

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

February 2, 2022

1. **Caucus: 6:30 pm** All Members of Council
2. **Call to Order:** Council President Ron Jackson
3. **Invocation/Pledge of Allegiance:** Councilwoman Toni Jones, District 2
4. **Roll Call:** Council Clerk Leonette Cicirella Johnson
5. **Addendum**
6. **Approval of Minutes:** December 15, 2021 (Regular Meeting of Council)
January 5, 2022 (Special Meeting of Council)
7. **Communications:**
 - a. Letter of Appeal Regarding Planning and Zoning
Case No. 2021-PZ-53
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:

2022-11 AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 ENERGIZED COMMUNITY GRANT(S), AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-12 AN ORDINANCE AUTHORIZING THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM TO ACCEPT TITLE TO ONE (1) VACANT PARCEL IN THE CITY OF MAPLE HEIGHTS OWNED BY THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC), AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-13 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AMATO HOMES I, LLC TO SELL THREE (3) VACANT LOTS LOCATED AT 15720 ROCKSIDE ROAD (PPN 786-03-015); V/L ROCKSIDE ROAD (PPN 783-03-046); AND 5540 SOUTH BOULEVARD (PPN 783-01-017) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

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.

Reading 1 (Blackwell)

2022-15 A RESOLUTION AUTHORIZING THE CITY ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS PHASE 2 PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

MOTION: A Motion pursuant to Charter Art. V, Sect. 4, to approve the Mayor's Appointment of Robert J. Gorentz as Service Director and head of the Service Department.

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

ORDINANCE NO. 2022-11

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 ENERGIZED COMMUNITY GRANT(S), AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights, Ohio (the “GRANTEE”) is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is Eligible for one or more NOPEC Energized Community Grant(s) for 2022 (“NEC Grant(s)”) as provided for in the NEC Grant Program guidelines; and

WHEREAS, the GRANTEE wishes to enter into a Grant Agreement with NOPEC, Inc. in substantially the form presented to this Council to receive one or more NEC Grant(s).

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

Section 1. The Council of the GRANTEE (“Council”) hereby finds and determines that it is in the best interests of the GRANTEE to enter into the Grant Agreement to accept the NEC Grant(s) for 2022, and authorizes the Mayor to execute the Grant Agreement to accept the NEC Grant(s) funds.

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

Section 3. This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that this grant agreement must be timely filed, 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.: 2022-12
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO SPONSORED BY:

AN ORDINANCE AUTHORIZING THE MAPLE HEIGHTS LAND REUTILIZATION PROGRAM TO ACCEPT TITLE TO ONE (1) VACANT PARCEL IN THE CITY OF MAPLE HEIGHTS OWNED BY THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION (CCLRC), AND DECLARING AN EMERGENCY.

WHEREAS, the Maple Heights Land Reutilization Program fosters the return of non-productive land to tax revenue generating status or the dedication thereof to public use; and

WHEREAS, the Cuyahoga County Land Reutilization Corporation (CCLRC) seeks to revitalize neighborhoods, promote economic growth and create job and workforce development opportunities, and assists local governments in effective use and re-use of vacant property; and

WHEREAS, the Cuyahoga County Land Reutilization Corporation (CCLRC) owns the following vacant parcel in the City of Maple Heights, which it desires to transfer to the Maple Heights Land Reutilization Program according to the Conveyance Agreement available in the Office of the Housing Manager:

PPN: 782-14-078 21001 HILLGROVE AVENUE

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

Section 1. The Mayor is hereby authorized to enter into a Conveyance Agreement with the Cuyahoga County Land Reutilization Corporation (CCLRC), a copy of which is available in the office of the Housing Manager, and the Maple Heights Land Reutilization Program is authorized to accept title to the following vacant parcel in the City of Maple Heights, and as listed in the Cuyahoga County Records for the Land Bank in the City of Maple Heights:

PPN: 782-14-078 21001 HILLGROVE AVENUE

Section 2. The Director of Finance is authorized, upon passage of this Ordinance, to send certified copies of this Ordinance to the County Auditor and the County Fiscal Officer requesting that the above-listed vacant parcel in the City of Maple Heights, identified by its respective permanent parcel number, and as listed in the Cuyahoga County Records, be exempted from taxation for this City owned property.

Section 3. According to Article XVI, Section 3 of the Maple Heights Charter, Council hereby waives the requirement that the Council submit this acquisition of land to the Planning & Zoning Commission for their report and recommendation.

Section 4. The Clerk of Council shall enter this transaction into Table “E” of the Special Ordinances entitled, “Acquisition and Disposal of Real Property” at the next codification of the Codified Ordinances of the City of Maple Heights.

Section 5. 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 6. This Ordinance constitutes an emergency measure necessary to expedite the acquisition and tax exemption of these properties 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.: 2022-13

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AMATO HOMES I, LLC TO SELL THREE (3) VACANT LOTS LOCATED AT 15720 ROCKSIDE ROAD (PPN 786-03-015); V/L ROCKSIDE ROAD (PPN 783-03-046); AND 5540 SOUTH BOULEVARD (PPN 783-01-017) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, Amato Homes I, LLC (“the Developer”) has advised the Mayor and Economic Development Director that it desires to purchase the three (3) vacant lots owned by the City located at **15720 ROCKSIDE ROAD (PPN 786-03-015); V/L ROCKSIDE ROAD (PPN 783-03-046); and 5540 SOUTH BOULEVARD (PPN 783-01-017)**, (each referred to as the “Property”, and together as the "Properties") for the construction and sale of a single family, owner-occupied home on each property; and

WHEREAS, the Properties are owned by the City through its Land Reutilization Program and the Mayor desires to sell the lots to the Developer, with the Developer required to build the homes within 360 days of title transfer and to make the following minimum improvements: 1) the homes must be an owner-occupied single family colonial style home; and 2) the homes must have at least 1200 square feet, three (3) bedrooms and two and one-half (2.5) baths. In addition, the Developer may split **15720 Rockside Road (PPN 786-03-015)** into two equal parcels of approximately 52-foot frontage, provided that the Maple Heights Planning and Zoning Commission approves the split and a variance from the 60-foot frontage requirement. In that event, Developer may build one home on each new parcel; and

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

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

Section 1. The Mayor is hereby authorized to enter into an Agreement with Amato Homes I, LLC (“the Developer”) to sell the three (3) vacant lots owned by the City located at **15720 ROCKSIDE ROAD (PPN 786-03-015); V/L ROCKSIDE ROAD (PPN 783-03-046); and 5540 SOUTH BOULEVARD (PPN 783-01-017)** (collectively referred to as “the Properties”), at a sales price of \$500.00 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 colonial style home; and 2) the homes must have at least 1200 square feet, three (3) bedrooms and two and one-half (2.5) baths. In addition, the Developer may split **15720 Rockside Road (PPN 786-03-015)** into two equal parcels of approximately 52-foot frontage, provided that the Maple Heights Planning and Zoning Commission approves the split and a variance from the 60-foot frontage requirement. In that event, Developer may build one home on each new parcel. A copy of the Agreement is available in the office of the Director of Economic Development and incorporated as if fully rewritten herein.

Section 2. Pursuant to R.C. 5722.07, the fair market value of the Properties, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the time to build and required minimum improvements, is \$500.00 per lot. Pursuant to R.C. 5722.08 all of the proceeds from the sale of the Properties shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

Section 3. The Mayor, Economic Development Director and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents, and tender any closing fees necessary as the Seller to effect the transfer of the Properties from the City to the Developer, Amato Homes I, LLC.

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

Section 5. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason to allow the Developer to begin development during the construction season, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 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.: 2022-14

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.: 2022-15

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE SOUTHWEST SEWER DISTRICT SEWER REPAIRS PHASE 2 PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 3, 2021, by **Resolution 2021-131**, Council authorized and directed the Mayor to enter into a 2022 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Southwest Sewer District Sewer Repairs Phase 2 Project in the City of Maple Heights which included the field investigation, testing, other research, and preparation of plans and specifications for the repair of storm and sanitary sewers on various streets including Dunham, Turney, Carol, Summit, Rochelle, Lisa, Janet, James, Wheeler, E. 146, Mustang, Thunderbird, and appurtenant easement areas; and

WHEREAS, the City of Maple Heights had been awarded Two Hundred Ninety-Two Thousand Three Hundred Twenty Dollars and Zero Cents (\$292,320.00) by the Northeast Ohio Regional Sewer District (NEORS) for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, through the 2022 Member Community Infrastructure Program (MCIP) agreement of cooperation with the Northeast Ohio Regional Sewer District (NEORS), the City of Maple Heights will be responsible for One Hundred Twenty Five Thousand Two Hundred Eighty Dollars and Zero Cents (\$125,280.00) of the cost of the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area; and

WHEREAS, the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area will allow the City of Maple Heights to submit future funding applications to various public agencies, including the Northeast Ohio Regional Sewer District (NEORS) and the Ohio Public Works Commission (ORWC); and

WHEREAS, the City Engineer has informed the Mayor and Service Director that his engineering firm, Chagrin Valley Engineering (CVE), is prepared to begin the preparation of construction plans and specifications, including necessary engineering reports for the Southwest Sewer District Sewer Repairs Phase 2 Project and will utilize the services of AECOM to provide engineering services not provided by CVE including televising, dye investigation, and miscellaneous field testing, as a subcontractor, per the terms of the existing engineering services agreement between the City of Maple Heights and CVE.

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

Section 1. The City Engineer is hereby authorized to begin the preparation of construction plans and specifications, including necessary engineering reports for the repair of storm and sanitary sewers on various streets within the Southwest Sewer District Sewer Repairs Phase 2 Project area.

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 per the terms of 2022 Member Community Infrastructure Program (MCIP) agreement of cooperation with the Northeast Ohio Regional Sewer District (NEORS), 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