

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

November 16, 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:** November 2, 2022 (Regular 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 four (4) minutes per person for 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:

2022-103 AN ORDINANCE REPEALING SECTION 260.23 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING COMPENSATION, FRINGE BENEFITS, AND PENSION PICK-UP FOR SAFETY PERSONNEL EFFECTIVE JANUARY 1, 2023, AND DECLARING AN EMERGENCY.

Reading 2 (Blackwell)

2022-104 AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2022, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-105 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-106 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE SOUTHWEST SEWER DISTRICT

**SEWER REPAIRS - DUNHAM ROAD PROJECT IN THE CITY OF
MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-107 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH CUYAHOGA COUNTY FOR THE RESURFACING OF
LEE ROAD, PHASE 1 FROM BROADWAY AVENUE TO LIBBY ROAD IN
THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-108 A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF
PLANNING AND DEVELOPMENT AND ENGINEER TO MAKE
APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF
DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM (CDBG) FOR 2022, AND AUTHORIZING THE SIGNING OF
CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND
DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-109 A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF
PLANNING AND DEVELOPMENT AND HOUSING MANAGER TO
MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT
OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL
GRANT PROGRAM (CDSG) FOR 2023, AND AUTHORIZING THE SIGNING
OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-110 AN ORDINANCE AMENDING AND RESTATING THE AUTHORIZED
PAY SCHEDULE FOR NON-BARGAINING UNIT CITY EMPLOYEES
FOR 2022, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

**2022-111 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH GREEN OASIS USA TO SELL FOUR (4) VACANT
LOTS LOCATED AT 5130 LEE ROAD (PPN 781-06-004); 16221 FRIEND
AVE (PPN 781-06-016); V/L LINCOLN STREET (PPN 781-06-054); AND
V/L LINCOLN STREET (PPN 781-06-062), AND DECLARING AN
EMERGENCY.**

Reading 1 (Blackwell)

**2022-112 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH GREEN OASIS USA TO SELL TWELVE (12)
VACANT LOTS OWNED BY THE CITY'S LAND REUTILIZATION
PROGRAM AT A TOTAL SALES PRICE OF \$190,900.00 FOR
CONSTRUCTION OF A MIXED-USE RESIDENTIAL DEVELOPMENT,
AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

MOTION: A Motion pursuant to Charter Art. V, Sect. 4, to approve the Mayor's Appointment of Tony Ciresi 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.: 2022-103

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE REPEALING SECTION 260.23 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING COMPENSATION, FRINGE BENEFITS, AND PENSION PICK-UP FOR SAFETY PERSONNEL EFFECTIVE JANUARY 1, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, the Law Director has recommended that Section 260.23 of the City's Codified Ordinances concerning compensation, fringe benefits, and pension pick-up for safety personnel be repealed effective January 1, 2023 because the terms of such compensation, fringe benefits and pension are determined exclusively through collective bargaining with the labor organizations representing the City's Police and Fire Departments pursuant to Ohio's Collective Bargaining Act, R.C. Chapter 4117 *et seq.* In addition, the Council retains the authority, without regard to Section 260.23, to determine the terms of the compensation, fringe benefits and pension for the Police and Fire Chiefs and other non-bargaining unit safety personnel.

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

Section 1. Section 260.23 of the City's Codified Ordinances, set forth below with its provisions struck through, is hereby repealed, in its entirety:

~~260.23 COMPENSATION AND FRINGE BENEFITS FOR SAFETY PERSONNEL;
PENSION PICK-UP.~~

~~—(a) The pay rate for the position of Police Captain shall be six and one-half percent greater than the pay rate for the position of Police Lieutenant OIC Detective Bureau.~~

~~—(b) The pay rate for the position of Police Chief shall be ten percent greater than the pay rate for the position of Police Captain.~~

~~(Ord. 1997-63. Passed 6-18-97.)~~

~~—(c) The annual pay rate for the Fire Chief shall be equal to the annual pay rate of the Police Chief.~~

~~—(d) The annual pay rate for the Fire Captain/Assistant to the Chief shall be equal to the annual pay rate of the Police Lieutenant O.I.C.~~

~~—(e) All fringe benefits received by bargaining unit personnel in the Police and Fire Divisions, respectively, shall apply to non-bargaining unit sworn personnel in those Divisions (Chiefs, Captains) unless otherwise specifically modified by this chapter.~~

~~(Ord. 1992-10. Passed 1-23-92.)~~

~~—(f) Effective January 1, 1992, the City shall institute a pension pickup plan for all full-time positions except those covered by collective bargaining agreements, as provided in Section 260.24.~~

~~—(g) Effective January 1, 1992, the City shall institute a pension pickup by reduction for all full-time positions as provided in Section 260.24.~~

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 removal of Section 260.23, as repealed, 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 immediately remove repealed sections of the Code, 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. 2022-104

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 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, which was amended by: **Ordinance No. 2022-05-Amendment No. 1 dated January 19, 2022; Ordinance No. 2022-41-Amendment No. 2 dated April 20, 2022; Ordinance No. 2022-59-Amendment No. 3 dated July 6, 2022; Ordinance No. 2022-73-Amendment No. 4 dated July 28, 2022 and Ordinance No. 2022-96-Amendment No. 5 dated October 19, 2022** setting forth certain annual appropriations; and

WHEREAS, the Finance Director has recommended to Council that further amendments to the annual appropriation ordinance, as set forth in the attached Exhibit A dated December 21, 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** for the fiscal year January 1, 2022 through December 31, 2022, which was amended by: **Ordinance No. 2022-05-Amendment No. 1 dated January 19, 2022; Ordinance No. 2022-41-Amendment No. 2 dated April 20, 2022; Ordinance No. 2022-59-Amendment No. 3 dated July 6, 2022; Ordinance No. 2022-73-Amendment No. 4 dated July 28, 2022 and Ordinance No. 2022-96-Amendment No. 5 dated October 19, 2022**, shall be further amended by Council, as recommended by the Finance Director, in accordance with Exhibit A dated December 21, 2022, which is incorporated as if fully rewritten herein, and such amended budget is hereby adopted.

Section 2. To provide for operating expenditures during the fiscal year ending December 31, 2022, the amended appropriations, as recommended by the Finance Director in Exhibit A, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in Exhibit A dated December 21, 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

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. 2022-104

Page Two

ORDINANCE NO. 2022-105

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director has prepared a budget for the appropriation of monies for current expenses and other expenditures of the City of Maple Heights for the fiscal year ending December 31, 2023 (“2023 Appropriations Budget”).

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

Section 1. Council hereby approves and adopts the 2023 Appropriations Budget, which is on file in the office of the Finance Director and attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide for the current expenses and other expenditures of the City of Maple Heights during the fiscal year ending December 31, 2023.

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including the City’s Charter and Codified Ordinances and Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the City and for the further reason that the 2023 Appropriations Budget must be immediately adopted to insure the financial integrity of the City and presented to the County Fiscal Officer by December 31, 2022. 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

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.: 2022-106

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 SOUTHWEST SEWER DISTRICT SEWER REPAIRS - DUNHAM ROAD PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, on November 3, 2021, by **Resolution No. 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; and

WHEREAS, on February 2, 2022, by **Resolution No. 2022-15**, Council authorized the City Engineer 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; and

WHEREAS, the City Engineer has informed the Mayor and Service Director that the investigation and engineering reports for the Southwest Sewer District Sewer Repairs Phase 2 Project have identified sanitary sewer defects on Dunham Road, between Rockside Road and Turney Road, for which his engineering firm, Chagrin Valley Engineering (CVE), has prepared construction plans and specifications as required to advertise for bids to repair accordingly; and

WHEREAS, the Cuyahoga County Department of Public Works will begin the reconstruction and resurfacing of Dunham Road, from Turney Road to Granger Road, in Spring 2023; and

WHEREAS, the City Engineer has advised the Mayor and Service Director that the repairs to the sanitary defects on Dunham Road, between Rockside Road and Turney, should be completed prior to the reconstruction and resurfacing of Dunham Road; and

WHEREAS, the City of Maple Heights has entered into an agreement with the Cuyahoga County Department of Public Works to maintain and operate the entire City of Maple Heights owned storm and sanitary sewer systems, also designated as County Sewer District No.9; and

WHEREAS, the Cuyahoga County Department of Public Works has established a schedule of just and equitable rates to be collected from the owners of all parcels within the City that have accessibility to storm and sanitary sewers; and

WHEREAS, upon collection by the County Treasurer, such storm and sanitary sewer system monies have been placed in a distinct fund to the credit of Sewer District No. 9; and

WHEREAS, the Cuyahoga County Department of Public Works has committed to utilize Maple Heights Sewer District 9 funds to supplement local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 2 Project – Dunham Road which includes the repair of identified sanitary sewer defects on Dunham Road, between Rockside Road and Turney Road.

WHEREAS, on October 5, 2022, by **Resolution No. 2022-90**, Council authorized and directed the City Engineer to provide advertising for bids for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road in the City of Maple Heights; and

WHEREAS, on November 3, 2022, the bids for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road 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 Fabrizi Trucking & Paving Co., Inc for the Maple Heights Southwest Quadrant Sewer Repairs – Dunham Road Project for a cost not to exceed Two Hundred Ninety-Nine Thousand Five Hundred Twenty-Five Dollars and Zero Cents (\$299,525.00), 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 it can be completed prior to the reconstruction and resurfacing of Dunham Road, 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

Resolution No. 2022-106

Page Three

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

Lee Road

ORDINANCE NO: 2022-107

DATE: _____

An emergency ordinance enacted by the City of Maple Heights, Cuyahoga County, Ohio hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the COUNTY.

WHEREAS, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as follows:

The Resurfacing of Lee Road – Phase I from Broadway Avenue to Libby Road in the City of Maple Heights (the “Project”).

NOW THEREFORE, in consideration of the covenants and agreements herein contained to be performed by the parties hereto, it is mutually agreed between the parties hereto as follows:

A. CONSENT

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to participate in the cost of construction of the Project.

B. COOPERATION

1. That the COUNTY and the MUNICIPALITY will cooperate in the Project.
2. That the MUNICIPALITY will prepare construction plans and specifications, including necessary engineering reports, which shall conform to generally accepted engineering practices and principles.
3. That the MUNICIPALITY will arrange for the supervision and administration of the construction contract.
4. That the COUNTY will review the construction plans, estimate, specifications and bid proposal for conformance with section B-2 of this Agreement. County approval of these documents are required prior to the advertisement of the construction contract. The COUNTY will make an inspection of the completed Project.
5. That the MUNICIPALITY shall agree to provide the COUNTY with a complete set of as-built plans upon the completion of the Project.

C. FUNDING

1. MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the Project by using an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY's portion of the project.
2. That the COUNTY shall contribute fifty percent (50%) of the actual cost of construction and construction engineering which is determined to be eligible by the Cuyahoga County Engineer's policies up to a maximum of \$250,000.00.
3. In the event MUNICIPALITY secures additional funding for the Project, County's financial contribution and the supplemental funding cannot exceed the total actual cost of the Project.
4. The anticipated construction cost for this project is \$695,000.00. To determine funding eligibility, the COUNTY shall be notified immediately of any significant changes to the scope of work and/or construction cost.

D. MAINTENANCE

That upon completion of said resurfacing, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the resurfacing in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance; and
2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Project in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

E. TRAFFIC

1. That upon completion of the Project, MUNICIPALITY will thereafter keep said highway open to traffic at all times; and
2. Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Project in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
3. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
4. Stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and
5. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
6. The MUNICIPALITY shall prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

F. RIGHT-OF-WAY

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the Project shall be made available therefore.
2. That the MUNICIPALITY will arrange for the acquisition of any additional right-of-way which may be required for the construction of the Project.

G. UTILITIES

1. That the MUNICIPALITY will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the Project, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of Project, and said companies have agreed to make such necessary arrangements immediately after notification by said MUNICIPALITY.
2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility

Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the Project.
4. That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the Project, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

H. MISCELLANEOUS

1. That if the MUNICIPALITY includes the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the Project), alternate bid items, or other items in the Project that are in addition to those now existing and not provided for elsewhere in this Agreement, the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering and construction supervision.
2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, F-2, G-1, G-3, and G-4, and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certification or obligations made or agreed to in said Sections F-1, F-2, G-1, G-3, and G-4 hereinabove.
3. For matters relating to this Project, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. MUNICIPALITY agrees to make all pertinent contractual books and records and other documents pertaining to the Project available to the COUNTY and its designated agents for purpose of audit and examination upon reasonable request.
5. By enacting this Ordinance, the MUNICIPALITY agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document. The MUNICIPALITY also agrees on behalf of the aforementioned entities and persons to be bound by the provisions of Chapters 304 and

1306 of the Ohio Revised Code as they pertain to electronic transactions, and to comply with the electronic signature policy of Cuyahoga County.

I. AUTHORITY TO SIGN

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.
2. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the County of Cuyahoga, Ohio, for approval to use County Motor Vehicle License Tax Funds for the improvement.

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvement to promote highway safety, and provide it receives the affirmative vote of two-thirds 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 _____, 20____

Attest: _____

Annette M. Blackwell, Mayor

Ron Jackson, President of Council

CERTIFICATE OF COPY

State of Ohio)
County of Cuyahoga)
City of Maple Heights)

I, **Leonette Cicirella Johnson**, as Clerk of the City of Maple Heights Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said municipality on the _____ day of _____, 20____, that the publication of such Ordinance has been made certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record No. _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this _____ day of _____, 20____.

Clerk, City of Maple Heights, Ohio

MUNICIPAL SEAL

RESOLUTION NO.: 2022-108
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PLANNING AND DEVELOPMENT AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) FOR 2022, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

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

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

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

WHEREAS, The Mayor, Director of Planning and Development and Engineer have advised Council that CDBG funds may be available through the 2022 Community Development Block Grant (CDBG) program through the Cuyahoga County Department of Development in an amount not exceeding One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), to fund improvements at Stafford Park, (Stafford Park Restoration Project, Phase 2), which will include the construction of a shelter / band stand for community recreational use.

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

Section 1. The Mayor, Director of Planning and Development and Engineer are hereby authorized and directed to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDBG funding through the 2022 Municipal Community Development Block Grant (CDBG) program for the following project:

Stafford Park Restoration Project, Phase 2

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting on the date indicated

below, and that all deliberations of this Council and of any of its Committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to timely submit the grant application, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law

PASSED: _____, 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.: 2022-109

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PLANNING AND DEVELOPMENT AND HOUSING MANAGER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT PROGRAM (CDSG) FOR 2023, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

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

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

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

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

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

WHEREAS, the Mayor, Director of Planning and Development and Housing Manager have advised Council that CDSG funds may be available through the 2023 Cuyahoga County Community Development Supplemental Grant (CDSG) program through the Cuyahoga County Department of Development in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), to fund an exterior maintenance grant program and maintain the City's housing stock. (Maple Heights Exterior Maintenance Grant Program).

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

Section 1. The Mayor, Director of Planning and Development and Housing Manager are hereby authorized and directed to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDSG funding through the 2023 Cuyahoga County Community Development Supplemental Grant (CDSG) program for the following project:

Maple Heights Exterior Maintenance Grant Program

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

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to timely submit the grant application, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law

PASSED: _____, 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. 2022-110

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

AN ORDINANCE AMENDING AND RESTATING THE AUTHORIZED PAY SCHEDULE FOR NON-BARGAINING UNIT CITY EMPLOYEES FOR 2022, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Article IV of the City Charter and Cod. Ord. Sec. 260.29, Council passed **Ordinance No. 2021-163** authorizing the Pay Schedule for all full-time and part-time non-bargaining unit employees for 2022 and 2023 and providing a high deductible health insurance plan with a healthcare savings account (HSA) and establishing contribution amounts to the HSA accounts for full-time non-bargaining unit city employees beginning 2022 and 2023, which was amended and re-stated by **Ordinances No. 2022-22 and 2022-60**; and

WHEREAS, the Mayor has recommended that the Pay Schedule be amended and re-stated again to provide a pay schedule for the new job positions of “IT Administrator”, “Community Development Manager”, and “Service Dept. Coordinator”; to amend the pay schedule for the positions of Finance Director, Payroll Coordinator, and Animal Warden; and to eliminate the 2023 pay schedules to allow for further discussion as to a more appropriate percentage increase.

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

Section 1. Effective January 1, 2022, Council hereby authorizes that the salaries and wages for all full-time and part-time non-bargaining unit employees shall be increased by 2.00% and the following Pay Schedule be in effect, which reflects 2.00% increases to the higher bracket in each below range:

	<u>2022</u>
Safety Director	\$18,750.00
Building Inspector	\$29,000 to \$42,024
Building Inspector (Certified)	\$45,000 to \$63,036
Chief (Fire)	\$89,000 to \$115,566
Chief (Police)	\$89,000 to \$115,566
Council Clerk	\$44,000 to \$63,036
Director (Planning & Development)	\$50,000 to \$84,048

Director (Finance)	\$70,000 to \$102,000
Director (Finance, Assistant)	\$50,000 to \$72,624
Director (Human Resources)	\$50,000 to \$84,048
Director (Human Services)	\$50,000 to \$84,048
Director (Human Services, Assistant)	\$45,000 to \$63,036
Director (Law)	\$89,000 to \$115,566
Director (Law, Assistant)	\$35,000 to \$52,530
Director (Service)	\$65,000 to \$89,301
Director (Service, Assistant)	\$65,000 to \$82,000
Administrative Assistant	\$30,000 to \$63,036
Office Manager	\$30,000 to \$63,036
Executive Assistant	\$40,000 to \$63,036
Payroll Coordinator	\$30,000 to \$50,000
Purchasing Agent	\$40,000 to \$63,036
Accountant	\$30,000 to \$63,036
Financial Analyst	\$30,000 to \$63,036
Animal Warden	\$12 to \$23.00 per hr.
Service Dept. Coordinator	\$12 to \$21.02 per hr.
Community Development Manager	\$45,000 to \$63,036
Housing Manager	\$45,000 to \$63,036
Housing Administrator	\$45,000 to \$63,036
Code Enforcement Officer	\$30,000 to \$57,783
Maintenance Worker	\$14 to \$23.12 per hr.

Janitor	\$10 to \$13.66 per hr.
Mayor's Court Administrator	\$35,000 to \$52,530
IT Administrator	\$45,000 to \$63,036
Auxiliary Police Officers:	
Officer	\$9.30 to \$9.99 per hr.
Corporal	\$10 to \$11.56 per hr.
Sergeant	\$10.25 to \$12.09 per hr.
Lieutenant	\$10.50 to \$12.61 per hr.
Captain	\$11.50 to \$13.14 per hr.
Data Entry (Records)	\$15.00 to \$21.02 per hr.
Evidence Custodian	\$15.00 to \$25.00 per hr.
Special Police Officer	\$18.00 to \$31.52 per hr.
Recreation Programs Coordinator	\$11 to \$13.66 per hr.
School Crossing Guard	\$9.30 to \$10.51 per hr.
Van Driver	\$11 to \$13.66 per hr.
Transportation Coordinator	\$12 to \$15.76 per hr.
Human Services Coordinator	\$30,000 to \$52,530
Food Service Coordinator	\$10 to \$14.81 per hr.
Food Service Aide	\$9.30 to \$10.51 per hr.
Foreman	\$50,000 to \$73,542
Seasonal Laborer	\$9.30 to \$16.32 per hr.
Human Resources Coordinator	\$30,000 to \$63,036
Paralegal	\$30,000 to \$63,036

Engineer	\$17,000 to \$34,000
Assistant Engineer	\$17,000 to \$34,000
Communications Coordinator	\$15 to \$21.00 per hr.
Intern	\$15 to \$21.00 per hr.

Section 2. Ordinance No. 2022-60 is hereby repealed only to the extent it contains provisions conflicting with this ordinance.

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 safety, health and welfare and for the further reason that the new pay schedules are effective immediately, 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 and State of Ohio, do hereby certify the above to be a true and exact copy of the original as contained in the records of my office and that the same has been and will remain duly posted as required by law.

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2022-111
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GREEN OASIS USA TO SELL FOUR (4) VACANT LOTS LOCATED AT 5130 LEE ROAD (PPN781-06-004); 16221 FRIEND AVE (PPN781-06-016); V/L LINCOLN STREET (PPN781-06-054); AND V/L LINCOLN STREET (PPN781-06-062), AND DECLARING AN EMERGENCY.

WHEREAS, on September 26, 2022 the City advertised for public bids for the sale of four vacant lots owned by the City, not needed for a municipal purpose, located at 5130 LEE ROAD (PPN781-06-004); 16221 FRIEND AVE (PPN781-06-016); V/L LINCOLN STREET (PPN781-06-054); AND V/L LINCOLN STREET (PPN781-06-062) (collectively referred to as "the Properties"), which bids were due by November 2, 2022; and

WHEREAS, Green Oasis USA was determined by the Planning and Development Director to be the successful bidder, with a bid of \$350,000 for the four vacant 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 Mayor is hereby authorized to enter into an Agreement with Green Oasis USA to sell the four vacant lots owned by the City, which are hereby determined to not be needed for a municipal purpose, located at 5130 LEE ROAD (PPN781-06-004); 16221 FRIEND AVE (PPN781-06-016); V/L LINCOLN STREET (PPN781-06-054); AND V/L LINCOLN STREET (PPN781-06-062), in their AS IS condition, at a total sales price of \$350,000.00. A copy of the Agreement is on file in the office of the Planning and Development Director.

Section 2. The Mayor, Planning and Development Director and the Law Director are authorized to prepare, sign and file with the applicable Title and Escrow Company, County Recorder and Fiscal Officer all documents and tender any closing fees necessary as the Seller to affect the transfer of the Properties from the City to Green Oasis USA.

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 allow the purchaser to explore development in a timely fashion, 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.: 2022-112

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH GREEN OASIS USA TO SELL TWELVE (12) VACANT LOTS OWNED BY THE CITY'S LAND REUTILIZATION PROGRAM AT A TOTAL SALES PRICE OF \$190,900.00 FOR CONSTRUCTION OF A MIXED-USE RESIDENTIAL DEVELOPMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Green Oasis USA (“the Developer”) has advised the Mayor and Planning and Development Director that it desires to purchase twelve (12) vacant lots owned by the City through its Land Reutilization Program, located at **15201 BROADWAY AVE (PPN 781-08-045); V/L LINCOLN ST (PPN 781-06-049); V/L LINCOLN ST (PPN 781-06-069); 15900 RAYMOND ST (PPN 781-06-029); V/L LINCOLN ST (PPN 781-06-075); V/L LINCOLN ST (PPN 781-06-056); V/L LINCOLN ST (PPN 781-06-057); V/L LINCOLN ST (PPN 781-06-058); V/L LINCOLN ST (PPN 781-06-059); V/L LINCOLN ST (PPN 781-06-060); V/L LINCOLN ST (PPN 781-06-061); and V/L LINCOLN ST (PPN 781-06-063)** (each referred to as the “Property”, and together as the "Properties") for the proposed construction of a mixed-use residential development; and

WHEREAS, the Properties are owned by the City through its Land Reutilization Program, and are not needed for a municipal purpose, and the Mayor desires to sell the Properties to the Developer, with the Developer proposing to construct a mixed-use residential development; and

WHEREAS, pursuant to R.C. 5722.07, the fair market value of the Properties, as determined by the Cuyahoga County Fiscal Officer, and taking into account delinquent property taxes, is \$190,900.00.

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 an Agreement with Green Oasis USA (“the Developer”) to sell twelve (12) vacant lots owned by the City through its Land Reutilization Program, located at **15201 BROADWAY AVE (PPN 781-08-045); V/L LINCOLN ST (PPN 781-06-049); V/L LINCOLN ST (PPN 781-06-069); 15900 RAYMOND ST (PPN 781-06-029); V/L LINCOLN ST (PPN 781-06-075); V/L LINCOLN ST (PPN 781-06-056); V/L LINCOLN ST (PPN 781-06-057); V/L LINCOLN ST (PPN 781-06-058); V/L LINCOLN ST (PPN 781-06-059); V/L LINCOLN ST (PPN 781-06-060); V/L LINCOLN ST (PPN 781-06-061); and V/L LINCOLN ST (PPN 781-06-063)**, at a total sale price of \$190,900, for the Developer's proposed construction of a mixed-use residential development. A copy of the Agreement is on file in the office of the Planning and Development Director.

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 delinquent property taxes, is \$190,900.00. 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 applicable Title and Escrow Company, County Recorder and Fiscal Officer all documents, and tender any closing fees necessary as the Seller to affect the transfer of the Properties from the City to the Developer, Green Oasis USA, and the Finance Director is authorized and directed to pay any delinquent property taxes due and owing on any of the Properties.

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 investigating proposed development of the 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

