

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

February 16, 2022

1. **Caucus: 6:30 pm** All Members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilman Timothy Tatum, District 3
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Special Presentation:** Councilmembers Shenett, Madden and Agee
6. **Addendum**
7. **Approval of Minutes:** January 19, 2022 (Regular Meeting of Council)
February 2, 2022 (Special Meeting of Council)
8. **Communications:**
 - a. **Notice to Legislative Authority - Ohio Division of Liquor Control**
9. **Council Committee Reports:**
10. **Department Reports:**
11. **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.
12. **Legislation:**

2022-14 A RESOLUTION APPROVING THE 2022 EXTERIOR MAINTENANCE GRANT PROGRAM AND AUTHORIZING THE MAYOR TO AWARD FUNDING TO ELIGIBLE APPLICANTS, AND DECLARING AN EMERGENCY.

This Resolution is currently in the Housing/Economic Development Committee

2022-16 A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO SUBMIT AN APPLICATION FOR THE SAFE ROUTES TO SCHOOL PROGRAM (SRTS) ON BEHALF OF THE CITY OF MAPLE HEIGHTS, A LOCAL PUBLIC AGENCY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-17 AN ORDINANCE AMENDING AND RE-STATING CHAPTER 1226 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING LAND REUTILIZATION, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

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

RESOLUTION NO.: 2022-14

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION APPROVING THE 2022 EXTERIOR MAINTENANCE GRANT PROGRAM AND AUTHORIZING THE MAYOR TO AWARD FUNDING TO ELIGIBLE APPLICANTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Economic Development Director have proposed a grant program known as the 2022 Exterior Maintenance Grant Program, the terms of which are attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide owners who occupy their homes with financial assistance to maintain the exterior of their homes as a way to preserve and promote the curb appeal of homes in the City;

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

Section 1. The 2022 Exterior Maintenance Grant Program, which is attached hereto as Exhibit A and incorporated as if fully rewritten herein, is approved. Council hereby authorizes and approves the Finance Director to fund the 2022 Exterior Maintenance Grant Program by appropriating up to One Hundred Thousand Dollars and No Cents (\$100,000.00), of which amount only Fifty Thousand Dollars and No Cents (\$50,000.00) shall be appropriated from the City's funds held at the time of the passage of this Resolution, with the additional amount being appropriated from funds provided to the City from private entities, the County or State, which are specifically designated for the 2022 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 public peace, safety and general welfare of the City and for the further reason that applications for the 2022 Exterior Maintenance Grant Program will be available beginning in the Spring 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.: 2022-16

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR AND CITY ENGINEER TO SUBMIT AN APPLICATION FOR THE SAFE ROUTES TO SCHOOL PROGRAM (SRTS) ON BEHALF OF THE CITY OF MAPLE HEIGHTS, A LOCAL PUBLIC AGENCY, AND DECLARING AN EMERGENCY.

WHEREAS, the United States Congress has set aside monies for Safe Routes to School (SRTS) Projects through the State of Ohio, Department of Transportation; and

WHEREAS, the City of Maple Heights is a Local Public Agency (LPA) and LPAs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

WHEREAS, the City of Maple Heights will work closely with the Maple Heights City Schools to improve student safety as children go to and from school, which is a transportation activity eligible to receive federal funding.

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 empowered on behalf of the City of Maple Heights to prepare and execute an application for SRTS funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

Section 2. The total cost of the project is estimated to be Three Hundred Ninety-Four Thousand Four Hundred Thirty-Two Dollars and Zero Cents (\$394,432.00), of which the City of Maple Heights, as the LPA, if awarded the funds, further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation.

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

Section 4. If the application is approved for funding the Mayor is hereby authorized on behalf of the City of Maple Heights, as the LPA, to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated below, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the residents of the City, and for the further reason that it is necessary to meet the SRTS application 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

ORDINANCE NO.: 2022-17

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AMENDING AND RE-STATING CHAPTER 1226 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING LAND REUTILIZATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Economic Development Director recommend that Chapter 1226 of the City's Codified Ordinances concerning Land Reutilization be amended and a new Section 1226.03 be enacted concerning the duties of the Economic Development Director in order to make the City's land reutilization process more efficient and clearer.

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

Section 1. Chapter 1226 of the City's Codified Ordinances is hereby amended and re-stated, with new Section 1226.03 hereby enacted, and shall read as follows, with deletions struck through and additions underlined:

"1226.01 PROGRAM ADOPTED; ACQUISITION OF LAND; COPIES TO COUNTY.

- (a) The City hereby adopts, shall implement and agrees to abide by the provisions of Ohio R.C. Chapter 5722 for a land reutilization program as therein provided.
- (b) The Director of Law and/or ~~Manager~~ Director of Economic Development may make inquiry of County officials and participate in administrative and judicial action to obtain possession and title to such lands with delinquent taxes as are affected by State law.
- (c) The Clerk of Council is hereby authorized and directed, upon the passage of this section, to transmit certified copies of this section to the County Auditor, the County Treasurer and the County Prosecutor, as provided in Ohio R.C. 5722.02.

1226.02 DISPOSITION OF UNIMPROVED RESIDENTIAL LOTS.

In order to return nonproductive land to tax revenue-generating status, the Mayor and Council are hereby authorized to transfer title to any unimproved residential lot owned by the City upon the following terms and conditions if the Mayor and Council have determined that said lot is not needed for municipal purposes:

- (a) Written notice of the availability of the lot shall be given to the owners of all adjoining single-family and two-family properties with not less than a 75% common boundary line at the side lot line. To qualify for purchasing the lot, the owner must be current in property tax, and must agree to pay future property taxes from time of title transfer. The owner shall then produce their desire of owning the lot by application

documenting the intended use of the lot, including any improvements that will be made. ~~The owner shall then produce a letter of support from the Councilperson of their district along with the intent to purchase the lot.~~ Upon receipt of an application to acquire a parcel as a side yard, the Director of Economic Development or their designee shall then inform the Councilperson in whose District the parcel is located to share the application and give the Councilperson the opportunity to provide a letter of support. The disposition of any given lot will be based upon an assessment of the most efficient and effective way to maximize the best use of the parcel to enhance the immediate neighborhood.

(b)(1) If only one adjoining owner is interested in purchasing the lot, the Mayor and Council may sell the lot to that property owner for the sum of one hundred dollars (\$100.00) plus closing costs.

(2) If two or more adjoining property owners are interested in purchasing the lot, the Mayor and Council may divide the lot and sell to all interested parties for the price of one hundred dollars (\$100.00) total plus closing costs provided the parties are willing to pay the costs of a lot re-subdivision, including survey costs.

(c) ~~The owner shall agree, at his the owner's expense, to consolidate the lot with his the owner's existing property prior to at the time of the transfer of the land reutilization program lot. and show written documentation to the City of an agreement with a qualified surveying business. Escrow funds shall be deposited with a State certified escrow company for the lot consolidation. The owner shall file all City required copies of documents from the escrow company with the Maple Heights Law Department. Escrow funds will be disbursed to the surveying company upon consolidation of the lots. The owner shall contract with a registered professional surveyor to draw up a consolidation plat and legal description for the owner's lot and the Land Reutilization Program lot. The new consolidation plat shall be filed approved by the City's Planning and Zoning Commission prior to filing it and the quit claim deed for the Land Reutilization Program lot, with the Cuyahoga County Recorder's Office. after the transfer of the lot. Within 30 days after the entry of an agreement for the sale of any lot, the acceptance of the sale shall be approved by Council at the next scheduled meeting.~~

(d) Nothing herein shall require the Mayor and Council to offer any particular unimproved City-owned lot to adjoining property owners, or be construed to prohibit the sale or holding of a lot for development purposes or the use of said lots for community gardening or other public purposes.

(e) The Mayor and Council may adopt such rules, not inconsistent with this section, for the implementation of this section.

1226.03 DUTIES OF THE DIRECTOR OF ECONOMIC DEVELOPMENT.

The Director of Economic Development shall administer the land reutilization program established pursuant to the provisions of this Chapter and Ohio R. C. Chapter 5722. The Director shall compile and maintain a written inventory of all properties acquired under the land reutilization program, establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the land reutilization program.”

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 re-stated Chapter 1226 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 land reutilization procedures must be immediately set forth so as not to delay acquisition and use, 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