

**City of Maple Heights
Caucus and Regular Council Meeting Minutes**

Maple Heights Senior Center

January 21, 2015

Council President Jackie Albers called the caucus to order at 6:30 p.m. with all members present. Also present were Mayor Jeffrey Lansky, Assistant Law Director Blair Melling, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, and Council Clerk Katherine Unger. Finance Director Irene Crowell was absent and excused. The legislation and bill list on the agenda for the meeting was discussed. Caucus ended at 7:15 p.m.

Council President Jackie Albers called the meeting to order at 7:20 p.m. Councilman Richard Trojanski of District 6 gave the Invocation and led the Pledge of Allegiance to the Flag. Clerk of Council Katherine Unger called the roll.

ROLL CALL: Those present were Council President Jackie Albers, Council Members Alex Adams, Toni Jones, Anthony Cefaratti, Ron Jackson, Bill Brownlee, Richard Trojanski and Edwina Agee.

Also present were Mayor Jeffrey Lansky, Assistant Law Director Blair Melling, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, and Council Clerk Katherine Unger. Finance Director Irene Crowell was absent and excused.

ADDENDUM: None

MINUTES:

Mr. Adams made a motion, seconded by Mr. Trojanski to approve the Minutes from the Regular Meetings on October 15, 2014 and November 5, 2014 as presented. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones, Cefaratti, and Jackson. Present: Brownlee. The motion passed.

COMMUNICATIONS

From Mayor Jeffrey A. Lansky:

The Mayor's Court report for the month of December, 2014.

From Terrell Priester, System Manager of WOW Cleveland:

A notice to the Clerk of Council to inform the City that on or after April 14, 2015, the WOW Limited Basic Cable line-up will transition to an all-digital format and that limited basic cable will need to connect a digital adapter to any TV that does not already have digital equipment.

From the Department of Liquor Control:

An amended request for the transfer of a C1 and C2 Liquor License from Ayesha Gas Inc. at 14196 Granger Road to Bangla Gas Inc. at 14196 Granger Road in the City of Maple Heights, Ohio.

COMMITTEE REPORTS: no report.

DEPARTMENT REPORTS:

Fire Department – Chief Vito Kavaliunas reported that the Fire Department received 288 fire calls this month and that three Lieutenants and three Captains were promoted.

Law Department - Mr. Blair Melling had no report.

Police Department – Chief John Popielarczyk reported that the Police Department received 1,161 calls this month and responded to 13 burglaries. The Chief also cautioned drivers to be careful on slippery streets during the snow season.

Human Service Department – Mrs. Linda Vopat reported that \$22,000.00 in donations have been received and that people are still able to donate. Ms. Vopat stated that AARP would begin doing taxes on January 31st by appointment only.

Finance Department – Ms. Irene Crowell was not present.

CITIZENS COMMENTS:

Mr. Rich Thompson of 5616 Jefferson Street thanked John Montello and Cheryl Seidenwand for their help in correcting an assessment on his taxes that was inaccurate. Mr. Thompson also stated that District 5 needs the Councilman to send out flyers to stop the garbage being put out too early and the garbage cans picked up too late.

LEGISLATION:**ORDINANCE NO.: 2014-92**

AN ORDINANCE AUTHORIZING REPAYMENT OF ADVANCES MADE TO THE SOLID WASTE COLLECTION FUND (251) FROM GENERAL FUND REVENUES AND CREATING SECTION 240.11 OF THE CODIFIED ORDINANCES AUTHORIZING REPAYMENT OF ADVANCES MADE FROM GENERAL FUND REVENUES TO SPECIAL REVENUE FUNDS AND DECLARING AN EMERGENCY

As this Ordinance was on its third reading, Mr. Adams made a motion, seconded by Ms. Jones to adopt the Ordinance. Ms. Albers asked for any discussion. Mr. Jackson commented that although he received several documents from the Finance Director, he did not feel that the numbers in her report matched up. Mr. Brownlee also stated that he did not agree with the Ordinance. ROLL CALL. Ayes: Trojanski, Agee, Adams, and Jones. Nays: Cefaratti, Jackson, and Brownlee. The Ordinance passed by the vote of 4 ayes and 3 nays and will become law in 30 days.

RESOLUTION NO.: 2015-01

A RESOLUTION PUBLICLY CENSURING AND ADMONISHING COUNCIL MEMBER BILL BROWNLEE FOR VIOLATING THE RULES OF THE COUNCIL OF

THE CITY OF MAPLE HEIGHTS REGARDING THE CONFIDENTIALITY OF DISCUSSION HELD WHILE IN EXECUTIVE SESSION, AND DECLARING AN EMERGENCY

This Resolution had its first Reading.

Mr. Brownlee objected to the Resolution and stated that the Code Sections were incorrectly referenced and that the Council President cannot introduce legislation because according to the Charter and the Rules of Council, she is not a member of Council.

Ms. Jones addressed the audience and explained that the Council had an executive session in order to question Councilman Brownlee and not to embarrass him on the floor regarding an issue about the food pantry. Mr. Adams stated that he agreed with Ms. Jones.

RESOLUTION NO.: 2015-02**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DEMOLITION PROGRAM AGREEMENT WITH THE CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT FOR PARTICIPATION IN THE COUNTY'S DEMOLITION PROGRAM IN THE CITY OF MAPLE HEIGHTS IN 2015, AND DECLARING AN EMERGENCY**

This Resolution had its first Reading.

RESOLUTION NO.: 2015-03**A RESOLUTION DECLARING FEBRUARY 4, 2015 AS "ROSA PARKS DAY OF COURAGE" IN THE CITY OF MAPLE HEIGHTS, OHIO, AND DECLARING AN EMERGENCY**

Mr. Adams made a motion, seconded by Mr. Jackson to suspend the rules and place the Resolution on its third and final reading. Ms. Albers asked for discussion.

Mr. Jackson commented that he thinks everyone in the room knows who Rosa Parks was and how she helped with the Civil Rights movement to achieve voting rights and equality for African Americans.

The roll was called for suspension. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones, Cefaratti, and Jackson. Nay: Brownlee.

Mr. Adams made a motion, seconded by Ms. Jones to adopt the legislation. Ms. Albers asked for any further discussion.

Mr. Brownlee asked what is proposed to be done on Rosa Park's day. Mr. Trojanski answered that like many officials and cities across the nation who have presented proclamations and resolutions, the Resolution is to bring awareness to the public as a symbolic gesture, and does not

necessarily mean that there will be any programs. Mr. Brownlee then asked why February 4th was chosen as the day. Mr. Trojanski stated that it was her birthday and is celebrated on that day across the country.

Mr. Jackson made the suggestion that on February 4th, everyone go to the Library and read up on Black history.

Ms. Albers asked that the roll be called for adoption. Ms. Unger started to call the roll. Mr. Brownlee interrupted and was not recognized by the chair. Mr. Melling stated that Mr. Brownlee was out of order as the roll was being called. Mr. Brownlee continued to interrupt. Mr. Melling asked that the Sergeant of Arms take his position. Ms. Albers stated that she is not recognizing Mr. Brownlee. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones, Cefaratti and Jackson. Mr. Brownlee did not respond to the vote. Mr. Melling called his vote an *Abstain*.

ORDINANCE NO.: 2015-04

AN ORDINANCE AMENDING SECTION 452.25 OF THE CODIFIED ORDINANCES REGARDING MUNICIPAL TOWING CONTRACTS AND RATES IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

Mr. Adams made a motion, seconded by Mr. Jackson, to suspend the rules and place the Ordinance on its third and final reading. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones, Cefaratti and Jackson. Nays: Brownlee. Mr. Adams made a motion, seconded by Mr. Jackson to adopt the Ordinance.

Mr. Brownlee made a motion, seconded by Mr. Jackson, to amend Ordinance number 2015-04(b) to delete the words, "City owned vehicles shall be towed at no cost." because he stated that he believes it should be part of the contract. ROLL CALL. Ayes: Adams, Cefaratti, Jackson, Brownlee, Trojanski and Agee. Nay: Jones. The motion passed.

Ms. Unger called the roll on adoption. All voted aye, none opposed, the motion passed. The Ordinance passed by the vote of 7 ayes and 0 nays and will become law upon the Mayor's signature.

EXPENDITURES OVER \$1,000.00:

Mr. Jackson made a motion, seconded by Mr. Adams, to approve the expenditures over \$1000.00 numbered 2015-01 through 2015-08. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones, and Jackson. Present: Cefaratti and Brownlee. The motion passed.

MAYOR'S REPORT: The Mayor had no report.

COUNCIL REPORTS:

Councilman Richard Trojanski District 6 reported on the Workforce 360, Ohio Guidestone's Workforce Development Program that helps young adults and adults become competent in a

professional setting and also with their personal life. Mr. Trojanski stated that he will have an Outreach Program on Monday, June 1st at the Maple Heights Library to register applicants for this program from 7:00 p.m. to 8:00 p.m. Mr. Trojanski stated that he is also working with ESOP to create a home buyer education program for Maple Heights.

Councilwoman Edwina Agee, District 7 reported that on February 19th, she will be having a round table discussion with Maple Heights High School Seniors with guest speakers from the Police Department to explain how the laws change once a teenager becomes an adult. Ms. Agee stated that District 7 Block Watch Meetings will start back up in March. Ms. Agee gave a report on the development of Southgate and reported that Dot's Clothing store will be returning to Southgate and Rue 21 Clothing Store will be added to the growing list of stores.

Councilman Alex Adams, District 1 thanked the Mayor and the Service Department for keeping the roads clear during the bad weather and reported that the constant complaint from many residents is the garbage being put out too early and the empty cans staying out too long. Mr. Adams apologized to the audience that they had to hear the disagreements that the Council is having. Mr. Adams stated that Mr. Brownlee, like all of Council, is entitled to his own opinion, and it's up to the residents to decide who they believe, and he would like to have Mr. Brownlee bring evidence to support his statements. Mr. Adams stated that it is the responsibility of each Council person to get information from the Department Heads and the Mayor to make the right decisions for the City.

Councilwoman Toni Jones, District 2 reported that she attended a meeting with the First Suburbs Consortium regarding updating Code Enforcement throughout the County and streamlining public information.

Councilman Anthony Cefaratti, District 3 thanked everyone for coming to the meeting.

Councilman Ron Jackson, District 4 thanked Mr. Thompson for his diligence for having his tax assessment corrected as it has also helped other people who may have had the same problem. Mr. Jackson stated that he has a real problem with a certain person who voted against the Rosa Parks legislation and a year ago voted against the Resolution promoting awareness to Multiple Sclerosis, both topics which are dear to his heart. Mr. Jackson read a portion of the Rosa Parks Resolution regarding the Supreme Court ruling on November 13, 1956 stating that the Montgomery segregation laws were unconstitutional.

Councilman Bill Brownlee, District 5 stated that a year ago, on February 5th, when he attempted to place something in committee, the entire Council had a burst of confusion and no one knew what to do. Mr. Brownlee stated that now, a year later, members of Council are still completely ignorant of the rules that govern the body of Council. Mr. Brownlee also explained that in January 2014, at his first Council meeting, when he asked a question, the other members of Council gave him "a look" and then the Mayor tried to intimidate him, in the crassest, and most illegal of ways; by disclosing my private income tax information, which he unlawfully gained. Mr. Brownlee stated that it has become a practice in the City, so on the 12th of January he filed a lawsuit against certain Administration and City Officials for violating his rights and those of the community.

Ms. Albers reminded Mr. Brownlee that he is talking about his private business and that is not appropriate during his report. She added that it is an ongoing case and asked why he is discussing it here. Mr. Brownlee stated that the Administration and the Officials need to read the law and the City is in shambles because of lawlessness. Ms. Albers asked Mr. Brownlee to give a report on District 5.

Mr. Brownlee continued, therefore, Ms. Albers asked for a motion to adjourn the meeting. Ms. Jones made a motion that was seconded by Mr. Adams to adjourn. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones Cefaratti, and Jackson. Nay: Brownlee. The motion passed.

Council President Jackie Albers stated that the Council has been called ignorant, stupid, and incompetent, and she added that she is sorry that the resident had to listen to this. Ms. Albers did not give a report and adjourned the meeting at 8:10 p.m.

Passed: March 4, 2015

ATTEST:

S/S Katherine M. Unger, CMC
Clerk of Council