

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA**

Maple Heights Senior Center - 7:00 PM

April 3, 2024

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| 1. Caucus: 6:30 pm | All Members of Council |
| 2. Call to Order: | Council President Ron Jackson |
| 3. Invocation/Pledge of Allegiance: | Councilwoman Edwina Agee, District 7 |
| 4. Roll Call: | Council Clerk Leonette Cicirella Johnson |
| 5. Addendum: | |
| 6. Approval of Minutes: | March 20, 2024 Regular Meeting of Council |
| 7. Communications: | |
| 8. Council Committee Reports: | |
| 9. Department Reports: | |
| 10. Comments from City Residents: | Per Council Rule 220.01(c)(9) |
| 11. Legislation: | |

2024-26 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FAMOUS ENTERPRISES INC. FOR A JOB CREATION AND RETENTION PROGRAM GRANT, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-27 AN ORDINANCE AUTHORIZING THE MAYOR AND PLANNING AND DEVELOPMENT DIRECTOR TO PROVIDE A FORGIVABLE LOAN THROUGH THE MAPLE HEIGHTS-SBA SMALL BUSINESS PERFORMANCE GRANT PROGRAM TO AB SIMMONS INCORPORATED ("THE COMPANY") IN THE AMOUNT OF \$12,500.00 FROM THE CITY AND A MATCHING AMOUNT OF \$37,500.00 FROM THE COUNTY, FOR A TOTAL LOAN AMOUNT OF \$50,000.00 TO ALLOW THE COMPANY TO PURCHASE INVENTORY AND MAKE INTERIOR AND EXTERIOR ENHANCEMENTS AT 20980 LIBBY ROAD, MAPLE HEIGHTS, OHIO, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-28 A RESOLUTION APPROVING THE 2024 EXTERIOR HOME REPAIR GRANT PROGRAM AND AUTHORIZING THE MAYOR TO AWARD FUNDING TO ELIGIBLE APPLICANTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-29 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR CONTRACT WITH QUALITY CONTROL INSPECTION, INC. (QCI) TO PROVIDE INSPECTION SERVICES FOR CONSTRUCTION PROJECTS IN THE CITY OF MAPLE HEIGHTS DURING 2024 AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-30 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES MUNICIPAL ENGINEERING CONSULTING CONTRACT WITH ENGINEER EDWARD J. HREN, P.E., ASSISTANT ENGINEER JAMES T. SHEA, P.E., AND THEIR ENGINEERING FIRM, CHAGRIN VALLEY ENGINEERING, LTD., EFFECTIVE JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-31 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF MAPLE HEIGHTS FOR CONSTRUCTION OF WASTEWATER FACILITIES, DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

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

RESOLUTION NO.: 2024-26
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTION BY:
CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FAMOUS ENTERPRISES INC. FOR A JOB CREATION AND RETENTION PROGRAM GRANT, AND DECLARING AN EMERGENCY.

WHEREAS, the creation and retention of jobs and employment opportunities are integral to the continued economic health of the City of Maple Heights, Ohio and its citizens; and

WHEREAS, the use of governmental resources for the promotion of economic development in the community is in the public interest and is a proper exercise of municipal powers; and

WHEREAS, a Job Creation and Retention Program has been developed to provide incentives to business to create, retain and expand employment opportunities within the City of Maple Heights without utilizing tax revenues or impacting negatively upon the local school 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 Mayor of the City of Maple Heights is hereby authorized to enter into an agreement with Famous Enterprises Inc. for a Job Creation and Retention Program Grant whereby the City will award Famous Enterprises Inc. an annual grant payment from City non-tax revenues equal to twenty-five percent (25%) of the income tax withheld on Famous Enterprise Inc.'s employee payroll, for a period of five (5) years, beginning January 1, 2025, with no cap per year, provided that during this five (5) year period commencing January 1, 2025, Famous Enterprises Inc. stays in the City for five (5) years, maintains a minimum annual new or increased payroll of One Hundred Thousand Dollars (\$100,000.00) and creates five (5) or more new jobs, as more fully outlined in the agreement on file in the Office of the Planning and Development Director.

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 economic incentives must be in place prior to Famous Enterprises Inc. commencing full operations on January 1, 2025, 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: _____, 2024

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.: 2024-27

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

AN ORDINANCE AUTHORIZING THE MAYOR AND PLANNING AND DEVELOPMENT DIRECTOR TO PROVIDE A FORGIVABLE LOAN THROUGH THE MAPLE HEIGHTS-SBA SMALL BUSINESS PERFORMANCE GRANT PROGRAM TO AB SIMMONS INCORPORATED (“THE COMPANY”) IN THE AMOUNT OF \$12,500.00 FROM THE CITY AND A MATCHING AMOUNT OF \$37,500.00 FROM THE COUNTY, FOR A TOTAL LOAN AMOUNT OF \$50,000.00 TO ALLOW THE COMPANY TO PURCHASE INVENTORY AND MAKE INTERIOR AND EXTERIOR ENHANCEMENTS AT 20980 LIBBY ROAD, MAPLE HEIGHTS, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, on January 8, 2018, the City entered into an agreement with Cuyahoga County to establish and jointly fund the Maple Heights-SBA Small Business Performance Grant Program (“Program”), pursuant to the authorization of **Ordinance No. 2017-112**, enacted November 1, 2017, by which the County would provide funding in an amount not to exceed \$150,000, and through which the City would contribute an additional \$50,000; and

WHEREAS, upon recommendation of the Mayor and Planning and Development Director, Council has determined that the City should provide a forgivable loan through the Program to AB Simmons Incorporated (“the Company”) in the amount of \$12,500.00 from the City and a matching amount of \$37,500.00 from County-contributed funds, for a total loan amount of \$50,000.00, to allow the Company to purchase inventory and make interior and exterior enhancements at 20980 Libby Road, Maple Heights, Ohio.

NOW, THEREFORE, BE IT ORDAINED 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 are hereby authorized to enter into an agreement to provide a forgivable loan through the Maple Heights-SBA Small Business Performance Grant Program to AB Simmons Incorporated (“the Company”) in the amount of \$12,500.00 from the City and a matching amount of \$37,500.00 from County-contributed funds, for a total loan amount of \$50,000.00, to allow the Company to purchase inventory and make interior and exterior enhancements at 20980 Libby Road, Maple Heights, Ohio, a copy of which agreement shall be on file in the Office of the Planning and Development Director.

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 public peace, safety and general welfare of the City and for the further reason that the Company needs to timely purchase inventory and construct enhancements, 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: _____, 2024

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.: 2024-28

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION APPROVING THE 2024 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 2024 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 2024 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 2024 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 2024 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 2024 Exterior Home Repair Grant Program will be available beginning in the Spring 2024, 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: _____, 2024

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.: 2024-29

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A ONE (1) YEAR CONTRACT WITH QUALITY CONTROL INSPECTION, INC. (QCI) TO PROVIDE INSPECTION SERVICES FOR CONSTRUCTION PROJECTS IN THE CITY OF MAPLE HEIGHTS DURING 2024 AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and Engineer have recommended that Council authorize the Mayor to enter into a one (1) year contract with Quality Control Inspection, Inc. (QCI) to provide inspection services for construction projects in the City of Maple Heights for the year 2024.

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 a one (1) year contract with Quality Control Inspection, Inc. to provide inspection services for construction projects in the City of Maple Heights, for the year 2024, a copy of which is on file in the Finance Department and incorporated herein by reference.

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 general welfare of the residents of the City and for the further reason that it is necessary to provide inspection services for ongoing construction projects 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: _____, 2024

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. 2024-30

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES MUNICIPAL ENGINEERING CONSULTING CONTRACT WITH ENGINEER EDWARD J. HREN, P.E., ASSISTANT ENGINEER JAMES T. SHEA, P.E., AND THEIR ENGINEERING FIRM, CHAGRIN VALLEY ENGINEERING, LTD., EFFECTIVE JANUARY 1, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Charter Art. V, Sec. IV, the Mayor has appointed Edward J. Hren, P.E. (hereinafter referred to as “Engineer”) and James T. Shea, P.E. (hereinafter referred to as “Assistant Engineer”), as Engineers for the City as set forth in Charter Art. X; and

WHEREAS, the Mayor recommends that the attached professional services municipal engineering consulting contract be entered into effective January 1, 2024, engaging the services of the Engineer and Assistant Engineer, and their firm, Chagrin Valley Engineering, Ltd., upon the terms, provisions and conditions set forth in therein.

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 Mayor to enter into the attached professional services municipal engineering consulting contract engaging the services of the Engineer and Assistant Engineer, and their firm, Chagrin Valley Engineering, Ltd., upon the terms, provisions and conditions set forth in the professional services municipal engineering consulting contract, which contract is attached hereto as Exhibit A and incorporated as if fully rewritten herein.

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 public safety, health and welfare and for the further reason that the Engineer services are necessary for day-to-day operations of 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: _____, 2024

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.: 2024-31

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Council President Ron Jackson

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF MAPLE HEIGHTS FOR CONSTRUCTION OF WASTEWATER FACILITIES, DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Maple Heights seeks to make improvements to its existing wastewater facilities by improving sanitary sewers and eliminating sanitary sewer overflow; and

WHEREAS, the City of Maple Heights intends to apply for a 2024 Water Pollution Control Loan Fund (WPCLF) Principal Forgiveness loan to fund a portion of the cost of construction of the Southwest Quadrant Sewer Repairs- Phase 2 Project; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the governing authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; and

WHEREAS, the City of Maple Heights is a local government eligible to receive Funding for an eligible activity through the Water Pollution Control Loan Fund (WPCLF) Program Year 2024 Final Program Management Plan; and

WHEREAS, The Mayor and Engineer have advised Council that 2024 WPCLF Principal Forgiveness funds may be available through the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) and the Ohio Water Development Authority (OWDA) in an amount not to exceed Two Hundred Eighty-Six Thousand Eight Hundred Fifty Dollars and Zero Cents (\$286,850.00), to fund a portion of the Southwest Quadrant Sewer Repairs- Phase 2 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, sign and file all necessary contracts and documents with the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) for funding through the 2024 WPCLF Principal Forgiveness loan program for the following project:

Southwest Quadrant Sewer Repairs- Phase 2 Project

Section 2. The dedicated source of repayment will be Maple Heights Water Fund 219.

Section 3. 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 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, safety and general welfare of the residents of the City, and further 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: _____, 2024

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

