

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

December 15, 2021

- | | |
|-------------------------------------|---|
| 1. Public Hearing: 6:00 pm | Proposed Re-Zoning of PPN 781-19-033 |
| 2. Caucus: 6:30 pm | All Members of Council |
| 3. Call to Order: | Council President Ron Jackson |
| 4. Invocation/Pledge of Allegiance: | Councilman Stafford L. Shenett, Sr., District 1 |
| 5. Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 6. Announcements: | |
| 7. Addendum: | |
| 8. Approval of Minutes: | November 10, 2021 (Special Meeting of Council)
December 1, 2021 (Regular Meeting of Council) |
| 9. Communications: | |
| 10. Council Committee Reports: | |
| 11. Department Reports: | |
| 12. 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.

13. Legislation:

2021-144 AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2021, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2021-145 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2021-153 A RESOLUTION DECLARING 5504 GRASMERE AVENUE, MAPLE HEIGHTS TO BE A STRUCTURAL/MAINTENANCE NUISANCE PROPERTY AND AUTHORIZING ABATEMENT OF THE NUISANCE PURSUANT TO CHAPTER 680 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-154 A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF ECONOMIC DEVELOPMENT AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR 2021, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-155 A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF ECONOMIC DEVELOPMENT AND HOUSING MANAGER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM (CDSG) FOR 2022, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-156 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES MUNICIPAL ENGINEERING CONSULTING CONTRACT WITH ENGINEER EDWARD J. HREN, P.E., ASSISTANT ENGINEER JAMES T. SHEA, P.E., AND THEIR ENGINEERING FIRM, CHAGRIN VALLEY ENGINEERING, LTD., AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-157 AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION THAT PERMANENT PARCEL NO. 781-19-033 BE RE-ZONED FROM RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) ZONING DISTRICT TO RESIDENTIAL MULTI-FAMILY (RMF) ZONING DISTRICT FOR THE DEVELOPMENT OF AN AFFORDABLE SENIOR HOUSING COMMUNITY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2021-158 AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 THE ONE HUNDRED PERCENT (100%) ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

MOTION: A Motion to observe the New Year's Day 2022 Holiday on Monday, January 3, 2022 Instead of Friday, December 31, 2021 for Non-Bargaining Unit City Employees so that the Employee Holidays Remain Consistent in 2021 and 2022.

- 14. Expenditures over \$3,500.00:**
- 15. Mayor's Report:**
- 16. Council/Council President's Reports:**
- 17. Adjournment:**

ORDINANCE NO. 2021-144

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

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, which appropriations were amended by **Ordinances Nos. 2021-39**, passed May 5, 2021 and **2021-104**, passed September 15, 2021; and

WHEREAS, the Finance Director has recommended to Council that further amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated , 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** which appropriations were amended by **Ordinances Nos. 2021-39**, passed May 5, 2021 and **2021-104**, passed September 15, 2021, shall be further amended by Council, as recommended by the Finance Director, in accordance with Exhibit A dated , 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 , 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.

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. 2021-145

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director has prepared a budget for the appropriation of monies for current expenses and other expenditures of the City of Maple Heights for the fiscal year ending December 31, 2022 ("2022 Appropriations Budget").

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 approves and adopts the 2022 Appropriations Budget, which is on file in the office of the Finance Director and attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide for the current expenses and other expenditures of the City of Maple Heights during the fiscal year ending December 31, 2022.

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 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 3. 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 2022 Appropriations Budget must be immediately adopted to insure the financial integrity of the City and presented to the County Fiscal Officer by December 31, 2021. 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.

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.: 2021-153

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION DECLARING 5504 GRASMERE AVENUE, MAPLE HEIGHTS TO BE A STRUCTURAL/MAINTENANCE NUISANCE PROPERTY AND AUTHORIZING ABATEMENT OF THE NUISANCE PURSUANT TO CHAPTER 680 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Chapter 680 of the City's Codified Ordinances, "Nuisance" means an unreasonable interference with a right common to the general public, including conduct that significantly interferes with public health, safety, peace, comfort, or convenience; conduct that is contrary to a statute, ordinance, or regulation; or conduct that is of a continuing nature or has produced a permanent or long-lasting effect, and has a significant effect upon the public right, of which the actor is aware or should be aware; and

WHEREAS, the Mayor, the Housing Manager and the Building Department have found and reported their findings to Council that the residential property located at 5504 Grasmere Avenue, Maple Heights has been determined to be structurally unsound and not abated despite written notices from the Building Department to the property owner to abate by demolishing and razing the property and disposing of all debris; and

WHEREAS, the Mayor, the Housing Manager and the Building Department have recommended that based on the reported findings, and pursuant to Section 680.06(c) of the City's Codified Ordinances, Council declare the property located at 5504 Grasmere Avenue to be a Nuisance because of the deterioration of the structure such that it is a hazard to the health, safety or welfare of its occupants and to the public and that, if not abated, will become a blighting or deteriorating factor in the neighborhood that impairs or adversely affects the value of neighboring property.

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

Section 1. Council, pursuant to Section 680.06(c) of the City's Codified Ordinances, hereby declares the residential property located at 5504 Grasmere Avenue to be a Nuisance because of the deterioration of the structure such that it is a hazard to the health, safety or welfare of its occupants and to the public and that, if not abated, will become a blighting or deteriorating factor in the neighborhood that impairs or adversely affects the value of neighboring property.

Section 2. The Mayor, Housing Manager, Building Department, Service Director and Law Director are authorized and directed to cause the Nuisance to be abated in accordance with Chapter 680 of the Codified Ordinances of the City of Maple Heights, in any manner determined by them to be appropriate and necessary, including demolishing and razing the structure and/or revoking the Certificate of Occupancy.

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 it is necessary to immediately abate the nuisance activity, 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.: 2021-154

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF ECONOMIC DEVELOPMENT AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR 2021, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, Cuyahoga County, as an Urban County designated by the Department of Housing and Urban Development (“HUD”), receives and administers an annual entitlement from the Community Development Block Grant (“CDBG”) program through the Cuyahoga County Department of Development; and

WHEREAS, the Department of Development carries out various housing and community development activities with Community Development Block Grant (“CDBG”) funds including funding eligible activities carried out by other units of local government through the County’s Municipal Grant Program, which eligible activities include: a) community master plans; b) housing and commercial demolition; c) infrastructure; d) public safety; e) streetscapes; f) parks and playgrounds; or g) community and senior centers; and

WHEREAS, the City Of Maple Heights is a local government eligible to receive CDBG funding for an eligible activity through the Municipal Grant Program; and

WHEREAS, The Mayor, Director of Economic Development and Engineer have advised Council that CDBG funds may be available through the 2021 Community Development Block Grant program through the Cuyahoga County Department of Development in an amount not exceeding One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00), to fund improvements at Stafford Park, including improving the Park’s trail network to make it accessible to persons with disabilities pursuant to the Americans With Disabilities Act (ADA) (**Stafford Park Restoration Project, Phase 1**).

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, Director of Economic Development and Engineer are hereby authorized and directed to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDBG funding through the 2021 Municipal Community Development Block Grant program for the following project:

Stafford Park Restoration Project, Phase 1

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such

formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to timely submit the grant 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.: 2021-155

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF ECONOMIC DEVELOPMENT AND HOUSING MANAGER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM (CDSG) FOR 2022, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 714.02 of the Cuyahoga County Code, there is created the Cuyahoga County Community Supplemental Block Grant program (CDSG) to be administered in conjunction with and using the same grant process as the County Community Development Block Grant Program; and

WHEREAS, the Cuyahoga County Community Development Supplemental Grant (CDSG) program shall be administered by the Cuyahoga County Executive through the Cuyahoga County Department of Development; and

WHEREAS, the CDSG program shall be funded through the County Casino Revenue Fund established in Chapter 709 of the County Code. Fifteen percent (15%) of the funds transferred into the Casino Revenue Fund annually shall be used to fund projects approved through the Cuyahoga County Community Development Supplemental Grant program (CDSG); and

WHEREAS, CDSG funds are available to eligible municipal corporations to fund projects meeting a community development need related to the health or welfare of the community, which projects include: a) community master plans; b) housing and commercial demolition; c) infrastructure; d) public safety; e) streetscapes; f) parks and playgrounds; or g) community and senior centers; and

WHEREAS, the City Of Maple Heights is a municipal corporation eligible to receive CDSG funding for an eligible activity through the Municipal Grant Program; and

WHEREAS, the Mayor, Director of Economic Development and Housing Manager have advised Council that CDSG funds may be available through the 2022 Cuyahoga County Community Development Supplemental Grant (CDSG) program through the Cuyahoga County Department of Development in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), to fund an exterior maintenance grant program and maintain the City's housing stock. **(Maple Heights Exterior Maintenance Grant Program).**

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

Section 1. The Mayor, Director of Economic Development and Housing Manager are hereby authorized and directed to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDSG funding through the 2022 Cuyahoga County Community Development Supplemental Grant program for the following project:

Maple Heights Exterior Maintenance Grant 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 health, safety and general welfare of the residents of the City, and to timely submit the grant 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

ORDINANCE NO. 2021-156

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES MUNICIPAL ENGINEERING CONSULTING CONTRACT WITH ENGINEER EDWARD J. HREN, P.E., ASSISTANT ENGINEER JAMES T. SHEA, P.E., AND THEIR ENGINEERING FIRM, CHAGRIN VALLEY ENGINEERING, LTD., AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Charter Art. V, Sec. IV, the Mayor has appointed Edward J. Hren, P.E. (hereinafter referred to as "Engineer") and James T. Shea, P.E. (hereinafter referred to as "Assistant Engineer"), as Engineers for the City as set forth in Charter Art. X; and

WHEREAS, the Mayor recommends that the attached professional services municipal engineering consulting contract be entered into engaging the services of the Engineer and Assistant Engineer, and their firm, Chagrin Valley Engineering, Ltd., upon the terms, provisions and conditions set forth in therein;

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 authorizes the Mayor to enter into the attached professional services municipal engineering consulting contract engaging the services of the Engineer and Assistant Engineer, and their firm, Chagrin Valley Engineering, Ltd., upon the terms, provisions and conditions set forth in the professional services municipal engineering consulting contract, which contract is attached hereto as Exhibit A and incorporated as if fully rewritten herein.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this 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 3. This Ordinance constitutes an emergency measure necessary for the public safety, health and welfare and for the further reason that the Engineer's contract expires December 31, 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 and 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. 2021-157

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION THAT PERMANENT PARCEL NO. 781-19-033 BE RE-ZONED FROM RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) ZONING DISTRICT TO RESIDENTIAL MULTI-FAMILY (RMF) ZONING DISTRICT FOR THE DEVELOPMENT OF AN AFFORDABLE SENIOR HOUSING COMMUNITY, AND DECLARING AN EMERGENCY.

WHEREAS, on November 8, 2021, the Planning and Zoning Commission considered the application for **Case No. 2021-PZ-42** from Kevin Brown of PIRHL Acquisitions LLC requesting a recommendation that **Permanent Parcel No. 781-19-033**, currently zoned Residential Single Family-Medium Density (RSF-M) Zoning District be changed to Residential Multi-Family (RMF) Zoning District for the development of an affordable senior housing community; and

WHEREAS, after a public hearing thereon, the Planning and Zoning Commission, finding pursuant to Cod. Ord. Sec. 1268.10 that the proposed use of an affordable senior housing community cannot be accommodated by sites already zoned RMF Zoning District due to market constraints, made a recommendation to Council that **Permanent Parcel No. 781-19-033**, currently zoned Residential Single Family-Medium Density (RSF-M) be re-zoned as part of the Residential Multi-Family (RMF) Zoning District pursuant to Section 1268.02 of the City's Codified Ordinances; and

WHEREAS, pursuant to Sections 1268.02 and 1268.12 of the Codified Ordinances the Council conducted a public hearing on December 15, 2021 to consider the Planning and Zoning Commission recommendation and thereby determined that pursuant to public necessity, convenience or general welfare, that **Permanent Parcel No. 781-19-033**, currently zoned Residential Single Family-Medium Density (RSF-M) be re-zoned as part of the Residential Multi-Family (RMF) Zoning District.

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 adopts the recommendation of the Planning and Zoning Commission, and pursuant to Section 1268.02, and pursuant to public necessity, convenience or general welfare, hereby re-zones **Permanent Parcel No. 781-19-033**, from Residential Single Family-Medium Density (RSF-M) to Residential Multi-Family (RMF) Zoning District ("the Proposed Re-Zoning Ordinance").

Section 2. 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 3. This Ordinance constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately provide for the re-zoning so as not to delay the proposed development, 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.: 2021-158

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 THE ONE HUNDRED PERCENT (100%) ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights desires to continue an Owner Occupied Homeowner Incentive Program for the period January 1, 2022 through December 31, 2022, which was initially established pursuant to **Ordinance No. 2017-08**, to promote and encourage individuals to purchase and renovate residential properties by waiving 100% of the escrow requirement to correct violations resulting from the point of sale inspection per Chapter 1494, so long as the purchaser actually occupies such residential property.

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

Section 1. For the time period January 1, 2022 through December 31, 2022 the Mayor is hereby authorized to waive the 100% escrow requirement to correct violations resulting from point of sale inspections per Chapter 1494 of the Codified Ordinances for individuals who purchase and renovate residential properties, so long as the purchaser actually occupies such residential property.

Section 2. Participants in this Program will be required to sign an affidavit attesting to the fact that the Purchaser will reside in the property as their primary residence for two (2) years commencing upon the issuance of an Occupancy Permit by the Chief Building Official.

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 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 general welfare of the residents, and to encourage owner occupied home ownership in the City 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