

**CITY OF MAPLE HEIGHTS  
COUNCIL MEETING AGENDA**

**Maple Heights Senior Center - 7:00 PM**

**October 19, 2022**

- |     |   |   |
|-----|---|---|
| 1.  | <b>Caucus: 6:30 pm</b>                  | <b>All Members of Council</b>                   |
| 2.  | <b>Call to Order:</b>                   | <b>Council President Ron Jackson</b>            |
| 3.  | <b>Invocation/Pledge of Allegiance:</b> | <b>Councilman Timothy Tatum, District 3</b>     |
| 4.  | <b>Roll Call:</b>                       | <b>Council Clerk Leonette Cicirella Johnson</b> |
| 5.  | <b>Addendum:</b>                        |   |
| 6.  | <b>Approval of Minutes:</b>             |   |
| 7.  | <b>Communications:</b>                  |   |
| 8.  | <b>Council Committee Reports:</b>       | <b>Finance Committee Report</b>                 |
| 9.  | <b>Department Reports:</b>              |   |
| 10. | <b>Citizens' Comments:</b>              | <b>Per Council Rule 220.01(c)(9)</b>            |

*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:**

**2022-91 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENT DOCUMENTS FOR PUBLIC SANITARY SEWER FACILITIES OVER PRIVATE PROPERTIES ON SCHREIBER ROAD IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**Reading 2 (Blackwell)**

**2022-93 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH PFUND SUPERIOR SALES CO., INC., THE MANUFACTURER'S REPRESENTATIVE FOR LIFE LINE, FOR A 2024 LIFE LINE "CHASSIS SWAP" TO REFURBISH THE FIRE DEPARTMENT'S 2016 LIFE LINE RESCUE SQUAD NO. 1 IN THE AMOUNT OF ONE HUNDRED SEVENTY-THREE THOUSAND, FIVE HUNDRED SIXTY DOLLARS (\$173,560.00), AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-94 A RESOLUTION AUTHORIZING THE MAYOR TO GIVE CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE MUNICIPAL BRIDGE INSPECTION PROGRAM FOR 2023 AS NEEDED IN THE CITY OF MAPLE HEIGHTS, A LOCAL PUBLIC AGENCY (LPA), AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-95 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH YRM CORP TO SELL THREE (3) VACANT LOTS LOCATED AT 15015 TOKAY AVENUE (PPN 785-04-094); 14223 TOKAY AVENUE (PPN 785-03-065); AND TOKAY AVENUE (PPN 785-04-083) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2022-96 AN ORDINANCE PROVIDING FOR AMENDMENT NO. 5 DATED OCTOBER 19, 2022 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2022, AND DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

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

**RESOLUTION NO. 2022-91**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE EASEMENT DOCUMENTS FOR PUBLIC SANITARY SEWER FACILITIES OVER PRIVATE PROPERTIES ON SCHREIBER ROAD IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, on October 16, 2019, by **Resolution No. 2019-90**, Council authorized and directed the Mayor to enter into a 2020 Member Community Infrastructure Program (MCIP) agreement with the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Schreiber Road; and

**WHEREAS**, the City of Maple Heights has been awarded One Million One Hundred Thirty-Five Thousand One Hundred Eighty Dollars and Zero Cents (\$1,135,180.00) by the Northeast Ohio Regional Sewer District (NEORS) for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Schreiber Road; and

**WHEREAS**, the terms of the Member Community Infrastructure Program (MCIP) agreement for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project required the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the storm and sanitary sewer improvement project on various streets including Schreiber Road; and

**WHEREAS**, the Ohio Department of Public Works has committed to directly disburse 70% of the project construction costs for both labor and materials, up to Four Hundred Twenty Thousand Four Hundred Twelve Dollars and Zero Cents (\$420,412.00), as required to complete storm and sanitary sewer improvements on various streets including Schreiber 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 Northeast Ohio Regional Sewer District (NEORS), Ohio Public Works Commission (OPWC) and local sewer funds for the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project which include the repair of storm and sanitary sewers on various streets including Schreiber Road as required to complete the project; and

**WHEREAS**, The City Engineer has advised the Mayor that he will require the purchase of various sewer easements along Schreiber Road in order to allow for the efficient construction of the Schreiber Road Sewer Improvements & SSO Elimination Project which is a component part of the Maple Heights Southwest Quadrant Sewer Repairs Phase 1 Project; and

**WHEREAS**, for appropriate consideration, the owners of certain properties located on Schreiber Road within the City of Maple Heights have agreed to grant certain easements upon their properties on Schreiber Road to the City for purposes of placement of public sanitary sewer facilities; and

**WHEREAS**, this Council desires to authorize and to accept the easements.

**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 be and is hereby authorized to execute and accept four (4) grants of easement from the owners of Schreiber Road Permanent Parcel Nos. 785-22-002, 785-22-004, 785-22-010 and 785-22-012, for public sanitary sewer facilities in a form as generally set forth in Exhibit A attached hereto and incorporated herein.

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

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

**Section 4.** This Resolution constitutes an emergency measure necessary for the public welfare and to ensure the timely completion of the construction 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. 2022-91**

**Page Two**

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.: 2022-93**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH PFUND SUPERIOR SALES CO., INC., THE MANUFACTURER'S REPRESENTATIVE FOR LIFE LINE, FOR A 2024 LIFE LINE "CHASSIS SWAP" TO REFURBISH THE FIRE DEPARTMENT'S 2016 LIFE LINE RESCUE SQUAD NO. 1 IN THE AMOUNT OF ONE HUNDRED SEVENTY-THREE THOUSAND, FIVE HUNDRED SIXTY DOLLARS (\$173,560.00), AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Fire Chief has advised the Mayor and Finance Director that the City's 2016 Life Line Rescue Squad No. 1 is in need of refurbishment by replacing its 2016 Life Line chassis with a 2024 Life Line chassis, while keeping its re-mountable patient compartment, which refurbishment will extend the useful life of Rescue Squad No. 1 by an estimated five (5) years, and is an estimated savings of \$100,000, as compared to having to refurbish all components of Rescue Squad No. 1; and

**WHEREAS**, pursuant to the Single Source condition in the Exceptions To Public Bidding, set forth in the Purchasing section of the City's Fiscal Policy and Procedures, the Fire Chief has determined that Pfund Superior Sales, the manufacturer's representative of Life Line, the manufacturer of the 2016 Rescue Squad No. 1, is the only source available to provide a factory authorized installation of a new 2024 Life Line chassis to replace the 2016 Life Line chassis, thereby making this project an exception to the public bidding requirement for projects estimated to cost in excess of \$50,000.00.

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

**Section 1.** The Mayor is hereby authorized to enter into the Purchase Agreement dated October 14, 2022, on file in the office of the Finance Director, to refurbish the Fire Department's 2016 Life Line Rescue Squad No. 1 by swapping out the 2016 Life Line chassis with a 2024 Life Line chassis and mounting the existing re-mountable patient compartment onto the new 2024 Life Line chassis, in the total amount of One Hundred Seventy-Three Thousand, Five Hundred Sixty Dollars (\$173,560.00).

**Section 2:** The Finance Director is hereby, authorized to appropriate to a proper account a sum sufficient to cover the cost of said project quotation referred to in Section 1 above, in the total amount of One Hundred Seventy-Three Thousand, Five Hundred Sixty Dollars (\$173,560.00).or secure appropriate financing options for a total amount of One Hundred Seventy-Three Thousand, Five Hundred Sixty Dollars (\$173,560.00), subject to the City's Fiscal Policies adopted and approved by Council.

**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 safety, health and welfare and for the further reason that supply line and manufacturing delays require an order to be placed immediately in order to have the new chassis arrive as soon as possible, 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

# LEGISLATION CONSENT

Rev. 8/5/2022

**Ordinance/Resolution #: 2022-94**

**ODOT Project Title: Municipal Bridge Inspection Program**

The following is a Resolution enacted by the City of Maple Heights of Cuyahoga,  
(Ordinance/Resolution) (Local Public Agency)  
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

## **SECTION I – Project Description**

**WHEREAS** the (LPA) has determined the need for the described project:

*Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.*

**NOW THEREFORE, BE IT RESOLVED** by the City of Maple Heights of Cuyahoga County, Ohio.  
(LPA)

## **SECTION II – Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

## **SECTION III – Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

*The State shall assume and bear 100% of all the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).*

*The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the municipality As of October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.*



**SECTION IV – Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

**SECTION V – Project Duration and Consent Applicability**

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

**SECTION VI – Authorization of Project**

Annette M. Blackwell, Mayor of the City of Maple Heights is hereby empowered on behalf of the  
(Contractual Agent – Designated Position) (LPA)  
City of Maple Heights to provide written authorization via email to the Director of Transportation to  
(LPA)  
complete the above-described project and any renewals.

Passed: \_\_\_\_\_, 2\_\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk of Council)

\_\_\_\_\_  
(Contractual Agent of LPA – Mayor)

Attested: \_\_\_\_\_  
(Law Director)

\_\_\_\_\_  
(President of Council)

The Resolution is hereby declared to be an emergency measure to expedite the highway project and  
(Ordinance/Resolution)  
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY  
STATE OF OHIO**

City of Maple Heights of Cuyahoga County, Ohio  
(LPA)

I, Leonette Cicirella Johnson, as Clerk of the City of Maple Heights  
(LPA)

of Cuyahoga County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
Resolution No. 2022-94 adopted by the legislative Authority of the said  
(Ordinance/Resolution)

City of Maple Heights on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.  
(LPA)

That the publication of such Resolution has been made and certified of record according to  
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such Resolution have been taken;  
(Ordinance/Resolution)

and that such Resolution No. 2022-94 and certificate of publication thereof are of record in Resolution,  
Page \_\_\_\_\_ (Ordinance/Resolution)  
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
(Clerk)

**(CITY SEAL)**

City of Maple Heights of Cuyahoga County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of Maple Heights of Cuyahoga County, Ohio.  
(LPA)

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Contractual Agent)

.....  
For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)

**RESOLUTION NO.: 2022-95**

**INTRODUCED BY:** Mayor Annette M. Blackwell

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH YRM CORP TO SELL THREE (3) VACANT LOTS LOCATED AT 15015 TOKAY AVENUE (PPN 785-04-094); 14223 TOKAY AVENUE (PPN 785-03-065); AND TOKAY AVENUE (PPN 785-04-083) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON EACH PROPERTY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, YRM Corp. (“the Developer”) has advised the Mayor and Planning and Development Director that it desires to purchase the three (3) vacant lots owned by the City located at **15015 TOKAY AVENUE (PPN 785-04-094); 14223 TOKAY AVENUE (PPN 785-03-065); and TOKAY AVENUE (PPN 785-04-083)**, (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 home; and 2) the homes must have at least 1,300 square feet, three (3) bedrooms and two (2) baths; and

**WHEREAS**, pursuant to R.C. 5722.07, the fair market value of the lots, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required minimum improvements, is Five Thousand Dollars and Zero Cents (\$5,000.00) 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 YRM Corp. (“the Developer”) to sell the three (3) vacant lots owned by the City located at **15015 TOKAY AVENUE (PPN 785-04-094); 14223 TOKAY AVENUE (PPN 785-03-065); and TOKAY AVENUE (PPN 785-04-083)**, at a sales price of \$5,000.00 each, for a total sale price of \$15,000.00, with the Developer required to build the homes within 360 days of title transfer and to make the following minimum improvements: 1) the homes must be an owner-occupied single family home; and 2) the homes must have at least 1300 square feet, three (3) bedrooms and two (2) baths.

**Section 2.** Pursuant to R.C. 5722.07, the fair market value of the Properties, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the time to build and required minimum improvements, is Five Thousand Dollars and Zero Cents (\$5,000.00) per lot. Pursuant to R.C. 5722.08 all of the proceeds from the sale of the Properties shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

**Section 3.** The Mayor, Planning and Development Director and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents, and tender any closing fees necessary as the Seller to affect the transfer of the Properties from the City to the Developer, YRM Corp.

**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

Approved as to legal form:

\_\_\_\_\_  
Annette M. Blackwell, Mayor

\_\_\_\_\_  
Frank Consolo, Director of Law

ATTEST: \_\_\_\_\_  
Leonette Cicirella Johnson, Clerk of Council

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Leonette Cicirella Johnson, Clerk of Council

**ORDINANCE NO.: 2022-96**  
**INTRODUCED BY:** Mayor Annette M. Blackwell  
**MOTION FOR ADOPTION BY:**  
**CO-SPONSORED BY:**

**AN ORDINANCE PROVIDING FOR AMENDMENT NO. 5 DATED OCTOBER 19, 2022 OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2022, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council adopted a municipal budget pursuant to **Ordinance No. 2021-145** for the fiscal year January 1, 2022 through December 31, 2022, 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; and Ordinance No. 2022-73-Amendment No. 4 dated July 28, 2022;** setting forth certain annual appropriations; and

**WHEREAS**, the Finance Director has recommended to Council that a fifth amendment to the annual appropriations, as set forth in the attached Exhibit A dated October 19, 2022, which is incorporated as if fully rewritten herein, is 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**, 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; and Ordinance No. 2022-73-Amendment No. 4 dated July 28, 2022,** shall be amended a fifth time by the Council, as recommended by the Finance Director, in accordance with Amendment No. 5 dated October 19, 2022, which is attached hereto as Exhibit A (hereinafter referred to as “**Exhibit A-Amendment No. 5 dated October 19, 2022**”) and incorporated as if fully rewritten herein, and such amended budget is hereby adopted.

**Section 2.** To provide for operating expenditures during the fiscal year ending December 31, 2022, the amended appropriations, as recommended by the Finance Director in **Exhibit A-Amendment No. 5** dated October 19, 2022, are hereby made and the Finance Director is authorized to prepare and submit the amended appropriations set forth in **Exhibit A-Amendment No. 5 dated October 19, 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