

**CITY OF MAPLE HEIGHTS  
COUNCIL MEETING AGENDA**

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

**December 20, 2023**

- |     |   |  |
|-----|---|--|
| 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>Councilwoman Edwina Agee, District 7</b>                                      |
| 4.  | <b>Roll Call:</b>                       | <b>Council Clerk Leonette Cicirella Johnson</b>                                  |
| 5.  | <b>Addendum:</b>                        |  |
| 6.  | <b>Approval of Minutes:</b>             | <b>December 6, 2023 Regular Meeting of Council</b>                               |
| 7.  | <b>Communications:</b>                  | <b>a. Letter of Appeal Regarding Planning and Zoning<br/>Case No. 2023-PZ-46</b> |
| 8.  | <b>Council Committee Reports:</b>       | <b>Community Life and Education Committee</b>                                    |
| 9.  | <b>Department Reports:</b>              |  |
| 10. | <b>Comments from City Residents:</b>    | <b>Per Council Rule 220.01(c)(9)</b>   |
| 11. | <b>Legislation:</b>                     |  |

**2023-107 AN ORDINANCE PROVIDING FOR AMENDMENT OF THE ANNUAL APPROPRIATIONS FOR THE FISCAL YEAR 2023, AND DECLARING AN EMERGENCY.**

**Reading 3 (Blackwell)**

**2023-108 AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.**

**Reading 3 (Blackwell)**

**2023-114 AN ORDINANCE AMENDING ORDINANCE NO. 2022-121 ("SALARY ORDINANCE") TO ADD/DELETE CERTAIN JOB POSITIONS IN THE FINANCE AND HUMAN SERVICES DEPARTMENTS AND FIXING THE SALARY FOR THESE POSITIONS, EFFECTIVE DECEMBER 6, 2023, AND DECLARING AN EMERGENCY.**

**Reading 3 (Blackwell)**

**2023-119 A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-40 WHICH DENIED THE APPLICATION OF ARMAR ANDERSON FOR A VARIANCE FROM THE REQUIREMENTS OF SEC. 1272.06 OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO PERMIT AN EXISTING SHED TO REMAIN IN PLACE 18 INCHES FROM THE REAR PROPERTY LINE ON PROPERTY LOCATED IN A RESIDENTIAL SINGLE FAMILY – MEDIUM DENSITY (RSF-M) ZONING DISTRICT AT 16005 CORKHILL ROAD, MAPLE HEIGHTS, OHIO.**

**Reading 1 (Council as a Whole)**

**2023-120 A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-44 TO DENY THE APPLICATION OF CONNIE FREEMAN FOR APPROVAL OF A CONDITIONAL USE PERMIT UNDER SECT. 1282.04 OF THE MAPLE HEIGHTS CODIFIED ORDINANCES**

**TO OPERATE A DOGGIE DAY CARE & OVERNIGHT BOARDING BUSINESS  
IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT AT 15450  
BROADWAY AVENUE, MAPLE HEIGHTS, OHIO.**

**Reading 1 (Council as a Whole)**

**2023-121 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO  
DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR FUNDS FROM  
THE OHIO'S URBAN FORESTRY GRANT PROGRAM – ESTABLISHED  
PROGRAMS 2023 – FOR THE CITY OF MAPLE HEIGHTS, AND  
DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2023-122 AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2024  
THROUGH DECEMBER 31, 2024 THE ONE HUNDRED PERCENT (100%)  
ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING  
FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE  
CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER  
AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL  
PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND  
DECLARING AN EMERGENCY.**

**Reading 1 (Blackwell)**

**2023-123 AN ORDINANCE AMENDING SECTION 1486.02 OF THE CODIFIED  
ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING  
RENEWAL OF RENTAL REGISTRATIONS AND ESTABLISHING FEES,  
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:**

**ORDINANCE NO. 2023-107**

**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 2023, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council adopted a municipal budget pursuant to **Ordinance No. 2022-105** for the fiscal year January 1, 2023 through December 31, 2023, which was amended by: **Ordinance No. 2023-22-Amendment No. 1 dated April 5, 2023; Ordinance No. 2023-55 Amendment No. 2 dated June 7, 2023; Ordinance No. 2023-93-Amendment No. 3 dated October 18, 2023; Ordinance No. 2023-106-Amendment No. 4 dated November 15, 2023** 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 20, 2023, 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. 2022-105** for the fiscal year January 1, 2023 through December 31, 2023, which was amended by: **Ordinance No. 2023-22-Amendment No. 1 dated April 5, 2023; Ordinance No. 2023-55 Amendment No. 2 dated June 7, 2023; Ordinance No. 2023-93-Amendment No. 3 dated October 18, 2023; Ordinance No. 2023-106-Amendment No. 4 dated November 15, 2023**, shall be further amended by Council, as recommended by the Finance Director, in accordance with Exhibit A dated December 20, 2023, 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, 2023, 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 20, 2023 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: \_\_\_\_\_, 2023

\_\_\_\_\_  
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. 2023-108**

**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, 2024, 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, 2024 (“2024 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 2024 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, 2024.

**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 2024 Appropriations Budget must be immediately adopted to insure the financial integrity of the City and presented to the County Fiscal Officer by December 31, 2023. 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: \_\_\_\_\_, 2023

\_\_\_\_\_  
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. 2023-114**

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

**MOTION FOR ADOPTION BY:**

**AN ORDINANCE AMENDING ORDINANCE NO. 2022-121 (“SALARY ORDINANCE”) TO ADD/DELETE CERTAIN JOB POSITIONS IN THE FINANCE AND HUMAN SERVICES DEPARTMENTS AND FIXING THE SALARY FOR THESE POSITIONS, EFFECTIVE DECEMBER 6, 2023, AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to Article IV of the City Charter and Cod. Ord. Sec. 260.29, Council desires to fix the salaries and wages for all full-time and part-time non-bargaining unit employees for 2023; and

**WHEREAS**, Council passed **Ordinance No. 2022-121** fixing the salaries and wages for certain full-time and part-time non-bargaining unit job positions for 2023 (“the Salary Ordinance”); and

**WHEREAS**, the Finance Director has advised the Finance Committee of Council and the Council’s Committee of the Whole that she desires to eliminate the job positions of Payroll Coordinator and Purchasing Agent from the Salary Ordinance and to add the job position of Finance Specialist with a salary range of \$40,000 to \$65,873.60 to the Salary Ordinance, effective December 6, 2023; and

**WHEREAS**, the Mayor and the Human Resources Director desire to eliminate the job positions of Recreation Programs Coordinator, Human Services Coordinator, and Food Service Aide from the Salary Ordinance and to add the job position of Human Services Program Manager with a salary range of \$30,000 to \$65,873.60 to the Salary Ordinance, effective December 6, 2023.

**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 authorizes the Salary Ordinance be amended, effective December 6, 2023, to eliminate the job positions of Payroll Coordinator and Purchasing Agent and to add the job position of Finance Specialist with a salary range of \$40,000 to \$65,873.60.

**Section 2.** Council hereby authorizes the Salary Ordinance be amended, effective December 6, 2023, to eliminate the job positions of Recreation Programs Coordinator, Human Services Coordinator, and Food Service Aide and to add the job position of Human Services Program Manager with a salary range of \$30,000 to \$65,873.60.

**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 job positions affect the day-day operations of the City and must be timely filled, 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: \_\_\_\_\_, 2023

\_\_\_\_\_  
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. 2023-119**

**INTRODUCED BY:** Council as a Whole

**MOTION FOR ADOPTION BY:**

**A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-40 WHICH DENIED THE APPLICATION OF ARMAR ANDERSON FOR A VARIANCE FROM THE REQUIREMENTS OF SEC. 1272.06 OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO PERMIT AN EXISTING SHED TO REMAIN IN PLACE 18 INCHES FROM THE REAR PROPERTY LINE ON PROPERTY LOCATED IN A RESIDENTIAL SINGLE FAMILY – MEDIUM DENSITY (RSF-M) ZONING DISTRICT AT 16005 CORKHILL ROAD, MAPLE HEIGHTS, OHIO.**

**WHEREAS**, in Case No. 2023-PZ-40 the City’s Planning and Zoning Commission issued a decision denying the application of Armar Anderson (“the Applicant”), for a Variance from the requirements of Sec. 1272.06 of the MH Codified Ordinances that permitted accessory uses shall have a minimum rear yard setback of three (3) feet for property located in a Residential Single Family – Medium Density (RSF-M) Zoning District at 16005 Corkhill Road, Maple Heights, Ohio.

**WHEREAS**, Sec. 1262.03(F) of the MH Codified Ordinances provides: “Council has the authority to review and overrule any decision of the Planning & Zoning Commission, by ordinance or resolution, passed by two-thirds (2/3) vote of the members elected to Council within forty-five (45) business days of the date of the decision, provided that \* \* \* the applicant notifies the Secretary to the Planning & Zoning Commission and the Chief Building Official of his or her objection in writing within five (5) business days of the date of the decision of the Planning & Zoning Commission. The decision of Council in such matters is final and shall not be subject to appeal except to a court of competent jurisdiction in conformance with state and federal law.”; and

**WHEREAS**, the Applicant timely filed an appeal of the P&Z Decision to Council pursuant to Sec. 1262.03(F) and the Applicant presented his appeal to Council at its November 1, 2023 Council Meeting for review and consideration.

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

**Section 1.** The decision of the City’s Planning and Zoning Commission in **Case No. 2023-PZ-40** denying the application of Armar Anderson for a Variance from the requirement of Sect. 1276.06 of the MH Codified Ordinances that permitted accessory uses shall have a minimum rear yard setback of three (3) feet for property located in a Residential Single Family – Medium Density (RSF-M) Zoning District at 16005 Corkhill Road, Maple Heights, Ohio, is hereby overruled.

**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.** Pursuant to Codified Ordinance Sections 1262.03(F) this Resolution, provided it receives the affirmative vote of five (5) or more members elected to Council, shall take effect and be in force immediately upon its passage.

PASSED: \_\_\_\_\_, 2023

\_\_\_\_\_  
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. 2023-120**

**INTRODUCED BY:** Council as a Whole

**MOTION FOR ADOPTION BY:**

**A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-44 TO DENY THE APPLICATION OF CONNIE FREEMAN FOR APPROVAL OF A CONDITIONAL USE PERMIT UNDER SECT. 1282.04 OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO OPERATE A DOGGIE DAY CARE & OVERNIGHT BOARDING BUSINESS IN THE CENTRAL BUSINESS DISTRICT (CBD) ZONING DISTRICT AT 15450 BROADWAY AVENUE, MAPLE HEIGHTS, OHIO.**

**WHEREAS**, in **Case No. 2023-PZ-44** the City's Planning and Zoning Commission issued a decision denying the application of Connie Freeman for approval of a Conditional Use Permit to operate a Doggie Day Care & Overnight Boarding Business in the Central Business District (CBD) Zoning District at 15450 Broadway Avenue, Maple Heights, Ohio; and

**WHEREAS**, Sec. 1262.03(F) of the MH Codified Ordinances provides: "Council has the authority to review and overrule any decision of the Planning & Zoning Commission, by ordinance or resolution, passed by two-thirds (2/3) vote of the members elected to Council within forty-five (45) business days of the date of the decision, provided that \* \* \* the applicant notifies the Secretary to the Planning & Zoning Commission and the Chief Building Official of his or her objection in writing within five (5) business days of the date of the decision of the Planning & Zoning Commission. The decision of Council in such matters is final and shall not be subject to appeal except to a court of competent jurisdiction in conformance with state and federal law."; and

**WHEREAS**, the Applicant timely filed an appeal of the P&Z Decision to Council pursuant to Sec. 1262.03(F) and the Applicant presented her appeal to Council at its November 15, 2023 Council Meeting for review and consideration.

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

**Section 1.** The decision of the City's Planning and Zoning Commission in **Case No. 2023-PZ-44** denying the application of Connie Freeman for approval of a Conditional Use Permit to operate a Doggie Day Care & Overnight Boarding Business in the Central Business District (CBD) Zoning District at 15450 Broadway Avenue, Maple Heights, Ohio, is hereby overruled. A Conditional Use permit to operate a Doggie Day Care & Overnight Boarding Business in the Central Business District (CBD) Zoning District is hereby granted to Connie Freeman and the Building Department is ordered to immediately make a record of, and provide the Conditional Use Permit, to Connie Freeman.

**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.** Pursuant to Codified Ordinance Sections 1262.03(F) this Resolution, provided it receives the affirmative vote of five (5) or more members elected to Council, shall take effect and be in force immediately upon its passage.

PASSED: \_\_\_\_\_ 2023

\_\_\_\_\_  
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.: 2023-121**

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

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR FUNDS FROM THE OHIO'S URBAN FORESTRY GRANT PROGRAM - ESTABLISHED PROGRAMS 2023 – FOR THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.**

**WHEREAS**, the State of Ohio, through the Ohio Department of Natural Resources (ODNR) , administers financial assistance for the long-term growth and development of local urban and community forestry programs, through the Urban Forestry Grant Program; and

**WHEREAS**, the City of Maple Heights desires financial assistance under the Ohio's Urban Forestry Grant Program- Established Programs 2023 to enhance the quality of life of the residents of Maple Heights by supporting and strengthening existing comprehensive community tree care programs and promoting urban forestry benefits through the proper planting and care of trees.

**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 approves the filing of this application for financial assistance from the Ohio Department of Natural Resources (ODNR) through the Ohio's Urban Forestry Grant Program.

**Section 2.** The Mayor be and 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 Director of Service, 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 3.** The City of Maple Heights does agree to obligate the funds required to satisfactorily complete the proposed work and become eligible for reimbursement under the terms of the Ohio's Urban Forestry Grant Program- Established Programs 2023.

**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 is hereby declared 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 further to timely submit the grant application, and provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2023

\_\_\_\_\_  
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. 2023-121**  
**Page Two**

**ORDINANCE NO.: 2023-122**

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

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 THE ONE HUNDRED PERCENT (100%) ESCROW REQUIREMENT TO CORRECT VIOLATIONS RESULTING FROM POINT OF SALE INSPECTIONS PER CHAPTER 1494 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS TO OFFER AN INCENTIVE TO INDIVIDUALS WHO PURCHASE RESIDENTIAL PROPERTIES AND OCCUPY SUCH RESIDENTIAL PROPERTIES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Maple Heights desires to continue an Owner Occupied Homeowner Incentive Program for the period January 1, 2024 through December 31, 2024, which was initially established pursuant to **Ordinance No. 2017-08**, to promote and encourage individuals to purchase and renovate residential properties by waiving 100% of the escrow requirement to correct violations resulting from the point of sale inspection per Chapter 1494, so long as the purchaser actually occupies such residential property.

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

**Section 1.** For the time period January 1, 2024 through December 31, 2024 the Mayor is hereby authorized to waive the 100% escrow requirement to correct violations resulting from point of sale inspections per Chapter 1494 of the Codified Ordinances for individuals who purchase and renovate residential properties, so long as the purchaser actually occupies such residential property.

**Section 2.** Participants in this Program will be required to sign an affidavit attesting to the fact that the Purchaser will reside in the property as their primary residence for two (2) years commencing upon the issuance of an Occupancy Permit by the Chief Building Official.

**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 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 general welfare of the residents, and to encourage owner occupied home ownership in the City 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: \_\_\_\_\_, 2023

\_\_\_\_\_  
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.: 2023-123**

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

**MOTION FOR ADOPTION BY:**

**CO-SPONSORED BY:**

**AN ORDINANCE AMENDING SECTION 1486.02 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS CONCERNING RENEWAL OF RENTAL REGISTRATIONS AND ESTABLISHING FEES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Building and Housing Department have recommended to Council that Section 1486.02 of the City's Codified Ordinances concerning rental registrations be amended to provide that owners of rental property register all of their properties on an annual basis based upon the type of property (residential rental properties or commercial rental properties) under a scaled approach based upon the number of units a given landlord entity, such as an LLC, owns and manages in the City and establishing the fees for this revised rental registration program.

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

**Section 1.** Section 1486.02 of the City's Codified Ordinances is hereby amended to read as follows with deletions struck through and additions underlined:

(a)(1) Effective January 1, 2024, each owner of a residential property ~~both residential and commercial~~, as defined in Section 1486.01(f), or the agent in charge as defined in Section 1486.01(a), of a rental unit within the City shall register all such rental units on a rental registration form, per owner or agent in charge, with the Building Department on an annual basis, no later than March 31 of each calendar year according to the following fee schedule based upon the number of living units: 1-10 living units - a non-refundable rental registration fee of \$75 per owner or agent in charge. Over 10 living units - a non-refundable rental registration fee of \$175.00 per owner or agent in charge. If the owner or agent in charge acquires additional rental units during the calendar year then, within thirty days after the date of acquiring ownership or transfer of the title, and while the unit is still vacant, the owner or agent in charge shall file an updated rental registration with the Building Department for a non-refundable fee of \$35. The form to be used by the owner or agent in charge to register all their rental units shall be contained in a "rental registration packet" available from the Maple Heights Building Department. A separate rental registration packet shall be required for each owner or agent in charge.

(a)(2) Effective January 1, 2024, each owner of a commercial property, as defined in Section 1486.01(f), or the agent in charge as defined in Section 1486.01(a), of a rental unit within the City shall register all such rental units on a rental registration form, per owner or agent in charge, with the Building Department on an annual basis, no later than March 31 of each calendar year for a flat rate fee of \$175.00 per building.

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**Section 2.** The Clerk of Council is authorized to forward a certified copy of this Ordinance to the publisher of the Codified Ordinances of the City for immediate inclusion of amended Sections 1486.02 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 notice of this change must be provided to landlords prior to the March 31 rental registration deadline, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_, 2023

\_\_\_\_\_  
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. 2023-123**

**Page Two**