPAs) can apply for these monies and be selected for funding by the Ohio Association of Regional Councils (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

WHEREAS, the LPA for this project will be defined as the City of Maple Heights in Cuyahoga County; and

WHEREAS, the citywide signal safety and efficiency upgrades that include the removal of unwarranted signals and the replacement of outdated signals and poles to allow for upgrades to signal timing, interconnect systems and accompanying upgrade controllers and technology in the City of Maple Heights in Cuyahoga County are a transportation activity eligible to receive Federal CMAQ funding; and

WHEREAS, this CMAQ eligible project is located in a Metropolitan Planning Organizations (MPOs), NOACA; and

WHEREAS, this CMAQ eligible project can be submitted to NOACA, respectively for scoring and processing; and

WHEREAS, if requested funds are granted, the LPA shall be responsible for at least twenty (20%) percent of the eligible pro-rated costs.

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 submit, on behalf of the LPA, to prepare and execute an application for CMAQ funding and to submit said application to NOACA for consideration of funding by OARC for the following capital infrastructure improvement project:

Citywide Signal Safety and Efficiency Upgrades Project

Section 2. The total cost of the project is estimated to be Four Million Two Hundred Seventy-Five Thousand Dollars and Zero Cents (\$4,275,000.00) of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion), estimated to be Eight Hundred Fifty-Five Thousand Dollars and Zero Cents (\$855,000.00.) The local portion shall be funded by the LPA's using general fund dollars or other local revenues. The LPA further agrees to pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the OARC and for all non-participating costs associated with project development activities.

Section 3. The Mayor be and is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and further, upon the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon the City Director of Finance.

Section 4. Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 5. 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 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City, and for the further reason to timely submit this Congestion Mitigation and Air Quality (CMAQ) application, 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

Resolution No. 2021-42

Page Two

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.: 2021-43

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION IN SUPPORT OF SUBMISSION OF AN APPLICATION TO THE OHIO ASSOCIATION OF REGIONAL COUNCILS (OARC) THROUGH THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) FOR FEDERAL CONGESTION MITIGATION AND AIR QUALITY (CMAQ) FUNDING FOR THE PUBLICLY OWNED ALTERNATE FUEL VEHICLES PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the United States Congress has set aside monies for Congestion Mitigation and Air Quality (CMAQ) projects through the State of Ohio Department of Transportation (ODOT) and administered by the Northeast Ohio Areawide Coordinating Agency (NOACA); and

WHEREAS, Local Public Agencies (LPAs) can apply for these monies and be selected for funding by the Ohio Association of Regional Councils (OARC), who has been charged with management of a statewide CMAQ program by ODOT; and

WHEREAS, the LPA for this project will be defined as the City of Maple Heights in Cuyahoga County; and

WHEREAS, the purchase of publicly owned alternate fuel vehicles for use by municipal employees of the City of Maple Heights in Cuyahoga County are a transportation activity eligible to receive Federal CMAQ funding; and

WHEREAS, this CMAQ eligible project is located in a Metropolitan Planning Organization (MPO), NOACA; and

WHEREAS, this CMAQ eligible project can be submitted to NOACA, respectively for scoring and processing; and

WHEREAS, if requested funds are granted, the LPA shall be responsible for at least twenty (20%) percent of the eligible pro-rated costs.

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 submit, on behalf of the LPA, and to prepare and execute an application for CMAQ funding and to submit said application to NOACA for consideration of funding by OARC for the following capital infrastructure improvement project:

Publicly Owned Alternate Fuel Vehicles Program

Section 2. The total cost of the project is estimated to be Two Hundred Forty-Seven Thousand Dollar and Zero Cents (\$247,000.00), of which the LPA's, if awarded the funds, commits to pay at twenty-one (21%) percent (hereinafter known as the local portion), estimated to be Fifty-One Thousand Eight Hundred-Seventy Dollars and Zero Cents (\$51,870.00.) The local portion shall be funded by the LPA using general fund dollars or other local revenues. The LPA further agrees to pay One Hundred Percent (100%) of the cost over and above the maximum amount provided by the OARC and for all non-participating costs associated with project development activities.

Section 3. The Mayor be and is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and further, upon the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon the City Director of Finance.

Section 4. Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

Section 5. 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 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City, and for the further reason to timely submit this Congestion Mitigation and Air Quality (CMAQ) application, 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. 2021-44

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR METIS CONSTRUCTION SERVICE, INCREASING THE CONTRACT BY \$6,930.00, FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION 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 One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) by the Cuyahoga County Department of Development under the 2020 Community Development Block Grant Program (CDBG) and Fifty Thousand Dollars and Zero Cents (\$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 (CDBG) are required to be expended before March 31, 2021; 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 (CDSG) are required to be expended before July 31, 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); and

WHEREAS, on April 15, 2020, by Resolution 2020-38, Council authorized and directed the City Engineer and Architect Calvin M. Singleton, Jr., of Calvin Singleton and Associates, to begin the preparation of plans and specifications and to provide advertising for bids for the Maple Heights City Hall ADA Improvements Project; and

WHEREAS, on October 28, 2020, the bids for the City Hall New Vestibule & Elevator Addition Project were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, all of the bids for the City Hall New Vestibule & Elevator Addition Project opened on October 28, 2020 exceeded the Engineer's estimate by more than ten percent (10%) and were rejected by the City Engineer; and

WHEREAS, the City Engineer and Architect Calvin M. Singleton, Jr., of Calvin Singleton and Associates, revised the plans and specifications and again advertised for bids for the City Hall New Vestibule & Elevator Addition Project; and

WHEREAS, on February 11, 2021, the bids for the revised City Hall New Vestibule & Elevator Addition Project were opened and inspected by the City Engineer to determine the lowest and best bid; and

WHEREAS, on February 17, 2021, by Resolution 2021-22, Council of the City of Maple Heights authorized the Mayor to enter into a contract with Metis Construction Services for the City Hall New Vestibule & Elevator Addition Project, for a cost not to exceed Two Hundred Sixty-Seven Thousand Seven Hundred Seventy-Nine Dollars and Zero Cents (\$267,779.00), and

WHEREAS, the City Engineer has recommended additional work to be performed, specifically to construct the project material/equipment lay down and staging area on the City owned vacant parcel which adjoins the City Hall parking lot on Maple Heights Boulevard (PP# 781-13-004).

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 Metis Construction Services, to increase the contract for the City Hall New Vestibule & Elevator Addition Project, in the amount of Six Thousand Nine Hundred Thirty Dollars and Zero Cents (\$6,930.00), to provide for work to construct the project material/equipment lay down and staging area as directed by the City Engineer.

Section 2. 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 for the further reason that the project can begin in a timely manner and be completed within the grant deadlines, 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

Resolution No. 2021-44

Page Three

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, May 5, 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
04/27/21	2021-029	Economic Development	100.7160.55000	General	Lands & Buildings	Other Administrative	\$585,023.02	\$10,282.00	\$574,741.02	Northcoast Signworks	Industrial Parkway Sign at Rockside & Pennsylvania		
								\$10,282.00					
									\$0.00				
Total Cost for Approval:								\$0.00					

GRAND TOTAL	\$10,282.00
-------------	-------------

All Approved

YES

NO

Pull Out #
Additions #

Pull Out #
Additions #

Pull Out #
Additions #

Council President

REQUEST FOR A PURCHASE ORDER

(THIS IS NOT A PURCHASE ORDER)

Department of Administrative Services
Purchasing Division

Council Approval
2021-029

Date: 4/27/2021

Vendor Code: N-COA110

Suggested Supplier: Northeast Signworks

Ship To: BUILDING

Address: 23196 Miles Rd., Ste E
Bedford Heights OH 44146

Telephone # 216-663-6060

Tax ID:

[illegible]

Total Amount: \$ 10,282 - 00

Date Required: _____

Appropriation Code(s): 100 - 7160 - 55000

Requisition By: Regina Turasottine

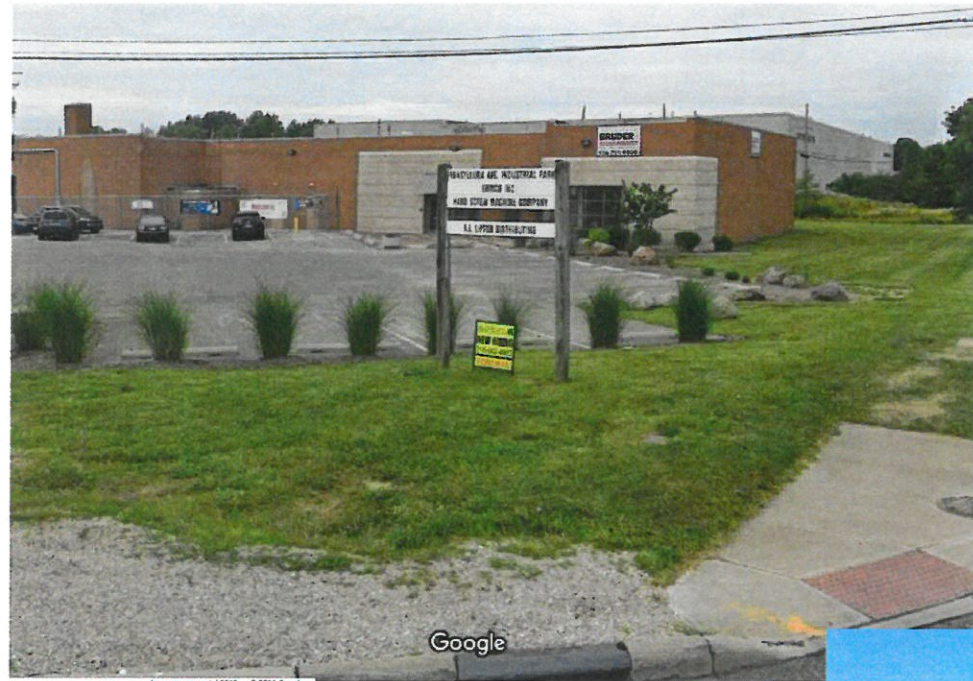
Approved By: At G. - 17

(Departmental Director/Chief)

Finance Director Approval:

Competitive Price Quotations:

Date Received by Purchasing Division



New Industrial Parkway Sign

The proposed sign will match the industrial parkway sign on the northeast corner of Rockside Road and Lee Road South.



NORTHCOAST SIGNWORKS

Estimate #8296

4/22/2021

Prepared For:

City of Maple Heights
5353 Lee Road
Maple Heights, OH 44137

Phone: (216) 587-9031

Fax: (216) 662-2880

Alt. Phone:

Email:

Prepared By:

Scott Fridrich
Northcoast Signworks
23196 Miles Road
Suite E
Bedford Heights, OH 44128 USA

Phone: 216-663-6060

Fax: 216-663-6061

Alt. Phone:

Email: sfridrich@northcoastsignworks.com

Description: NEW DEVELOPMENT SIGN ROCKSIDE AND PENNSYLVANIA AVENUE

Estimated Time For Production: 32 working days

Quantity	Description	Each	Total	Taxable
1	144" x 48" Double-Sided Aluminum Cabinet w/ 8 Individual Sign Panels Per Side 120" X 12" Double-Sided Aluminum Cabinet-Base for Addresses 144" x 8" Double-Sided Aluminum Cabinet-Top for	7,912.00	\$7,912.00	✓
16	34.00 in x 21.75 in Premium Vinyl Vinyl Graphics For Individual Business Logos to be Applied to Panels Logo Artwork Required for Each Individual Business	60.00	\$960.00	✓
1	Installation Boom Truck Needed	1,200.00	\$1,200.00	✓
2	144.00 in x 6.00 in Premium Vinyl Top Panel "Pennsylvania Avenue Industrial Parkway"	65.00	\$130.00	✓
1	120.00 in x 8.00 in Premium Vinyl Bottom Panel Addresses	80.00	\$80.00	✓
		Subtotal	\$10,282.00	
		Exempt	\$0.00	
		Total	\$10,282.00	

Terms: THIS ESTIMATE GOOD FOR 15 DAYS. 50% DEPOSIT DUE ON SIGNING. ESTIMATE IS BASED ON CURRENT MATERIAL PRICING. PRICES ARE SUBJECT TO CHANGE DUE TO SUPPLY CHAIN ISSUES AND THE US HARMONIZED TARRIFFS.

NORTHCOAST SIGNWORKS

Estimate #8296

4/22/2021

City permits and associated contractor fees are not included unless specifically listed as a line item.

Installation is not included unless specifically listed as a line item. Installation is an estimate and can change due to uncertainty given and circumstances beyond our control.

We make every effort to prevent spelling mistakes. Once the final proof is approved, Northcoast Signworks will not be responsible for any mistakes found on the finished product. Please view your layout and proof. Read carefully.

Once an estimate and artwork has been approved, any cancellation of the job by the customer will be subject to a cancellation fee of 10% of the job estimate.

We must receive the signed estimate and a 50% deposit prior to scheduling production.

Payments not received by the due date are subject to a 1.5% finance charge for each month late. Customer also responsible for any collection and legal fees associated with past due balances.

By my signature, I authorize work to begin and agree to pay the above amount in full according to the terms on this agreement.

Signed by	Date	Amt. Paid Today
-----------	------	-----------------



April 16, 2020

Mr. Patrick Grogan-Myers
City of Maple Heights
5353 Lee Road
Cleveland, OH 44137

Reference: REVISED Pennsylvania Industrial Parkway Tenant Monument Sign Proposal

Dear Patrick,

We are pleased to quote the manufacture and installation of a new sign with the same design and construction as the existing sign at 16485-16501 Rockside Road. Please find attached APX design 20200018 of 11-3-20 for 17701 Pennsylvania Avenue. Due to materials cost increases, we needed to adjust our pricing slightly from our original quote dated December 3, 2020.

Option A \$9,714.56

Option B \$10,467.03

We have excluded any underground obstructions such as rock or utilities and will negotiate a change order for the excavation.

Normal Terms: 50% down with order. Balance due upon completion. Sales tax, permits and engineering, if required, are not included and will be billed separately.

Thank you,

Susan D. Myers
APX



QUOTE: QT-4076

Quote	New Quote from Blink Signs QT-4076	Quote Date	Mar 22, 2021 07:02 AM
Project Name	City of Maple Heights / 5801 Pennsylvania Ave, Maple Heights, OH 44137 United States / Exterior Signage	Valid Till	Apr 21, 2021
Project No	P35070	Customer	City of Maple Heights
Design No		Contact	Patrick Grogan-Myers
Service Location	5801 Pennsylvania Ave, Maple Heights, OH 44137 United States	Email	pgrogan@mapleheightsohio.com
Down Payment%	0	Terms	Net 30

ITEM & DESCRIPTION	LIST PRICE	QTY	DISCOUNT	TOTAL
Cabinet Sign-Monument Sign Manufacture (1) double-sided non-illuminated monument sign Overall size: 5'-0" H x 12'-0" W.	\$ 12,328.57	1	\$ 0.00	\$ 12,328.57
Permit Acquisition-Permitting Acquisition Permit acquisition will be billed at \$80/hour in additional to final invoice. Please note that acquisition costs do not include any permit variance or after-hours meetings.	\$ 0.00	1	\$ 0.00	\$ 0.00
Permit Fee-Permit Cost Permits are to be billed at cost in addition to final invoice. If electrical permits are required, they will be billed in addition to the final invoice as well. Please note that this does not include engineering. If engineering is required, it will be billed at an estimated additional cost of \$1000	\$ 0.00	1	\$ 0.00	\$ 0.00

SUB TOTAL : \$ 12,328.57

OH STATE TAX : \$ 391.00

MAPLE HEIGHTS OH TAX : \$ 153.00

ADJUSTMENT : \$ 0.00

GRAND TOTAL : \$ 12,872.63

Terms & Conditions

Deposits:

A 50% deposit is required on any orders over \$1000.00 unless agreed otherwise, prior to the order being placed.

Details:

All specifications, drawing and literature are intended to give a fair description of the contract but Blink Signs reserve the right to vary the specifications, (in the event of supply difficulties or other reasons) subject always to the understanding that we would advise the customer of any such variations, and that such variations would not be structurally or functionally detrimental.

Delivery:

Blink Signs will do everything possible to adhere to times and dates given, but cannot under any circumstances accept any liability for loss caused by failure to deliver and complete on time, whatever the cause for delay. Lead times are from the point at which the final artwork is signed off by the client. PLEASE ALLOW 14 BUSINESS DAY FOR SIGN FABRICATION FROM THE MOMENT PERMIT IS ISSUED BY THE CITY.

Price Variations:

All prices are fixed for 14 days from quotation date. Should there be any changes in the cost, calling for an amendment to the confirmed price Blink Signs undertake to advise the customer of any such amendment prior to the start of contract.

Payment Terms:

Full/balance payments are due on completion prior to installers leaving the site unless stated otherwise. The balance will be charged to the payment method on file upon completion of work. All materials remain the property of Blink Signs until paid for in full. Extended credit is not available. Additional charges will be incurred for late payments.

Management Companies & Agents:

In the case of clients acting on behalf of or working for end user clients (e.g. Project Management Companies or Design Companies/ Houses) the contract will be between Blink Signs and the Management Company or Agent/Designer of whom the invoice is to be made out to. The payment terms will be as in the previous section titled PAYMENT TERMS. Blink Signs cannot except delayed payments due to the terms the Management Company or Agent/Designer has arranged with their client.

Artwork/Design:

The first draft will be free of charge to the client. Any amendments to that draft may be subject to additional charges. Lead times may be affected due to the following: Receipt of unsuitable artwork, delays in information and relevant files being received, delays in signing off final proofs, delays in receiving deposit payments, consistent changing of designs. Blink Signs therefore cannot be held liable for delays in production deadlines due to any of the above occurring.

Return Policy:

Blink Signs does not accept returns. All products are manufactured to customer's specifications. Blink Signs supplies proof drawings for the customer's final approval. Projects don't begin production until the customers has approved the project drawing. Once the production begins the production cannot be changed without incurring additional cost. All sales are final and no return will be accepted.

Expense Report

AS OF: 04/29/2021

YEAR: 2021

STARTING ACCOUNT: 100716052000

ENDING ACCOUNT: 100716059999

100

GENERAL FUND

ACCOUNT NO./	ACCOUNT DESC/ SUPP. BUDGET	TRANS. BUDGET	BUDGET AMT/ PRIOR YR ENC	Y-T-D EXP/ PRIOR YR EXP	ENCUMBERANCE/ M-T-D EXP	UNENC BALANCE
7160	LANDS AND BUILDING					
100-7160-52062	Office Supplies		1280.00	933.00	0.00	347.00
100-7160-52063	Operating Supplies		11000.00	2860.54	2160.85	5978.61
100-7160-52065	Paper		1220.00	139.96	660.04	420.00
100-7160-52066	Copy Machines		1850.00	446.97	1340.91	62.12
100-7160-52150	Telephone		63800.00	27043.68	10003.65	26752.67
100-7160-52155	Electric		97000.00	29516.80	64503.20	2980.00
100-7160-52165	Gas		45000.00	21805.47	12394.53	10800.00
100-7160-52175	Water		12000.00	2682.70	6792.30	2525.00
100-7160-52185	Cable/Internet		5500.00	1719.09	3727.79	53.12
100-7160-55000	Other Administrative		15700.00	0.00	0.00	15700.00
100-7160-55015	Professional Fees		3700.00	0.00	0.00	3700.00
100-7160-55017	Refunds/Reimbursements		150.00	98.49	0.00	51.51
100-7160-55066	Leases		9500.00	1060.47	0.00	8439.53
100-7160-55070	Equipment		64822.37	26478.53	321.47	38022.37
100-7160-55071	Maintenance		39950.00	28373.55	21519.46	9943.01-
100-7160-55072	Vehicle Parts/ Repairs		1100.00	92.98	0.00	1007.02
100-7160-55079	Traffic Signal Repairs		29814.23	8628.72	5234.73	15950.78
100-7160-55082	Uniforms		750.00	303.61	296.39	150.00
100-7160-55900	IT Expenses		50000.00	12388.43	952.10	36659.47
100-7160-55902	Insurance		234826.50	52784.00	175243.00	6799.50
100-7160-57008	2019 CDBG- ELEVATOR		150000.00	0.00	0.00	150000.00
100-7160-57009	2020 CDSG- ELEVATOR		50000.00	1080.32	120.00	48799.68
100-7160-57010	2019 CDSG- SPRAY GROUND		13217.14	0.00	0.00	13217.14
100-7160-57012	NOPEC LIGHTING GRANT		111666.59	34606.00	0.00	77060.59
100-7160-57013	Lee/Libby Cost Share Pocket Park		24182.20	0.00	0.00	24182.20
100-7160-57014	OHIO CAPITAL BUDGET		48843.72	1536.00	0.00	47307.72
100-7160-57015	Ohio Development Services Agency (O		58000.00	0.00	0.00	58000.00
TOTAL 7160	LANDS AND BUILDING		1144872.75	254579.31	305270.42	585023.02
TOTAL 100	GENERAL FUND		1144872.75	254579.31	305270.42	585023.02
TOTAL REPORT:			1144872.75	254579.31	305270.42	585023.02