

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

August 3, 2022

1. **Caucus: 6:30 pm** All Members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilwoman Tanglyn Madden, District 5
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum**
6. **Approval of Minutes:** June 1, 2022 (Regular Meeting of Council)
June 15, 2022 (Special Meeting of Council)
7. **Communications:**
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:

2022-56, As Amended AN ORDINANCE AMENDING COUNCIL'S RULES OF ORDER SET FORTH IN SECTION 220.01 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 3 (Jackson)

2022-68 AN ORDINANCE AMENDING SECTION 220.01(e)(1) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING COUNCIL COMMITTEES COMPOSITION, AND DECLARING AN EMERGENCY.

Reading 2 (Shenett)

2022-69 A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR BOARDING UP HOUSES AND OTHER UNSAFE STRUCTURES PURSUANT TO CODIFIED ORDINANCE SECTIONS 680.06, 1440.27 AND 1440.28, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2022-70 A RESOLUTION DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE AND RUBBLISH COLLECTION AND DISPOSAL WITHIN THE CITY OF MAPLE HEIGHTS AND CERTIFYING TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY OF MAPLE HEIGHTS FOR GARBAGE AND RUBBLISH COLLECTIONS, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2022-71 A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR WEED AND GRASS CONTROL PURSUANT TO CODIFIED ORDINANCE SECTIONS 660.15 AND 680.05, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2022-74 A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 18680 NITRA AVENUE, PPN 782-06-062, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-75 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FLT CONSTRUCTION, LLC TO SELL TWO (2) VACANT LOTS LOCATED AT 20806 HANSEN ROAD (PPN 782-15-087) AND 21206 HANSEN ROAD (PPN 782-17-090) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-76 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE STAFFORD PARK FITNESS TRAIL PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-77 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE 2022 ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS, 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.: 2022-56, AS AMENDED
INTRODUCED BY: Council President Ron Jackson
MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING COUNCIL'S RULES OF ORDER SET FORTH IN SECTION 220.01 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council President has recommended various amendments and revisions to the Council's Rules Of Order set forth in Section 220.01 of the City's Codified Ordinances.

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

All

Section 1. Section 220.01 of the Codified Ordinances shall hereby be amended as follows, with deletions struck through and additions underlined:

220.01 RULES OF ORDER.

(a) Meetings.

(1) Generally. ~~All meetings of Council shall be held at the Maple Heights Senior Center unless otherwise ordered by Council.~~ Regularly ~~scheduled~~ Meetings of Council shall be held on the first and third Wednesday of each month at 7:00 p.m., unless otherwise ordered by motion, resolution or ordinance or as otherwise mandated in the Charter. Whenever the regularly scheduled Council meeting date falls on a legal holiday, then such meeting shall be held on the day following the legal holiday. The Council Caucus meeting shall begin at 6:30 p.m., at the venue where the meeting is being held. Meetings shall be held at Council Chambers in City Hall, the Maple Heights Senior Center, or such other venue as determined by the Council President with proper notice given by the Clerk.

* * *

(3) ~~Regular work session~~ Committee of the Whole meetings of Council. ~~Regular work session~~ Committee of the Whole meetings may be held on the Monday before the first regular Council meeting of the month where special projects, presentations, issues and information relating to the entire Council or other City business may be discussed with a majority of the members elected to Council, department heads or other persons as requested by Council. ~~Work sessions~~ Committee of the Whole meetings may be rescheduled or additional ~~work sessions~~ meetings called by the President of Council or by any three members of Council. ~~No formal business or voting shall occur at a work session of Council.~~

* * *

(6) Order of business. The business of all regularly scheduled meetings of Council shall be transacted in the following manner, unless, with no objections of Council, the Presiding Officer wishes to dispense with the regular order of business:

* * *

I. Citizens' comments with a ~~three~~ four-minute limit;

* * *

K. Mayor's report, including any special presentation by the Mayor;

* * *

(7) Use of Electronic Devices. Use of electronic devices during Council meetings is prohibited unless it is for the viewing of agendas, ordinances, resolutions and other documents related to the Council meeting. Communicating with Council members via electronic devices during a meeting is strictly prohibited.

* * *

(b) Officers and Employees.

(1) Presiding Officer. The Council President shall be the Presiding Officer at all regular and special meetings of Council. However, the Council President shall have no vote except in case of a tie and shall perform such duties as Presiding Officer as may be imposed upon him or her by the Council. The Council President shall call regularly scheduled meetings ~~not of~~ of Council to order at the appointed hour and shall preserve order and decorum and confine members of Council in debate to the question under discussion. In the absence of the Council President, the Council Pro Tempore shall preside over the meeting. The Council President approves the agenda for each regular council and committee of the whole meeting. Only business listed on the agenda will be discussed at the meetings. The Council President shall annually submit a budget for Council expenditures for consideration by the Finance Director. The Council President shall approve all Council expenditures, including Committee expenditures which shall be submitted to the Council President by the Committee Chairperson.

(2) Council Pro Tempore. At the first regular meeting in January following a regular Municipal election, or as soon thereafter as may be possible, Council shall elect one of its members as the Council Pro Tempore.

A. If the President of Council is absent from a meeting, or is out of town, the President Pro Tempore shall perform all of the duties, with all the powers of the President of Council during his or her absence, but shall retain the right to vote on all matters, as a district Councilperson. If the Office of President of Council becomes vacant, the President Pro-tem shall assume the office of President of Council for the remainder of the term, perform the duties thereof, and shall be relieved of the rights and duties as a district Councilperson, including the right to vote on all matters except where noted by law.

* * *

(4) Sergeant of Arms. The Chief of Police, ~~Sergeant at Arms for Council~~, or his or her designee, shall be the Sergeant at Arms for Council and armed at all regularly scheduled meetings and at those special meetings or committee meetings where requested, for the protection and safety of all present. He or she shall keep order as requested by the Council President or meeting chairperson ~~Chair~~ and shall eject any member of the audience who is determined by the Council President or meeting Chairperson ~~of the meeting~~ to be disruptive.

* * *

(c) Duties and Privileges of Council.

* * *

(2) Meeting absences. If a Council member is going to be absent from a meeting, a communication is required to the Council President, or in his or her absence, to the Pro-Tempore or and Clerk of Council, in order to be given an excused absence. If the Council President is going to be absent from a meeting a communication is required to the Pro-Tempore and the Council Clerk in order to be given an excused absence. ~~for an excused absence at all required meetings.~~ Reasons for an excused absence must be given to the Council President and include, but are not limited to, illness of the Council member or their immediate family, a death in the family, work related issues, schooling, and personal emergencies. For an unexcused absence to a required meeting, the Council member will be required to pay a penalty of two hundred dollars (\$200.00) for each missed meeting. Payment of the penalty shall be withheld from the Council member's regular salary. Meetings that are required of every member of Council, unless the absence is excused according to division (c)(2), are twice monthly regular meetings, special meetings, Committee of the Whole meetings, and other committee meetings as called, to which a Council person is a member

* * *

(6) Council reports. Each member present at the regular meeting of Council may give a report, including making a special presentation, with the member who gave the invocation reporting or presenting first, after being recognized by the presiding officer.

* * *

9) Comments from City residents. Comments from City residents will be entertained at regular Council meetings only, and shall be limited to ~~three~~ four 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.

* * *

(d) Legislation.

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(4) Passage. The affirmative vote of a majority of the Council members elected shall be necessary to adopt any ordinance or resolution except that a three-quarters vote of the members of Council shall be necessary to sell, buy, trade or exchange recreational, service, transit or safety lands and all other present and future public lands, and on the passage thereof a vote shall be taken by yeas and nays and entered upon the journal. No ordinance or resolution shall be passed until it has been read on three separate days. The affirmative majority vote of a majority of Council members elected (4) shall be required for passage or adoption of legislation on the third reading. No councilperson shall be permitted to change his/her vote as recorded after the Roll Call has been verified and the results declared.

* * *

(e) Council Committees.

(1) Composition; appointment. Council standing committees shall consist of at least three Council members, one of whom shall be the chairperson. The chairperson shall approve the meeting agenda. Only business listed on the agenda will be discussed at the meeting. Standing committee chairpersons and members of a committee shall be appointed by the Council President with the advice of the Council Pro Tempore ~~determined and appointed by the elected Council Members of each district~~, as soon as convenient, after the Municipal election and organization of Council, but not later than the first meeting in February following the election. Council members may submit to the Council President their reasons for wanting to be on a committee and whether they want to be the chairperson. If for some reason Council Members cannot decide the appointment of a committee, then the Council President with advice by the Pro Tempore ex officio shall make the appointment(s). ~~Each standing committee shall have no more or no less than three Council Members per committee.~~ Each Council member must serve on at least one committee. If a Council member declines to serve on a committee or is not excused from a meeting, the Council member will be required to pay a penalty of two hundred dollars (\$200.00) for each meeting missed. Payment of the penalty shall be withheld from the Council member's salary. The Council President and Council President Pro Tempore ex officio shall be appointed as members of all standing committees (but are not required to attend all committee meetings) with the right to vote in the event a quorum is needed to conduct City business.

* * *

(3) Standing committees. The following standing committees are hereby established. However, the President of Council may form new or ad hoc committees if the need arises.

A. ~~Committee of the Whole. Special projects, presentations, issues and information relating to the entire Council.~~

B A. Community Life and Education. Recreation programs for youth and adults, health issues, family programs, City events, volunteer recruitment and recognitions, communication issues, public relations, school district issues, education programs for residents, City officials and employees, and all other related matters.

C B. City Development and Housing. Neighborhood revitalization, preservation and enhancement of City housing, acquisition of new businesses and/or land, Broadway redevelopment, parks and gardens, and railroad and intermodal issues and all other related matters.

D C. Finance. All financial matters of the City, and other related matters.

E D. Public Works and Safety. Streets and street maintenance, infrastructure, sewers, storm water and flooding issues, sidewalks, garbage and waste issues. All safety issues, including block watch groups, street lighting, traffic signals and timing, signage, core services, police and fire safety programs, and all other related matters.

(4) Committee meetings. A majority of the number of members appointed to a committee shall constitute a quorum for the transaction of business. Each committee shall hold its meetings at the time and place designated by the committee chairperson on City property and announced at a regularly scheduled Council meeting. Committee meetings shall be scheduled on weekdays no earlier than 6:00 p.m. in order to accommodate interested residents. If it becomes necessary to schedule a committee meeting that has not been announced at a regular Council meeting, members of Council shall be notified within 24 hours as set forth in division (d)(10) of this section. If a chairperson of a committee finds it necessary to change the time and place of a scheduled committee meeting, or to call another meeting, he or she shall notify all Council members, in writing by electronic transmission or by telephone, at least 24 hours before such meeting, of the new fixed time and place. All aspects of the Sunshine Law shall be in effect.

* * *

(f) Amendment of Rules. These rules may only be amended by a vote of two-thirds (2/3) of the members of the Council. ~~majority vote of Council.~~ * * *

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 New Section 220.01 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 Council's rules of

procedure must be timely updated, 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.: 2022-68
INTRODUCED BY: Councilman Stafford L. Shenett, Sr.
MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING SECTION 220.01(e)(1) OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS REGARDING COUNCIL COMMITTEES COMPOSITION, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Maple Heights desires to amend Sections 220.01(e)(1) of the Council Committees Composition to increase the effectiveness of each committee by allowing council members from each district to choose a committee that best fit their strength and ability while balancing committee assignments among Councilpersons.

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

Section 1. Section 220.01(e)(1) of the Codified Ordinances shall hereby be amended as follows (changes underlined)

220.01 COUNCIL COMMITTEES.

(e) Council Committees.

(1) Composition; appointment. Council standing committees shall consist of at least three Council members, one of whom shall be the chairperson. Standing committee chairpersons and members of a committee shall be determined and appointed by the elected Council Members of each district, as soon as convenient, after the Municipal election and organization of Council, but not later than the first meeting in February following the election. Council members who have committed to a committee must wait until all council members have joined a committee before they select another committee to join. If for some reason Council Members cannot decide the appointment of a committee, then the Council President with advice by the Pro Tempore ex officio shall make the appointment(s). Each standing committee shall have no more or no less than three Council Members per committee. The Council President and Council President Pro Tempore ex officio shall be appointed as members of all standing committees with the right to vote in the event a quorum is needed to conduct City business.

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 Sections 220.01(e)(1) 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 must be timely added to the codified ordinances, 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.: 2022-69

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR BOARDING UP HOUSES AND OTHER UNSAFE STRUCTURES PURSUANT TO CODIFIED ORDINANCE SECTIONS 680.06, 1440.27 AND 1440.28, AND DECLARING AN EMERGENCY.

WHEREAS, in compliance with Sections 680.06, 1440.27 and 1440.28 of the Codified Ordinances of the City of Maple Heights expenses were incurred for boarding up houses and unsafe structures upon lots in the City of Maple Heights, as more fully described in an Attachment on file with the Finance Director; and

WHEREAS, such expenses have not been paid by the owners of said lots.

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

Section 1. The expenses listed in the Attachment on file with the Finance Director, which is made a part hereof for all purposes, for boarding up houses and unsafe structures shall be certified to the Cuyahoga County Fiscal Officer for the purpose of making the same a lien upon such lots in the City of Maple Heights, Cuyahoga County, Ohio, to be collected as are other taxes and returned to the General Fund of the City of Maple Heights, pursuant to Sections 680.06, 1440.27 and 1440.28 of the Codified Ordinances of the City of Maple Heights.

Section 2. The Clerk of Council and the Finance Director are authorized to prepare and submit all necessary documents to accomplish the required written return to the County Fiscal Officer in a timely manner.

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 our residents, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September 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.: 2022-70

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE AND RUBBISH COLLECTION AND DISPOSAL WITHIN THE CITY OF MAPLE HEIGHTS AND CERTIFYING TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY OF MAPLE HEIGHTS FOR GARBAGE AND RUBBISH COLLECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 701.05 and 715.43 and Chapter 1060 of the Codified Ordinances of the City of Maple Heights permit the assessment for the collection and disposal of garbage and rubbish; and

WHEREAS, Codified Ordinances Section 1060.02(b) provides that the Finance Director establish an estimate of the next year's solid waste collection costs and projected fees for the purpose of establishing the applicable rates for the following year to be charged by the City of Maple Heights for garbage and rubbish collection; and

WHEREAS, the Finance Director has completed this estimate and has determined that the applicable monthly rate for 2023 is \$19.35 per residential unit and \$9.98 for each residential unit for qualified residents with a Homestead exemption as of June 1, 2022 and

WHEREAS, Codified Ordinances Section 1060.02(b)(5) provides that these charges be certified to the County Auditor in time for the charges to be added to the tax duplicate and collected in the next collection year.

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

Section 1. It is the determination of this Council, to proceed with the assessing for the cost and expense of garbage and rubbish disposal within the City in accordance with Ohio Revised Code Sections 701.05 and 715.43 and Chapter 1060 of the Codified Ordinances, upon the lands in the City of Maple Heights on file in the County Fiscal Officer's Office, for the 2022 tax duplicate and collection in the year 2023 at a monthly rate of \$19.35 for each residential unit and \$9.98 for each residential unit for qualified residents with a Homestead exemption as of June 1, 2022.

Section 2: Reimbursement of funds through collection of tax duplicates of said lands as outlined in Section 1 hereof shall be credited to the Solid Waste Collection Fund of the City of Maple Heights.

Section 3. The Finance Director is hereby authorized to send to the Auditor of the County of Cuyahoga certified copies of this Resolution in such numbers as are required.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Resolution constitutes an emergency measure necessary for the health and welfare of the residents of the city, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September 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.: 2022-71

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR WEED AND GRASS CONTROL PURSUANT TO CODIFIED ORDINANCE SECTIONS 660.15 AND 680.05, AND DECLARING AN EMERGENCY.

WHEREAS, in compliance with Sections 660.15 and 680.05 of the Codified Ordinances of the City of Maple Heights expenses were incurred for weed and grass control upon lots in the City of Maple Heights, as more fully described in an Attachment on file with the Finance Director; and

WHEREAS, such expenses have not been paid by the owners of said lots.

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

Section 1 The expenses listed in the Attachment on file with the Finance Director, which is made a part hereof for all purposes, for grass and weed control shall be certified to the Cuyahoga County Fiscal Officer for the purpose of making the same a lien upon such lots in the City of Maple Heights, Cuyahoga County, Ohio, to be collected as are other taxes and returned to the General Fund of the City of Maple Heights, pursuant to Sections 660.15 and 680.05 of the Codified Ordinances of the City of Maple Heights.

Section 2. The Clerk of Council and the Finance Director are authorized to prepare and submit all necessary documents to accomplish the required written return to the County Fiscal Officer in a timely manner.

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 our residents, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September 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. 2022-74

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 18680 NITRA AVENUE, PPN 782-06-062, 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 Planning and Development Director have determined that the following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

18680 Nitra Avenue PPN 782-06-062

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:

18680 Nitra Avenue PPN 782-06-062

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.: 2022-75

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Councilman Richard Trojanski

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FLT CONSTRUCTION, LLC TO SELL TWO (2) VACANT LOTS LOCATED AT 20806 HANSEN ROAD (PPN 782-15-087) AND 21206 HANSEN ROAD (PPN 782-17-090) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, FLT Construction, LLC (“the Developer”) has advised the Mayor and Planning and Development Director that it desires to purchase the two (2) vacant lots owned by the City located at **20806 HANSEN ROAD (PPN 782-15-087) AND 21206 HANSEN ROAD (PPN 782-17-090)**, (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; and 2) the homes must have at least 1,300 square feet, three (3) bedrooms and two (2) 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 \$750.00 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 FLT Construction, LLC (“the Developer”) to sell the two (2) vacant lots owned by the City located at **20806 HANSEN ROAD (PPN 782-15-087) AND 21206 HANSEN ROAD (PPN 782-17-090)**, at a sales price of \$750.00 each, for a total sale price of \$1,500.00, 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 home; and 2) the homes must have at least 1,300 square feet, three (3) bedrooms and two (2) baths.

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 \$750.00 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, Planning and 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, FLT Construction, 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: _____, 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.: 2022-76

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

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

WHEREAS, on December 15, 2021, by **Resolution No. 2021-154**, Council authorized the Mayor to make application, sign and file all necessary documents and contracts with the Cuyahoga County Department of Development for the 2021 Community Development Block Grant Program (CDBG); and

WHEREAS, the City of Maple Heights has been awarded \$150,000.00 by the Cuyahoga County Department of Development under the 2021 Community Development Block Grant Program (CDBG) for the Stafford Park Restoration Project, Phase 1 which will help to fund improvements to Stafford Park, including the demolition of various abandoned facilities/structures and the construction of a trail to link the fitness station network; and

WHEREAS, the funds awarded for the Stafford Park Restoration Project, Phase 1 by the Cuyahoga County Department of Development under the 2021 Community Development Block Grant Program (CDBG) are required to be expended before September 30, 2022; and

WHEREAS, on May 4, 2022, by **Resolution No. 2022-43**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Stafford Park Restoration Project, Phase 1 in City of Maple Heights; and

WHEREAS, on May 26, 2022, bids for the Stafford Park Safety Town & Ball Field Demolition Project were opened and inspected by the City Engineer to determine the lowest and best bid, and

WHEREAS, on May 4, 2022, by **Resolution No. 2022-54**, Council authorized and directed the Mayor to enter into a contract with Badger Construction Company, for the Stafford Park Safety Town & Ball Field Demolition Project in City of Maple Heights; and

WHEREAS, on July 8, 2022, bids for the **Stafford Park Fitness Trail Project** were opened and inspected by the City Engineer to determine the lowest and best bid.

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 the Mayor to enter into a contract with Nerone & Sons, Inc., for the **Stafford Park Fitness Trail Project**, for a cost not to exceed One Hundred Thirty-One Thousand Six Hundred Seventy-Five Dollars and Zero Cents (\$131,675.00), as more fully described in the bid record on file in the Office of the Finance Director in the City of Maple Heights.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City, and to begin the project in a timely manner so that the full Stafford Park Renovation Project can be completed by the September 30, 2022 deadline, 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.: 2022-77

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE 2022 ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

WHEREAS, the Service Director had informed the Mayor and the Engineer that the pavement conditions on various streets located within the City of Maple Heights makes it necessary to perform repairs, reconstruction and preventative maintenance on various streets within the City; and

WHEREAS, Council deemed it necessary and in the best interests of the health, safety and welfare of all of the City residents to perform routine repairs and preventative maintenance on various streets within the City of Maple Heights; and

WHEREAS, on March 16, 2022, by **Resolution No. 2022-26**, Council authorized and directed the City Engineer to coordinate with the Service Director to update the street inventory which rates pavement conditions for streets based on ODOT's PCR Manual for the Mayor and Council's use in developing and authorizing a road repair program in the City of Maple Heights; and

WHEREAS, on March 22, 2022, the Cuyahoga County Department of Public Works informed the Mayor that the Department will reimburse the City for up to \$101,000.00 in material costs expended on County Routes included under a road repair program in the City of Maple Heights; and

WHEREAS, the City Engineer had updated the street inventory which rates pavement conditions, including preliminary estimate of costs for pavement repairs, and made a recommendation for the streets, which were determined to be in greatest need of repair, for consideration by the Mayor and Council in authorizing a road repair program; and

WHEREAS, on June 15, 2022, by **Resolution No. 2022-58**, Council authorized and directed the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the 2022 Pavement Repair Program in the City of Maple Heights; and

WHEREAS, on July 28, 2022, the bids for the **2022 Roadway Repair Program** were opened and inspected by the City Engineer to determine the lowest and best bid.

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 the Mayor to enter into a contract with Specialized Construction, Inc., for the **2022 Roadway Repair Program**, for a cost not to exceed Nine Hundred Eight-Eight Thousand Two Hundred Seventy Dollars and Zero Cents (\$988,270.00), as more fully described in the bid record on file in the Office of the Finance Director in the City of Maple Heights.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City, and to begin the project in a timely manner so that the pavement repair program can be completed during the 2022 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: _____, 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