

January 18, 2023

- 2023-04 A RESOLUTION RESTATING COUNCIL'S APPROVAL OF THE FINANCE DIRECTOR'S INTERNAL AUDIT CLASSIFICATION OF CERTAIN FISCAL YEAR 2022 EXPENDITURES OUT OF THE GENERAL FUND TO THE COPS GRANT FUND FROM ADVANCES TO TRANSFERS, AS SET FORTH IN THE**

FINAL 2022 AMENDED APPROPRIATIONS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-05 A RESOLUTION RESTATING COUNCIL’S APPROVAL OF THE FINANCE DIRECTOR’S INTERNAL AUDIT CLASSIFICATION OF CERTAIN FISCAL YEAR 2022 EXPENDITURES OUT OF THE GENERAL FUND TO THE SAFER GRANT FUND FROM ADVANCES TO TRANSFERS, AS SET FORTH IN THE FINAL 2022 AMENDED APPROPRIATIONS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-06 A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE CITY HALL GRADING, DRAINAGE, & LANDSCAPING PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2023-07 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH 14900 BROADWAY AVENUE LLC FOR THE SALE OF THE BUILDING AND PROPERTY LOCATED AT 14900 BROADWAY AVENUE FOR DEVELOPMENT AND REHABILITATION FOR A PURCHASE PRICE OF \$10,000.00, 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.: 2023-02

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE WAIVING FOR THE TIME PERIOD JANUARY 1, 2023 THROUGH DECEMBER 31, 2023 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, 2023 through December 31, 2023, 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, 2023 through December 31, 2023 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

RESOLUTION NO.: 2023-03

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION APPROVING THE 2023 EXTERIOR HOME REPAIR GRANT PROGRAM AND AUTHORIZING THE MAYOR TO AWARD FUNDING TO ELIGIBLE APPLICANTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Planning and Development Director have proposed a grant program known as the 2023 Exterior Home Repair Grant Program, the terms of which are attached hereto as Exhibit A and incorporated as if fully rewritten herein, to provide owners who occupy their homes with financial assistance to maintain the exterior of their homes as a way to preserve and promote the curb appeal of homes in the City.

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

Section 1. The 2023 Exterior Home Repair Grant Program, which is attached hereto as Exhibit A and incorporated as if fully rewritten herein, is approved. Council hereby authorizes and approves the Finance Director to fund the 2023 Exterior Home Repair Grant Program by appropriating up to One Hundred Thousand Dollars and No Cents (\$100,000.00), of which amount only Fifty Thousand Dollars and No Cents (\$50,000.00) shall be appropriated from the City's funds held at the time of the passage of this Resolution, with the additional amount being appropriated from funds provided to the City from private entities, the County or State, which are specifically designated for the 2023 Exterior Home Repair Grant Program.

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

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that applications for the 2023 Exterior Home Repair Grant Program will be available beginning in the Spring 2023, 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

RESOLUTION NO. 2023-04

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION RESTATING COUNCIL'S APPROVAL OF THE FINANCE DIRECTOR'S INTERNAL AUDIT CLASSIFICATION OF CERTAIN FISCAL YEAR 2022 EXPENDITURES OUT OF THE GENERAL FUND TO THE COPS GRANT FUND FROM ADVANCES TO TRANSFERS, AS SET FORTH IN THE FINAL 2022 AMENDED APPROPRIATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Council passed **Ordinance No. 2021-161** on December 15, 2021 for the appropriation of monies for current expenses and other expenditures and provided for an advance of \$270,000 from the General Fund to the COPS Grant Fund; and

WHEREAS, \$100,000.00 of the total \$270,000.00 General Fund advance to the COPS Grant Fund was the City's expense, which should have been accounted for as a transfer instead of an advance, thereby requiring the COPS Grant Fund to only reimburse \$170,000.00 to the General Fund; and

WHEREAS, Council passed **Ordinance No. 2022-104** on December 21, 2022 for the final amended appropriations for fiscal year 2022, which amended appropriations showed an advance of \$270,000 from the General Fund to the COPS Grant Fund, and showed a return of advance of \$170,000, with the remaining \$100,000 being internally classified by the Finance Director as a transfer from the General Fund to the COPS Grant Fund;

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

Section 1. Council hereby restates its approval of the Finance Director's internal audit classification of \$100,000 of the \$270,000 advance from the General Fund to the COPS Grant Fund as a transfer, instead of an advance, which action was accounted for, and previously approved by Council, in **Ordinance No. 2022-104**, which showed a return of advance of \$170,000 to the General Fund from the COPS Grant Fund, with the remaining \$100,000 being internally classified by the Finance Director as a transfer from the General Fund to the COPS Grant Fund.

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

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that the year-end closing of 2022 must be done in a timely fashion, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and

after the earliest period allowed by law.

PASSED: _____, 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. 2023-05

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

A RESOLUTION RESTATING COUNCIL'S APPROVAL OF THE FINANCE DIRECTOR'S INTERNAL AUDIT CLASSIFICATION OF CERTAIN FISCAL YEAR 2022 EXPENDITURES OUT OF THE GENERAL FUND TO THE SAFER GRANT FUND FROM ADVANCES TO TRANSFERS, AS SET FORTH IN THE FINAL 2022 AMENDED APPROPRIATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Council passed **Ordinance No. 2021-161** on December 15, 2021 for the appropriation of monies for current expenses and other expenditures and provided for an advance of \$25,000 from the General Fund to the SAFER Grant Fund; and

WHEREAS, \$25,000.00 of the total \$25,000.00 General Fund advance to the SAFER Grant Fund was the City's expense, which should have been accounted for as a transfer instead of an advance, thereby requiring no reimbursement from the SAFER Grant Fund to the General Fund; and

WHEREAS, Council passed **Ordinance No. 2022-104** on December 21, 2022 for the final amended appropriations for fiscal year 2022, which amended appropriations showed an advance of \$25,000 from the General Fund to the SAFER Grant Fund, and showed no return of the advance of \$25,000, with the \$25,000 being internally classified by the Finance Director as a transfer from the General Fund to the SAFER Grant Fund;

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

Section 1. Council hereby restates its approval of the Finance Director's internal audit classification of \$25,000 from the General Fund to the SAFER Grant Fund as a transfer, instead of an advance, which action was accounted for, and previously approved by Council, in **Ordinance No. 2022-104**, which showed no return of advance of \$25,000 to the General Fund from the SAFER Grant Fund, with the \$25,000 being internally classified by the Finance Director as a transfer from the General Fund to the SAFER Grant Fund;

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

Section 3. This Resolution constitutes an emergency measure necessary for the public peace, safety and general welfare of the City and for the further reason that the year-end closing of 2022 must be done in a timely fashion, and provided it receives the affirmative vote of two-thirds (2/3) of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 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.: 2023-06

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE CITY HALL GRADING, DRAINAGE, & LANDSCAPING PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, the Service Director and Mayor are committed to the ongoing review and improvement of the safety, efficiency and aesthetics of the physical plant at the Maple Heights City Hall located at 5353 Lee Road, Maple Heights, Ohio; and

WHEREAS, the City Engineer has informed the Mayor and the Service Director that the exterior construction of the City Hall elevator and vestibule, which required the removal of a significant amount of landscaping at the side entrance to the City Hall, has been completed and landscape restoration can commence in Spring of 2023; and

WHEREAS, the City Engineer has informed the Mayor and the Service Director that the construction of a sidewalk to the City Hall side entrance, located along the existing driveway serving both the City Hall and Police Station parking lot, will improve pedestrian safety; and

WHEREAS, the City Engineer has informed the Mayor and the Service Director that the restoration of landscaping and the construction of a sidewalk to the side entrance of City Hall will require minor modifications and additions to the grading and drainage system.

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

Section 1. The City Engineer is hereby authorized to begin the preparation of plans and specifications and to provide advertising for bids for the City Hall Grading, Drainage, and Landscaping Project at the Maple Heights City Hall located at 5353 Lee Road, Maple Heights, Ohio.

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

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

Section 4. This Resolution constitutes an emergency measure necessary for the health and general welfare of the residents of the City, and to begin the project in a timely manner, 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

RESOLUTION NO.: 2023-07

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH 14900 BROADWAY AVENUE LLC FOR THE SALE OF THE BUILDING AND PROPERTY LOCATED AT 14900 BROADWAY AVENUE FOR DEVELOPMENT AND REHABILITATION FOR A PURCHASE PRICE OF \$10,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, 14900 Broadway Avenue LLC (“the Developer”) has advised the Mayor and Planning and Development Director that it desires to purchase the building and property located at **14900 Broadway Avenue (PPN 784-03-005)** (referred to as the “Property”), for development and rehabilitation; and

WHEREAS, the Property is owned by the City through its Land Reutilization Program and the Mayor desires to sell the Property to the Developer, with the Developer required to rehabilitate the existing building and keep it as originally designed; and

WHEREAS, pursuant to R.C. 5722.07, the fair market value of the Property, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required rehabilitation, is Ten Thousand Dollars and Zero Cents (\$10,000.00).

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 an Agreement with 14900 Broadway Avenue LLC (“the Developer”) to sell the building and property located at **14900 Broadway Avenue (PPN 784-03-005)** (referred to as the “Property”), owned by the Maple Heights Land Reutilization Program for development and rehabilitation, at a sales price of Ten Thousand Dollars and Zero Cents (\$10,000.00) with the Developer required to rehabilitate the building in compliance with all City and State of Ohio Building Code Standards.

Section 2. Pursuant to R.C. 5722.07, the fair market value of the Property, as determined by the Cuyahoga County Fiscal Officer, and after taking into account the required rehabilitation, is Ten Thousand Dollars and Zero Cents (\$10,000.00) 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 affect the transfer of the Property from the City to the Developer, 14900 Broadway Avenue 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 rehabilitation of the Property to bring it into compliance with all state and local building and safety codes, 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