

**CITY OF MAPLE HEIGHTS
COUNCIL MEETING AGENDA (Amended)**

Maple Heights Senior Center - 7:00 PM

September 4, 2024

- | | | |
|-----|---|--|
| 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: | July 3, 2024 Regular Meeting of Council
August 7, 2024 Special Meeting of Council |
| 7. | Communications: | a. Letter of Appeal Regarding Planning and Zoning
Case No. 2024-PZ-14 |
| 8. | Council Committee Reports: | Housing and Economic Development Committee |
| 9. | Department Reports: | |
| 10. | Comments from City Residents: | Per Council Rule 220.01(c)(9) |
| 11. | Legislation: | |

2024-55 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)

2024-56 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.

Reading 3 (Blackwell)

2024-57 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)

2024-69 A RESOLUTION OF SUPPORT FOR THE REPLACEMENT OF THE CUYAHOGA COUNTY CIGARETTE TAX FOR ARTS AND CULTURE.

Reading 1 (Jackson)

2024-70 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE DEMOLITION OF THE GREENHURST DRIVE BRIDGE OVER MILL CREEK AND THE INSTALLATION OF A

**VEHICULAR TURN-AROUND FOR SAFETY SERVICES AND SCHOOL BUSES
IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.**

Reading 1 (Blackwell)

2024-71 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR POTENTIAL GRANTS FOR THE FUNDING OF CAPITAL INFRASTRUCTURE IMPROVEMENT PROJECTS IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-72 A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PLANNING AND DEVELOPMENT AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR 2025, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-73 A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PLANNING AND DEVELOPMENT AND HOUSING ADMINISTRATOR TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT (CDSG) PROGRAM FOR 2025, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-74 A RESOLUTION AUTHORIZING THE ENGINEER TO INCLUDE THE CONSTRUCTION OF BUS STOP CONCRETE PADS AND SIDEWALK IN THE PLANS AND SPECIFICATIONS TO BE ADVERTISED FOR BIDS FOR CONCRETE PAVEMENT REPAIRS ON VARIOUS STREETS LOCATED WITHIN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Reading 1 (Blackwell)

2024-75 AN ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY DAYS (180) ON PERMITTING NEW ESTABLISHMENTS THAT SELL OR DISTRIBUTE “TOBACCO PRODUCTS”, “VAPOR PRODUCTS”, “ALTERNATIVE NICOTINE PRODUCTS”, AND/OR “ELECTRONIC SMOKING DEVICES” IN THE CITY OF MAPLE HEIGHTS, 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.: 2024-55

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 the 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: _____, 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.: 2024-56

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 2025 is \$19.35 per residential unit and \$9.98 for each residential unit for qualified residents with a Homestead exemption as of June 1, 2024 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 2024 tax duplicate and collection in the year 2025 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, 2024.

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: _____, 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.: 2024-57

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 the 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: _____, 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. 2024-69

INTRODUCED BY: Council President Ron Jackson

MOTION FOR ADOPTION BY:

CO-SPONSORED BY: Mayor Annette M. Blackwell

**A RESOLUTION OF SUPPORT FOR THE REPLACEMENT OF THE
CUYAHOGA COUNTY CIGARETTE TAX FOR ARTS AND CULTURE.**

WHEREAS, Cuyahoga County's arts and culture non-profit sector supports thousands of jobs and results in hundreds of millions of dollars of annual economic activity; and

WHEREAS, Cuyahoga County's non-profit arts and culture organizations support and enrich education programs for children throughout our County; and

WHEREAS, Cuyahoga County's arts and culture strengthens our neighborhoods, attracts visitors to our region and enhances our quality of life; and

WHEREAS, Cuyahoga County voters passed a small tax on cigarettes in 2006 and a renewal of that tax in 2015 that provides dedicated, public funding to support non-profit arts and culture organizations and initiatives in Cuyahoga County; and

WHEREAS, the proceeds from this cigarette tax have strengthened the vitality of our arts and culture ecosystem; and

WHEREAS, the proceeds from this cigarette tax have touched nearly every community in our County through the funding of more than 485 arts, cultural, educational and community organizations at more than 2,300 locations; and

WHEREAS, the revenues from the tax have declined by 50% since its inception; and

WHEREAS, a replacement of this tax is needed and will be placed before Cuyahoga County voters in the November 2024 General Election; and

WHEREAS, Cuyahoga County's ability to sustain and further develop its arts and culture sector will be placed at risk without the replacement of this cigarette tax as a dedicated funding source.

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 hereby endorses the passage by voters in the November 2024 General Election of a replacement of Cuyahoga County's excise tax on tobacco products for the purpose of funding non-profit arts and culture organizations and initiatives; and

Section 2. The Council asks the residents of Maple Heights and the other residents of Cuyahoga County to join its members in supporting the passage of the expansion of Cuyahoga

County's excise tax on tobacco products for the purpose of funding non-profit arts and culture organizations.

Section 3. The Council provides that this Resolution and the representations made herein be provided to the public and to appropriate members of the news media.

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.

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

8/19/2024

PRELIMINARY LEGISLATION

(LPA-ODOT-Let Project Agreement)
(PARTICIPATORY)

Ordinance # : 2024-70

PID No. : 119972

County/Route/Section : CUY Greenhurst Drive Bridge Demo

LPA Agreement No. : 39536

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

SECTION I – Project Description

WHEREAS, the LPA has determined the need for the described project:

Demolition of the existing closed Greenhurst Drive bridge over Mill Creek and installation of vehicular turn-around for safety services and school buses in the City of Maple Heights.

NOW THEREFORE, be it ordained by the City of Maple Heights of Cuyahoga County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The LPA agrees to participate in the cost of the project. The LPA agrees to assume and contribute the entire cost and expense of the improvement less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, United States Department of Transportation.

The LPA agrees to assume and bear one hundred percent (100%) of the cost of right-of-way and environmental documentation. The LPA agrees to assume and contribute the entire cost and expense of the preliminary engineering less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of the preliminary engineering from funds allocated by the Federal Highway Administration, United States Department of Transportation.

The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

SECTION IV Authority to Sign

The LPA hereby authorizes the MAYOR of said City of Maple Heights to
(Signature authority) (LPA-or its division, department or agency)
enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the MAYOR is also empowered to execute any appropriate documents to
(Signature authority)
affect the assignment of all rights, title, and interests of the City of Maple Heights to ODOT arising from any
(LPA)
agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION V – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

8/19/2024

PID No.: 119972

SECTION VII-Emergency measure

(as applicable)

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

Passed: _____, 2024.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

8/19/2024

PID No.: 119972

**CERTIFICATE OF COPY
STATE OF OHIO**

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

I, _____, as Clerk of the City of Maple Heights
(LPA)
of Cuyahoga County, Ohio, do hereby certify that the foregoing is a true and correct copy of

ordinance adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Maple Heights on the _____ day of _____, 2024.
(LPA)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____ 2024.

SEAL

(Clerk)

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

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

RESOLUTION NO.: 2024-71
INTRODUCED BY: Mayor Annette M. Blackwell
MOTION FOR ADOPTED BY:
CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR POTENTIAL GRANTS 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 applications for financial assistance for capital infrastructure improvement projects.

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 2025 Capital Infrastructure Improvement Projects:

1. Tabor Avenue Water Main Replacement Project
2. Southwest Sewer District Sewer Improvements Project - Phase 3

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 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 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 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: _____, 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. 2024-71

Page Two

RESOLUTION NO.: 2024-72

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PLANNING AND DEVELOPMENT AND ENGINEER TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR 2025, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, Cuyahoga County, as an Urban County designated by the Department of Housing and Urban Development (“HUD”), receives and administers an annual entitlement from the Community Development Block Grant (“CDBG”) program through the Cuyahoga County Department of Development; and

WHEREAS, the Department of Development carries out various housing and community development activities with Community Development Block Grant (“CDBG”) funds including funding eligible activities carried out by other units of local government through the County’s Municipal Grant Program, which eligible activities include: a) community master plans; b) housing and commercial demolition; c) infrastructure; d) public safety; e) streetscapes; f) parks and playgrounds; or g) community and senior centers; and

WHEREAS, the City of Maple Heights is a local government eligible to receive CDBG funding for an eligible activity through the Municipal Grant Program; and

WHEREAS, The Mayor, Director of Planning and Development and Engineer have advised Council that CDBG funds may be available through the 2025 Community Development Block Grant (CDBG) program through the Cuyahoga County Department of Development in an amount not exceeding One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), to fund improvements at the Maple Heights Senior Center which will improve accessibility to both the front and the rear entrances to the building.

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, Director of Planning and Development and Engineer are hereby authorized to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDBG funding through the 2025 Municipal Community Development Block Grant program for the following project:

Maple Heights Senior Center Accessibility Project

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 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

Resolution No. 2024-72

Page Two

RESOLUTION NO.: 2024-73

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF PLANNING AND DEVELOPMENT AND HOUSING ADMINISTRATOR TO MAKE APPLICATION TO THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT (CDSG) PROGRAM FOR 2025, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 714.02 of the Cuyahoga County Code, there is created the Cuyahoga County Community Supplemental Block Grant (CDSG) Program to be administered in conjunction with and using the same grant process as the County Community Development Block Grant (CDBG) Program; and

WHEREAS, the Cuyahoga County Community Development Supplemental Grant (CDSG) Program shall be administered by the Cuyahoga County Executive through the Cuyahoga County Department of Development; and

WHEREAS, the CDSG Program shall be funded through the County Casino Revenue Fund established in Chapter 709 of the County Code. Fifteen percent (15%) of the funds transferred into the Casino Revenue Fund annually shall be used to fund projects approved through the Cuyahoga County Community Development Supplemental Grant (CDSG) Program; and

WHEREAS, CDSG funds are available to eligible municipal corporations to fund projects meeting a community development need related to the health or welfare of the community, which projects include: a) community master plans; b) housing and commercial demolition; c) infrastructure; d) public safety; e) streetscapes; f) parks and playgrounds; or g) community and senior centers; and

WHEREAS, the City of Maple Heights is a municipal corporation eligible to receive CDSG funding for an eligible activity through the Municipal Grant Program; and

WHEREAS, the Mayor, Director of Planning and Development and Housing Administrator have advised Council that CDSG funds may be available through the 2025 Cuyahoga County Community Development Supplemental Grant (CDSG) Program through the Cuyahoga County Department of Development in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), to fund an exterior home repair grant program to help maintain the City's housing stock. (Maple Heights Exterior Home Repair Grant Program).

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, Director of Planning and Development and Housing Administrator are hereby authorized to make application, sign and file all necessary contracts and documents with the Cuyahoga County Department of Development for CDSG funding through the 2025 Cuyahoga County Community Development Supplemental Grant (CDSG) Program for the following project:

Maple Heights 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 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

RESOLUTION NO.: 2024-74

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

A RESOLUTION AUTHORIZING THE ENGINEER TO INCLUDE THE CONSTRUCTION OF BUS STOP CONCRETE PADS AND SIDEWALK IN THE PLANS AND SPECIFICATIONS TO BE ADVERTISED FOR BIDS FOR CONCRETE PAVEMENT REPAIRS ON VARIOUS STREETS LOCATED WITHIN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, the Greater Cleveland Regional Transit Authority (GCRTA) has informed the Mayor and the Engineer that they will commit to the immediate installation of a bus shelter on the north side of Southgate Park Boulevard, approximately 150 feet west of Northfield Road if the City of Maple Heights constructs the concrete bus pad and sidewalk as required to access the Northfield Road intersection; and

WHEREAS, the Greater Cleveland Regional Transit Authority (CGRTA) has informed the Mayor and the Engineer that they will commit to the immediate relocation of a bus stop bench to 5321 Warrensville Center Road if the City of Maple Heights constructs the concrete pad for the bench; and

WHEREAS, on September 6, 2023, by **Resolution No. 2023-84**, Council authorized the Mayor to make application to the District One Public Works Integrating Committee and the Ohio Public Works Commission (OPWC) for financial assistance for the Southgate Boulevard Improvement Project – Warrensville Center Road to Northfield Road; and

WHEREAS, the Ohio Public Works Commission (OPWC) has awarded \$243,000.00 of financial assistance for the Southgate Boulevard Improvement Project – Warrensville Center Road to Northfield Road; and

WHEREAS, on September 20, 2023, by **Resolution No. 2023-90**, Council authorized the Mayor to apply for funding from Northeast Ohio Areawide Coordinating Agency (NOACA), through the Transportation For Livable Communities Initiative (TLCI) Implementation Program for the Southgate Park Boulevard Resurfacing Project; and

WHEREAS, NOACA has awarded \$825,000.00 of financial assistance, through the TLCI Implementation Program, for the Southgate Boulevard Improvement Project – Warrensville Center Road to Northfield Road; and

WHEREAS, the installation of a bus shelter on the north side of Southgate Park Boulevard, and sidewalk as required to access the Northfield Road intersection, is a component part of the Southgate Boulevard Improvement Project – Warrensville Center Road to Northfield Road; and

WHEREAS, on May 15, 2024, by **Resolution No. 2024-45**, Council authorized the City Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the 2024 Pavement Repair Program which includes concrete pavement repairs; and

WHEREAS, the installation of a bus shelter pad on the north side of Southgate Park Boulevard, and sidewalk as required to access the Northfield Road intersection, along with the concrete repair work being performed under the 2024 Pavement Repair Program concrete repairs, will expedite the construction of the bus shelter and save the cost of purchasing the bus shelter as part of the Southgate Boulevard 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 City Engineer is hereby authorized to include the construction of the bus shelter concrete pad on Southgate Park Boulevard and approximately 150 feet of sidewalk as required to access the Northfield Road intersection along with the construction of a concrete pad at 5321 Warrensville Center Road in the plans and specifications for the concrete pavement repair work in the 2024 Pavement Repair Program 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 and general welfare of the residents of the City, and further to begin the project in a timely manner so that pavement repair work can be completed during the 2024 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: _____, 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.: 2024-75

INTRODUCED BY: Mayor Annette M. Blackwell

MOTION FOR ADOPTION BY:

CO-SPONSORED BY:

AN ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY (180) DAYS ON PERMITTING NEW ESTABLISHMENTS THAT SELL OR DISTRIBUTE “TOBACCO PRODUCTS”, “VAPOR PRODUCTS”, “ALTERNATIVE NICOTINE PRODUCTS”, AND/OR “ELECTRONIC SMOKING DEVICES” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

WHEREAS, Council, pursuant to the Constitution of the State of Ohio, the Ohio Revised Code, the City’s Charter, Codified Ordinances, and Zoning Code, has the power to enact Planning and Zoning laws that are for the health, safety, welfare, comfort and peace of the citizens of the City of Maple Heights, including restricting areas used for businesses and trades; and

WHEREAS, the City has a legitimate, substantial and compelling interest in encouraging economic investment in the City while protecting residents from criminal activity and health risks; and

WHEREAS, there has been an increase in new retail establishments in the City that sell or distribute “tobacco products”, “vapor products”, “alternative nicotine products”, and/or “electronic smoking devices” (hereinafter collectively referred to as “tobacco and vapor products”), as defined in section 2927.02 of the Ohio Revised Code and Section 819.01 of the City’s Codified Ordinances; and

WHEREAS, Council believes that the operation of businesses that sell or distribute tobacco and vapor products may have an inappropriate impact on minors and the location of businesses that sell or distribute tobacco and vapor products near schools, playgrounds, parks, residential neighborhoods and small businesses may be inappropriate and have an adverse impact on property values, health, safety and welfare in the City; and

WHEREAS, Council finds that it is in the best interests of the health, safety, and welfare of the citizens to impose a moratorium period on permitting the establishment of new businesses in the City that sell or distribute tobacco and vapor products so that it may study, review and better understand the impact that businesses selling or distributing tobacco and vapor products have on the residents of the City, especially minors, residential neighborhoods, visitors to the City, and other businesses in the City, in order to consider the need to enact reasonable regulations as to the size, number and location of businesses that sell or distribute tobacco and vapor products in the City.

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 imposes a moratorium, for a period not to exceed One Hundred Eighty (180) days from the effective date of this Ordinance, unless later extended by Council, on the establishment of new businesses selling or distributing tobacco and vapor products in the City during which such moratorium no applications for use permits or variances pursuant to the City's Zoning Code to establish a business for the sale or distribution of tobacco and vapor products shall be accepted by the City's Building Department and no use permit or variance under the City's Zoning Code shall be granted by the City's Planning and Zoning Commission permitting the establishment of businesses selling or distributing tobacco and vapor products at any location within the City.

Section 2. Council finds that a moratorium of One Hundred Eighty (180) days is reasonable and will allow for a comprehensive review and study of the impact of permitting new establishments selling or distributing tobacco and vapor products within the City.

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 a moratorium is immediately necessary to study the impact of new businesses seeking to sell or distribute tobacco and vapor products within 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

City of Maple Heights | Council Expenditures Approval & Disclosures

Wednesday, September 4, 2024

Furniture, Fixtures, Equipment Expenditures over \$5,000.00

PURCHASE ORDER NUMBER	Date Requested	APPROVAL NUMBER	Requested By	Fund/Dept. Account	Fund	Department	Account Name	Beginning Overall "Professional Services/Other" Budget	Department Cost	Remaining Overall "Professional Services/Other" Budget Balance	VENDOR	ITEM and DESCRIPTION
								GRAND TOTAL	\$0.00	All Approved		YES _____ NO _____
								Council Expenditures over \$25,000.00				
2024-00402	08/26/24	2024-006	Service Director	270-6100-55078	SCMR	Streets	Pavement Repair	\$1,998,798.62	\$17,500.00	\$1,981,298.62	Kokosing Materials	Hotmix asphalt for street repairs
				219-6100-56001	Water Use	Streets	Asphalt (CWD Repairs)	\$49,000.00	\$10,000.00	\$39,000.00		Hot Mix for CWD repairs
				100-4000-55080	General	Building		\$461,168.54	\$3,000.00	\$458,168.54		
				100-7160-55080	General	Lands & Building		\$1,621,175.56	\$1,500.00	\$1,619,675.56		
				100-7170-55080	General	MHCSD		\$3,997,322.06	\$46,500.00	\$3,950,822.06		
				240-3520-55080	Senior Svcs	Senior Center	Gas/ Fuel	\$54,104.45	\$7,500.00	\$46,604.45	Meizer	Unleaded and Diesel Fuel
				252-1100-55080	Amb. Billing	Police		\$644,790.85	\$36,000.00	\$608,790.85		
				252-1200-55080	Amb. Billing	Fire		\$329,851.26	\$16,500.00	\$313,351.26		
				270-6100-55080	SCMR	Streets		\$1,998,798.62	\$39,000.00	\$1,959,798.62		
								GRAND TOTAL	\$177,500.00	All Approved		YES _____ NO _____

Disclosure: Purchase Orders over \$10,000.00

PURCHASE ORDER NUMBER	Date Requested	APPROVAL NUMBER	Requested By	Fund/Dept. Account	Fund	Department	Account Name	Beginning Overall "Professional Services/Other" Budget	Department Cost	Remaining Overall "Professional Services/Other" Budget Balance	VENDOR	ITEM and DESCRIPTION
2024-00716	08/12/24	N/A	Fire Chief	252-1200-55082	Ambulance Billing	Fire	Uniforms	N/A	\$11,750.00	N/A	Warren Fire/MES	Firefighting Gear
2024-00084	08/22/24	N/A	Service Director	100-7160-55079	General	Service	Traffic Signal Repairs	N/A	\$14,500.00	N/A	Signal Service	Traffic Signal Repairs
	08/22/24	N/A	Service Director	100-7160-55072	General	Service	Vehicle Parts/Repairs	N/A	\$12,895.20	N/A	Altec Industries	Repair cylinder leaks, hoses and boom for anal lift to pass yearly state inspection on #86 serv.
2024-00735	08/23/24	N/A	Service Director	270-6100-55071	SCMR	Streets	Maintenance	N/A	\$21,815.00	N/A	Bain Enterprises	New Roadway Signage

Amount corrected from \$198,798.62 to \$1,998,798.62