

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

April 20, 2022

1. **Caucus: 6:30 pm** All Members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilwoman Edwina Agee, District 7
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum**
6. **Approval of Minutes:** March 16, 2022 (Regular Meeting of Council)
April 6, 2022 (Regular Meeting of Council)
7. **Communications:**
 - a. Letter of Appeal Regarding Planning and Zoning Case No. 2022-PZ-13
 - b. Letter of Appeal Regarding Planning and Zoning Case No. 2022-PZ-14
8. **Council Committee Reports:**
9. **Department Reports:**
10. **Citizens' Comments:** Per Council Rule 220.01(c)(9)
Comments from City residents will be entertained at Regular Council Meetings only, and shall be limited to three (3) minutes per person during comments on the agenda and comments of a general nature and no person shall be allowed to speak more than once. A person wishing to address Council shall first be recognized by the President of Council, and when recognized, shall come forward, state his or her name and address and state the subject matter which he or she wishes to discuss. Total resident comments shall be limited to 45 minutes for all comments. Under special circumstances, this rule can be extended or modified by a majority of Council present. No profanity or comments of a personal or inflammatory nature will be tolerated under any circumstances. The Presiding Officer shall permit a one (1) minute response from the Mayor or Council Member or Department Director to whom the Citizen's question is directed.
11. **Legislation:**

2022-25 AN ORDINANCE AMENDING SECTION 1062.07(e) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING THE USE OF THE PAVILIONS AT STAFFORD PARK, AND DECLARING AN EMERGENCY.

Reading 3 (Blackwell)

2022-30 A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) RECREATIONAL TRAILS PROGRAM AND/OR CLEAN OHIO TRAILS FUND PROGRAM FOR THE JACKSON BOULEVARD RECREATIONAL TRAIL PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2022-32 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK FITNESS

**NETWORK STATION INSTALLATION PROJECT IN THE CITY OF
MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

Reading 2 (Blackwell)

**2022-36 AN ORDINANCE AMENDING AND RESTATING SECTION 452.25 OF THE
CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS
CONCERNING TOWING CONTRACTS AND RATES, AND DECLARING
AN EMERGENCY.**

Reading 2 (Blackwell)

**2022-37 A RESOLUTION CHANGING THE REGULAR MEETING SCHEDULE OF
COUNCIL FOR THE MONTHS OF JUNE, JULY AND AUGUST, 2022, AND
DECLARING AN EMERGENCY.**

Reading 1 (Jackson)

**2022-38 A RESOLUTION DETERMINING THAT THE UNIMPROVED
RESIDENTIAL LOT OWNED BY THE CITY AT 5258 BEECH AVENUE,
PPN 784-28-033, IS NOT NEEDED FOR MUNICIPAL PURPOSES,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-39 A RESOLUTION AUTHORIING THE MAYOR TO ENTER INTO A
PURCHASE AGREEMENT WITH LIBERTY FORD INC. FOR A 2022 FORD
F-350 WORK TRUCK WITH SNOW PLOW PACKAGE IN THE AMOUNT
OF FORTY-NINE THOUSAND ONE HUNDRED THIRTY-SIX DOLLARS
(\$49,136.00), AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-40 A RESOLUTION AUTHORIZING THE POLICE CHIEF TO TRADE-IN
\$47,795.00 WORTH OF FIREARMS THAT ARE NO LONGER NEEDED
FOR MUNICIPAL PURPOSES TO KIESLER POLICE SUPPLY FOR
CREDIT TOWARDS THE PURCHASE OF \$45,869.20 WORTH OF NEW
REPLACEMENT FIREARMS, AND REPEALING RESOLUTION NO. 2022-27,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-41 AN ORDINANCE PROVIDING FOR AMENDMENT NO. 2 DATED APRIL 20,
2022 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2022,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

12. Expenditures over \$25,000.00:
13. Mayor's Report:
14. Council/Council President's Reports:
15. Adjournment:

ORDINANCE NO.: 2022-25

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

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

WHEREAS, the Mayor desires to require a deposit in the amount One Hundred Fifty Dollars and Zero Cents (\$150.00) at the time of registration for the use of a City pavilion at Stafford Park with a refund in the amount of Twenty-Five Dollars and Zero cents (\$25.00) to the resident, provided no damage has been done to City property and the pavilion has been cleaned properly after usage.

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

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

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

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

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

Section 4. This Ordinance constitutes an emergency measure necessary for the daily operation of municipal departments, and to reduce expenses in order to preserve the City’s financial strength, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Approved as to legal form:

Annette M. Blackwell, Mayor

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2022-30

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) RECREATIONAL TRAILS PROGRAM AND/OR CLEAN OHIO TRAILS FUND PROGRAM FOR THE JACKSON BOULEVARD RECREATIONAL TRAIL PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources (ODNR), administers financial assistance for public recreation purposes, through the Recreational Trails Program and/or the Clean Ohio Trails Fund Program; and

WHEREAS, the City of Maple Heights desires financial assistance under the Recreational Trails Program and/or the Clean Ohio Trails Fund Program to build a multi-purpose trail on Jackson Boulevard from Clement Avenue to South Boulevard.

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

Section 1. The Mayor and City Engineer are hereby authorized to prepare and file an application with the Ohio Department of Natural Resources (ODNR) and to provide all information and documentation required to become eligible for possible funding for the Jackson Boulevard Recreation Trail Project.

Section 2. The Mayor 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 3. The City of Maple Heights does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Recreational Trails Program and/or the Clean Ohio Trails Fund Program.

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 is hereby declared 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 it is necessary to prepare and file the application with the Ohio Department of Natural Resources (ODNR) on or before April 15, 2022 and submit executed legislation on or before May 15, 2022 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: _____, 2022

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.: 2022-32

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK FITNESS NETWORK STATION INSTALLATION PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and the Human Services Director had sought funding from various county, state and federal agencies for the set-up, operation and management of the Stafford Park Pool Sprayground for the Summer 2020 and Summer 2021 seasons; and

WHEREAS, the Ohio Development Services Agency had approved the release of Fifty-Eight Thousand Dollars and Zero Cents (\$58,000.00) from the General Revenue Fund, Appropriation Line Item 195503, for fiscal year 2020 and 2021, to the Maple Heights Aquatic Facility for costs associated with the opening and operation of the existing sprayground located at Stafford Park; and

WHEREAS, on May 20, 2020, by **Resolution No. 2020-50**, Council authorized the Mayor to enter into a Grant Agreement with the Ohio Development Services Agency to accept funding of up to the amount of Fifty-Eight Thousand Dollars and Zero Cents (\$58,000.00) for the set-up, operation and management of the Stafford Park Pool Sprayground through August 31, 2021; and

WHEREAS, due to the ongoing COVID-19 pandemic, and the potential health risks to the public that existed at the time of the development of the 2021 Recreation Program, the City of Maple Heights elected to not open the Stafford Park Pool Sprayground for the 2021 summer season; and

WHEREAS, the Ohio Development Services Agency had approved the proposed modification of the Grant Agreement to allow for the release of Fifty-Eight Thousand Dollars and Zero Cents (\$58,000.00) from the General Revenue Fund, Appropriation Line Item 195503, to the City of Maple Heights for costs associated with the construction of an outdoor fitness network, with security cameras, located at Stafford Park; and

WHEREAS, on July 7, 2021, by **Resolution No. 2021-71**, Council authorized the Mayor to enter into a modified Grant Agreement with the Ohio Development Services Agency and accept funding of up to the amount of Fifty-Eight Thousand Dollars and No Cents (\$58,000.00) to assist with the implementation of services as required for the construction of an outdoor fitness network, with security cameras, to be located at Stafford Park. Furthermore, Council authorized the City Engineer to begin the preparation of plans and specifications for the Stafford Park Outdoor Fitness Network Project and to provide for bidding said Project so that the City could complete the Project in a timely manner; and

WHEREAS, the City Engineer had recommended that the City of Maple Heights immediately move forward with the purchase of outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project, using a portion of the Ohio Development Services Agency funding award, to ensure that such equipment would be available for installation by a qualified contractor in the Fall of 2021; and

WHEREAS, the City Engineer sought seven (7) price proposals and received six (6) price proposals for the supply of outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project and determined that Gopher Outdoor Sports, has submitted the lowest and best proposal, which proposal was in the total amount of Sixteen Thousand Six Hundred Forty-Two Dollars and Zero Cents (\$16,642.00); and

WHEREAS, the Mayor had entered into the contract with Gopher Outdoor Sports for the purchase of outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project and such equipment was delivered to the City of Maple Heights Service Garage; and

WHEREAS, the City Engineer sought eleven (11) price proposals and received four (4) price proposals for the installation of the outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project and determined that Nerone and Sons, Inc., had submitted the lowest and best proposal, which proposal was in the total amount of Twenty-Nine Thousand One Hundred Dollars and Zero Cents (\$29,100.00).

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 a contract with Nerone and Sons, Inc., in the amount not to exceed Twenty-Nine Thousand One Hundred Dollars and Zero Cents (\$29,100.00), to install the outdoor fitness equipment for the Stafford Park Outdoor Fitness Network Project, as more fully described in the price proposal on file in the Office of the City Engineer.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the public welfare and to ensure the timely completion of the construction to allow for a Summer 2022 opening, 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: _____, 2022

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.: 2022-36

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING AND RESTATING SECTION 452.25 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING TOWING CONTRACTS AND RATES, AND DECLARING AN EMERGENCY.

WHEREAS, the Police Chief has recommended that Section 452.25 of the City's Codified Ordinances concerning towing contracts and rates be amended and restated to eliminate bidding procedures for the reasons that the City no longer pays towing companies for their services making a bidding requirement obsolete and time consuming and further because towing companies are heavily regulated by the Ohio Public Utilities Commission, which places greater restrictions and responsibilities on towing companies than the City's current version of Sec. 452.25.

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

Section 1. Section 452.25 of the City's Codified Ordinances is hereby amended and restated to read as follows, with additions being underlined, and deletions struck through:

452.25 MUNICIPAL TOWING CONTRACTS AND RATES.

~~a) The Mayor, subject to approval by formal resolution of Council, is authorized to enter into agreement with at least two and not more than three operators of towing services who shall be responsible for providing towing service within the City. The City shall publicly bid for towing services needed in the City every two years.~~

~~(b) Standard towing rates and flat bed towing rates from any point within the City shall be determined by Council ordinance or a contract with a towing operator; and/or company. It shall be at the discretion of the Chief of Police, prosecutor or the prosecutor's designee to release all towed vehicles at no cost or for a fee determined by Council as stated in Section 240.09(b)(6).~~

~~(e) Each operator shall maintain in force during the period of the agreement, public liability insurance in limits of not less than five hundred thousand dollars/one million dollars (\$500,000/\$1,000,000) for personal injury and fifty thousand dollars/one hundred thousand dollars (\$50,000/\$100,000) for property damage. The City shall be named as one of the insured in the policy for activities directly connected with or arising out of the authority created by this chapter. The operators of the towing service shall pay the cost of such insurance and file a memorandum copy thereof with the Finance Director.~~

~~(d) The City shall not, in any event, be responsible for unpaid towing charges. (e) The operators of the towing service shall save harmless the City from any and all loss, actions or causes of actions which directly or indirectly arise out of or are the result of such towing activity, and shall further provide notice of such indemnification to his or its insurer.~~

(a) Except under emergency circumstances which prevent strict compliance with the provisions of this section, the Police Department, when calling for tows and ordering vehicles into storage pursuant to the provisions of the Codified Ordinances, shall only call towing contractors that have entered into contracts with the City pursuant to the provisions of this section.

(b) The Chief of Police shall establish, and the Director of Public Safety shall review and approve, rules and regulations for such non-consensual tows requested of towing contractors, which shall address the following non-inclusive list of subjects:

- (1) Vehicle and lot requirements;
- (2) Geographical location;
- (3) Insurance;
- (4) Charges for towing and storage services; and
- (5) Record keeping and complaint process.

(c) The Mayor, on behalf of the City, is authorized to enter into a contract with any towing contractor that agrees to and meets the requirements of all of the rules and regulations of the Police Department regarding non-consensual tows and subsequent vehicle storage. All such contracts entered into by the Mayor shall be consistent with and meet the requirements of the rules and regulations of the Police Department and shall be in a form approved by the Director of Law.

Section 2. The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended and restated Section 452.25 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 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 that it is necessary to eliminate overnight parking of vehicles without delay, 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: _____, 2022

Ron Jackson, Council President

Approved as to legal form:

Annette M. Blackwell, Mayor

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2022-37

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 2022, 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, 2022.

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 2022 ("2022 Summer Months") are hereby changed. During the 2022 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 2022 Summer Meetings of Council will be held at 7:00 p.m. on Wednesday, **June 1, 2022**, Wednesday, **July 6, 2022** and Wednesday, **August 3, 2022**. 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: _____, 2022

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. 2022-38

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 5258 BEECH AVENUE, PPN 784-28-033, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

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

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

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

5258 Beech Avenue PPN 784-28-033

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

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

5258 Beech Avenue PPN 784-28-033

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

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

PASSED: _____, 2022

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.: 2022-39
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH LIBERTY FORD INC. FOR A 2022 FORD F-350 WORK TRUCK WITH SNOW PLOW PACKAGE IN THE AMOUNT OF FORTY-NINE THOUSAND ONE HUNDRED THIRTY-SIX DOLLARS (\$49,136.00), AND DECLARING AN EMERGENCY.

WHEREAS, Council previously approved **Ordinance No. 2021-118** for the purchase of a work truck with snow plow package (“work truck”) from Tim Lally Chevrolet in an amount not to exceed \$50,000.00 because the Fire Chief advised Council that the City is in need of a new work truck to perform services such as snow plowing and pick-up and delivery of equipment and materials at Fire Stations 1 and 2; and

WHEREAS, the Fire Chief has advised the Finance Director that the work truck is no longer available for purchase at Tim Lally Chevrolet but a comparable work truck with snow plow package is available from Liberty Ford Inc.

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 a purchase agreement with Liberty Ford Inc. for the purchase of a 2022 Ford F-350 work truck with snow plow package in the amount of Forty-Nine Thousand One Hundred Thirty-Six Dollars (\$49,136.00).

Section 2: The Finance Director is hereby authorized to appropriate to a proper account a sum sufficient to cover the cost of said purchase agreement referred to in Section 1 above, in the total amount of Forty-Nine Thousand One Hundred Thirty-Six Dollars (\$49,136.00) or secure appropriate financing options for a total amount of Forty-Nine Thousand One Hundred Thirty-Six Dollars (\$49,136.00), subject to the City’s Fiscal Policies adopted and approved by Council.

Section 3. **Ordinance No. 2021-118** is hereby repealed.

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 safety, health and welfare of the residents of the City and for the further reason that the vehicle

is on special hold with Liberty Ford Inc. and if not purchased immediately the hold will be released, 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: _____, 2022

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.: 2022-40

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE POLICE CHIEF TO TRADE-IN \$47,795.00 WORTH OF FIREARMS THAT ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO KIESLER POLICE SUPPLY FOR CREDIT TOWARDS THE PURCHASE OF \$45,869.20 WORTH OF NEW REPLACEMENT FIREARMS, AND REPEALING RESOLUTION NO. 2022-27, AND DECLARING AN EMERGENCY.

WHEREAS, the Police Chief has determined that the Police Department possesses numerous firearms over ten years old that are no longer needed for a municipal purpose (“the outdated firearms”), which have a fair market value of \$47,795.00; and

WHEREAS, the Police Chief has arranged for the Police Department to trade-in the outdated firearms to Kiesler Police Supply in exchange for a credit of \$47,795.00 (“trade-in value”) to be used towards the Police Department’s purchase of \$45,869.20 worth of new replacement firearms from Kiesler Police Supply, which trade-in value is established separately from the purchase price of the new replacement firearms; and

WHEREAS, Exhibit 9-Sale of Personal Property to the City’s Policies and Procedures Manual, adopted by Council by **Ordinance No. 2019-99**, provides that Council approval is needed for the sale or disposal of City-owned property no longer needed for municipal purposes that has an estimated value of greater than \$25,000.00.

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 method no. 5 of Exhibit 9-Sale of Personal Property to the City’s Policies and Procedures Manual, the Police Chief is hereby approved to trade-in the outdated firearms to Kiesler Police Supply in exchange for a credit of \$47,795.00 to be used towards the Police Department’s purchase of \$45,869.20 worth of new replacement firearms from Kiesler Police Supply.

Section 2. **Resolution No. 2022-27** is hereby repealed.

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 to improve the day-day operations of the Police Department, 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: _____, 2022

Ron Jackson, Council President

Approved as to legal form:

Annette M. Blackwell, Mayor

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

ORDINANCE NO. 2022-41

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE PROVIDING FOR AMENDMENT NO. 2 DATED APRIL 20, 2022 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2022, AND DECLARING AN EMERGENCY.

WHEREAS, Council adopted a municipal budget pursuant to **Ordinance No. 2021-145** for the fiscal year January 1, 2022 through December 31, 2022 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 April 20, 2022 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. 2021-145** shall be amended by the Council, as recommended by the Finance Director, in accordance with Amendment No. 2 dated April 20, 2022, which is attached hereto as Exhibit A (hereinafter referred to as "Exhibit A-Amendment No.2 dated April 20, 2022") and 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, 2022, the amended appropriations, as recommended by the Finance Director in Exhibit A-Amendment No. 2 dated April 20, 2022, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A-Amendment No. 2 dated April 20, 2022 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: _____, 2022

Ron Jackson, Council President

Approved as to legal form:

Annette M. Blackwell, Mayor

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council