

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

September 7, 2022

1. **Public Hearing: 6:00 p.m.** Proposed Re-Zoning – BCO Zoning District
2. **Caucus: 6:30 pm** All Members of Council
3. **Call to Order:** Council President Ron Jackson
4. **Invocation/Pledge of Allegiance:** Councilwoman Edwina Agee, District 7
5. **Roll Call:** Council Clerk Leonette Cicirella Johnson
6. **Addendum**
7. **Approval of Minutes:** July 6, 2022 (Regular Meeting of Council)
July 27, 2022 (Special Meeting of Council)
August 3, 2022 (Regular Meeting of Council)
8. **Communications:**
9. **Council Committee Reports:** Community Life and Education Committee
10. **Department Reports:**
11. **Citizens' Comments:** Per Council Rule 220.01(c)(9)
Comments from City residents will be entertained at Regular Council Meetings only, and shall be limited to 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.
12. **Legislation:**

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

Reading 3 (Shenett)

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

Reading 3 (Blackwell)

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

Reading 3 (Blackwell)

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

Reading 3 (Blackwell)

2022-79 A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 5250 THOMAS STREET, PPN 781-28-013, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-80 A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY ON ADAMS AVENUE, PPN 784-10-070, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-81 A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 19500 RAYMOND STREET, PPN 782-08-029, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-82 AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION THAT CERTAIN PARCELS FRONTING LIBBY ROAD AND LEE ROAD BE RE-ZONED FROM GENERAL COMMERCIAL (GC) AND NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICTS TO THE CENTRAL BUSINESS DISTRICT (CBD), AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-83 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DC REMODELING LLC TO SELL ONE (1) VACANT LOT LOCATED AT 14117 KREMS AVENUE (PPN 785-01-180) FOR THE CONSTRUCTION AND SALE OF A SINGLE-FAMILY, OWNER-OCCUPIED HOME ON THE PROPERTY, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-84 A RESOLUTION AUTHORIZING THE CITY OF MAPLE HEIGHTS TO BECOME A POWER A CLEAN FUTURE OHIO COMMUNITY AND TO ADOPT A GOAL TO REDUCE GREENHOUSE GAS EMISSIONS IN THE CITY.

Reading 1 (Blackwell and Trojanski)

2022-85 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE 2022 CONCRETE ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-86 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR A POTENTIAL GRANT FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2022-87 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE HANSEN-WATSON-RAYMOND ROAD RESURFACING PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

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

ORDINANCE NO.: 2022-68

INTRODUCED BY: Councilman Stafford L. Shenett, Sr.

MOTION FOR ADOPTION BY:

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

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

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

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

220.01 COUNCIL COMMITTEES.

(e) Council Committees.

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

Section 2. The Clerk of Council is authorized and directed to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of new Sections 220.01(e)(1) in the current print and electronic editions of the City's Codified Ordinances.

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

Section 4. This Ordinance constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that it must be timely added to the codified ordinances, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2022-69

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

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

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

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

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

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

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and welfare of our residents, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2022-70

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

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

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

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

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

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

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

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

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

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

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

Section 5. This Resolution constitutes an emergency measure necessary for the health and welfare of the residents of the city, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2022-71

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

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

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

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

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

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

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and welfare of our residents, and to timely certify said assessments to the County Fiscal Officer by the second Monday in September and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2022-79

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 5250 THOMAS STREET, PPN 781-28-013, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Land Reutilization Program, as established in Chapter 1226 of the City's Codified Ordinances, has acquired many unimproved residential lots deemed to be of value to adjacent homeowners and whose purchase of said lots would benefit residents of the immediate neighborhood; and

WHEREAS, Section 1226.02 of the City's Codified Ordinances requires that the Mayor and the Council first determine that the unimproved residential lots owned by the City are not needed for a municipal purpose prior to selling said lots; and

WHEREAS, the Mayor and the Planning and Development Director have determined that the following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

5250 Thomas Street PPN 781-28-013

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

Section 1. The following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

5250 Thomas Street PPN 781-28-013

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

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately allow the sale of this unimproved residential lot(s) to adjacent homeowners to improve the neighborhood and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2022-80

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY ON ADAMS AVENUE, PPN 784-10-070, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Land Reutilization Program, as established in Chapter 1226 of the City's Codified Ordinances, has acquired many unimproved residential lots deemed to be of value to adjacent homeowners and whose purchase of said lots would benefit residents of the immediate neighborhood; and

WHEREAS, Section 1226.02 of the City's Codified Ordinances requires that the Mayor and the Council first determine that the unimproved residential lots owned by the City are not needed for a municipal purpose prior to selling said lots; and

WHEREAS, the Mayor and the Planning and Development Director have determined that the following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

Adams Avenue PPN 784-10-070

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

Section 1. The following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

Adams Avenue PPN 784-10-070

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

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately allow the sale of this unimproved residential lot(s) to adjacent homeowners to improve the neighborhood and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO. 2022-81

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 19500 RYMOND STREET, PPN 782-08-029, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Land Reutilization Program, as established in Chapter 1226 of the City's Codified Ordinances, has acquired many unimproved residential lots deemed to be of value to adjacent homeowners and whose purchase of said lots would benefit residents of the immediate neighborhood; and

WHEREAS, Section 1226.02 of the City's Codified Ordinances requires that the Mayor and the Council first determine that the unimproved residential lots owned by the City are not needed for a municipal purpose prior to selling said lots; and

WHEREAS, the Mayor and the Planning and Development Director have determined that the following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

19500 Raymond Street PPN 782-08-029

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

Section 1. The following unimproved residential lot(s) owned by the City is not needed for a municipal purpose:

19500 Raymond Street PPN 782-08-029

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

Section 3. This Resolution constitutes an emergency measure necessary for the health, safety and general welfare of the residents of the City, and to immediately allow the sale of this unimproved residential lot(s) to adjacent homeowners to improve the neighborhood and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

ORDINANCE NO. 2022-82

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION THAT CERTAIN PARCELS FRONTING LIBBY ROAD AND LEE ROAD BE RE-ZONED FROM GENERAL COMMERCIAL (GC) AND NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICTS TO THE CENTRAL BUSINESS DISTRICT (CBD), AND DECLARING AN EMERGENCY.

WHEREAS, on June 13, 2022, the Planning and Zoning Commission considered the application for **Case No. 2022-PZ-17** from the City of Maple Heights requesting a recommendation that certain parcels fronting Libby Road and Lee Road, currently zoned General Commercial (GC) and Neighborhood Commercial (NC) Districts be re-zoned to the Central Business District (CBD), based upon a study of the zoning text, built environment and recommendations developed by the Cuyahoga County Planning Commission; and

WHEREAS, after a public hearing thereon, the Planning and Zoning Commission, finding pursuant to Cod. Ord. Sec. 1268.10 that proposed uses cannot be accommodated by sites already zoned GC and NC Districts due to market constraints, made a recommendation to Council that certain parcels fronting Libby Road and Lee Road, currently zoned General Commercial (GC) and Neighborhood Commercial (NC) Districts be re-zoned to the Central Business District (CBD), based upon a study of the zoning text, built environment and recommendations developed by the Cuyahoga County Planning Commission; and

WHEREAS, pursuant to Sections 1268.02 and 1268.12 of the Codified Ordinances the Council conducted a public hearing on September 7, 2022 to consider the Planning and Zoning Commission recommendation and thereby determined that pursuant to public necessity, convenience or general welfare, certain parcels fronting Libby Road and Lee Road, currently zoned General Commercial (GC) and Neighborhood Commercial (NC) Districts be re-zoned to the Central Business District (CBD), based upon a study of the zoning text, built environment and recommendations developed by the Cuyahoga County Planning Commission.

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 adopts the recommendation of the Planning and Zoning Commission, and pursuant to Section 1268.02, and pursuant to public necessity, convenience or general welfare, hereby re-zones certain parcels fronting Libby Road and Lee Road, currently zoned General Commercial (GC) and Neighborhood Commercial (NC) Districts to the Central Business District (CBD) (“Proposed Re-Zoning Ordinance”).

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 health, safety and general welfare of the residents of the City, and to immediately provide for the re-zoning so as not to delay potential development, 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.: 2022-83

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DC REMODELING LLC TO SELL ONE (1) VACANT LOT LOCATED AT 14117 KREMS AVENUE (PPN 785-01-180) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON THE PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, DC Remodeling LLC (“the Developer”) has advised the Mayor and Planning and Development Director that it desires to purchase one (1) vacant lot owned by the City located at **14117 KREMS AVENUE (PPN 785-01-180)**, (such lot referred to as the “Property”) for the construction and sale of a single family, owner-occupied home on the property; and

WHEREAS, the Property is owned by the City through its Land Reutilization Program and the Mayor desires to sell the lot to the Developer, with the Developer required to build the home within 360 days of title transfer and to make the following minimum improvements: 1) the home must be an owner-occupied single-family home; and 2) the home 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 lot, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required minimum improvements, is One Thousand Dollars and Zero cents (\$1,000.00) 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 DC Remodeling LLC (“the Developer”) to sell the vacant lot owned by the City located at **14117 KREMS AVENUE (PPN 785-01-180)**, at a total sales price of \$1,000.00, with the Developer required to build the home within 360 days of title transfer and to make the following minimum improvements: 1) the home must be an owner-occupied single-family home; and 2) the home must have at least 1,300 square feet, three (3) bedrooms and two (2) baths.

Section 2. Pursuant to R.C. 5722.07, the fair market value of the Properties, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the time to build and required minimum improvements, is \$1,000.00 per lot. Pursuant to R.C. 5722.08 all of the proceeds from the sale of the Property shall be used to maintain the remaining parcels of real property held by the City in its Land Reutilization Program.

Section 3. The Mayor, Planning and Development Director and the Law Director are authorized to prepare, sign and file with the County Recorder and Fiscal Officer all documents, and tender any closing fees necessary as the Seller to effect the transfer of the Property from the City to the Developer, DC Remodeling 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.: 2022-84

INTRODUCED BY: Mayor Annette M. Blackwell, Councilman Richard Trojanski

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE CITY OF MAPLE HEIGHTS TO BECOME A POWER A CLEAN FUTURE OHIO COMMUNITY AND TO ADOPT A GOAL TO REDUCE GREENHOUSE GAS EMISSIONS IN THE CITY

WHEREAS, Power a Clean Future Ohio is an expansive, diverse coalition engaging with cities and local governments across the state of Ohio to build a clean future for our communities, and empowers local leaders with tools and resources to create carbon reduction plans and implement them in ways that are achievable, measurable, equitable, and economical; and

WHEREAS, the City of Maple Heights expects to have increased access to project funding sources by applying through a municipal-coalition approach; and

WHEREAS, steps taken toward carbon emissions also aim to improve community quality of life, building community capital and increasing government efficiency, accountability and transparency; and

WHEREAS, local governments have the unique opportunity to achieve both energy use and carbon emission reductions and cost savings through building and facilities management; land use and transportation planning; and through economic and community development; and

WHEREAS, efforts to address energy and climate issues provide an opportunity to move toward energy self-reliance and greater community resiliency and quality of life; provide environmentally healthy and cheaper-to-operate public buildings; encourage new economic development and local jobs; and support local renewable energy production; and

WHEREAS, uncertainty in energy prices and the transition away from fossil fuel energy sources present new challenges and opportunities to both the City of Maple Heights and to the economic health of its citizens and businesses; and

WHEREAS, Power a Clean Future Ohio assists in facilitating technical assistance for the implementation of these carbon reduction policies; and

WHEREAS, the Power a Clean Future Ohio provides cost-effective sustainable development policies in the following four categories: (1) Renewable Energy; (2) Energy Efficiency; (3) Transportation Electrification; and (4) Land 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 and Planning and Development Director be authorized to participate in Power a Clean Future Ohio which entails a free, voluntary, continuous improvement framework, to allow the City to be recognized as a Power a Clean Future Community.

Section 2. The City commits to developing goals appropriate for itself applying to the reduction of greenhouse gasses and the establishment of related benchmarks within 6 months of becoming a PCFO community.

Section 3. The City develop a plan during FY 2023 that lays out a roadmap for the City of Maple Heights to achieve stated goals, and to proactively seek input from the community in developing this plan.

Section 4. The City prioritize the lowest cost measures identified in the plan to meet energy needs to be mindful of the use of taxpayer or grant dollars and any potential impact on consumers' personal expenses.

Section 5. The City appoint a staff designee to serve as the City's PCFO coordinator for implementation (whom, as appropriate, will identify other community members and staff to potentially serve as the city's PCFO coordination team).

Section 6. The City facilitate the involvement of community members in an equitable way and other units of government as may be appropriate in the planning, promoting and/or implementing of PCFO policies; and

Section 7. The City provide feedback once a year on how well PCFO is serving the city and on city needs from the program; and

Section 8. The City claim credit for having implemented and will work at its own pace toward implementing any policies from two (2) of the PCFO policy categories that will result in carbon emission reductions, cost savings, and quality of life improvement.

Section 9. 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.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

Resolution No. 2022-84

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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.: 2022-85

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

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

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

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

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

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

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

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

WHEREAS, on August 25, 2022, the bids for the 2022 Concrete Roadway Repair Program were opened and inspected by the City Engineer to determine the lowest and best bid.

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

Section 1. The Council of the City of Maple Heights hereby authorizes the Mayor to enter into a contract with TC Construction Co., Inc. for the 2022 Concrete Roadway Repair Program, for

a cost not to exceed One Hundred Three Thousand Six Hundred Eighty Dollars and Zero Cents (\$103,680.00), 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, safety and general welfare of the residents of the City, and to begin the project in a timely manner so that the pavement repair program can be completed during the 2022 construction season, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

RESOLUTION NO.: 2022-86

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR A POTENTIAL GRANT FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Article VIII, Section 2(K) of the Ohio Constitution, the State of Ohio is authorized to issue bonds and other obligations of the State for the purpose of financing public infrastructure capital improvements of political subdivisions as designated by law; and

WHEREAS, pursuant to section 164.06 of the Ohio Revised Code, the District One Public Works Integrating Committee has been created to accept, evaluate and recommend applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS, pursuant to Section 164.05 of the Ohio Revised Code, the Ohio Public Works Commission (OPWC) has been created to accept and approve applications for state financing of capital infrastructure improvement projects of political subdivisions in Cuyahoga County; and

WHEREAS, the City of Maple Heights has conducted a capital inventory and needs assessment and has determined that it is necessary to submit an application for financial assistance for a capital infrastructure improvement project.

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 make application to the District One Public Works Integrating Committee and the Ohio Public Works Commission (OPWC) for financial assistance for the following 2023 capital infrastructure improvement projects:

1. Libby Road Waterline and Resurfacing Project – Broadway to Lee
2. Southgate Boulevard Improvement Project – Warrensville Center to Northfield
3. Southwest Sewer District Sewer Improvements Project - Phase 1a

Section 2. The Mayor is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance and further upon the recommendations of the City Engineer, and approved as to form by the City Law Director, in accordance with all authority granted to and limitations upon the City Director of Finance.

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 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City, and for the further reason 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, President of Council

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. 2022-87

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 HANSEN-WATSON-RAYMOND ROAD RESURFACING PROJECT IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, on October 7, 2015, by **Resolution No. 2015-63**, Council authorized 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 Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview in the City of Maple Heights; and

WHEREAS, the Ohio Public Works Commission (OPWC) contributed Three Hundred Forty-Nine Thousand Nine Hundred Fifty Dollars and Zero Cents (\$349,950.00), for Phase 1 and Phase 2 of the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on November 7, 2018, by **Resolution No. 2018-96**, Council authorized the Mayor to enter into a 2019 Member Community Infrastructure Program with the Northeast Ohio Regional Sewer District (NEORS) for the Manhole Sewer Separation Project in the City of Maple Heights which included the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, the City of Maple Heights was awarded Five Hundred Ninety-Nine Thousand Nine Hundred Fifty Dollars and Zero Cents (\$599,950.00) by the Northeast Ohio Regional Sewer District for Phase 1 and Phase 2 of the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; 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 provide Sewer District No. 9 funds in the amount of up to Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) as the required local funding match for storm and sanitary sewer improvement projects on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on September 4, 2019, by **Resolution No. 2019-75**, the City of Maple Heights entered into a contract with Fabrizi Trucking and Paving Co., Inc., for the Northeast Quadrant Sewer Repairs Phase 1 Project, which was completed in Spring 2020, and

WHEREAS, on September 16, 2020, by **Resolution No. 2020-82**, the City of Maple Heights entered into a contract with United Survey, Inc., for the Northeast Quadrant Sewer Repairs Phase 2 Project, which was completed in Summer 2021, and

WHEREAS, on February 23, 2021, by **Resolution No. 2021-17**, Council authorized and directed the Mayor to enter into a 2021 Member Community Infrastructure Program with the Northeast Ohio Regional Sewer District (NEORS) for the Manhole Sewer Separation Project in the City of Maple Heights which included additional repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, the City of Maple Heights had been awarded One Million Twenty-One Thousand Eight Hundred Eighty-Seven Dollars and Zero Cents (\$1,021,887.00) by the Northeast Ohio Regional Sewer District for the repair of storm and sanitary sewers on various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, the Ohio Public Works Commission (OPWC) is contributing up to Fifty-Three Percent (53%) of the cost, up to a maximum of One Million Four Hundred Thirty-Three Thousand One Hundred Thirteen Dollars and Zero Cents (\$1,433,113.00), for additional work to repair storm and sanitary sewers and resurface various streets including Hansen, Watson, Raymond, Franklin, Hillgrove, Clare and Gardenview; and

WHEREAS, on December 15, 2021, by **Resolution No. 2021-138**, the City of Maple Heights entered into a contract with Fabrizi Trucking and Paving Co., Inc., for the Northeast Quadrant Sewer Repairs Phase 3 Project, which will be completed in Summer 2022, and

WHEREAS, on June 1, 2022, by **Resolution No. 2022-55**, the City of Maple Heights entered into a contract with United Survey, Inc., for the Northeast Quadrant Sewer Repairs Phase 4 Project, which will be fully completed in Winter 2022, and

WHEREAS, the storm and sanitary sewer improvements on various streets including Hansen, Watson, Raymond, and the intersections of Prayner and Clampher will be completed in Fall 2022 and roadway resurfacing can commence to complete the repair work; and

WHEREAS, on July 6, 2022, by **Resolution No. 2022-65**, Council authorized and directed the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Hansen-Watson-Raymond Road Resurfacing Project in the City of Maple Heights; and

WHEREAS, on August 25, 2022, the bids for the Hansen-Watson-Raymond Road Resurfacing Project were opened and inspected by the City Engineer to determine the lowest and best bid.

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

Section 1. The Council of the City of Maple Heights hereby authorizes the Mayor to enter into a contract with Specialized Construction, Inc., for the Hansen-Watson-Raymond Road Resurfacing Project, for a cost not to exceed Eight Hundred Twenty-Two Thousand Nine Hundred Two Dollars and Fifty Cents (\$822,902.50), 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, safety and general welfare of the residents of the City, and for the further reason to begin the project in a timely manner so that pavement resurfacing work can be completed during the 2022 construction season, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to

Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2022

Ron Jackson, Council President

Annette M. Blackwell, Mayor

Approved as to legal form:

Frank Consolo, Director of Law

ATTEST: _____
Leonette Cicirella Johnson, Clerk of Council

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

Date: _____

Leonette Cicirella Johnson, Clerk of Council

Resolution No. 2022-87
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