

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

Maple Heights Senior Center

March 18, 2015

Council President Jackie Albers called the caucus to order at 6:30 p.m. with the following Council members present: Albers, Adams, Jones, Cefaratti, Jackson, Brownlee, Trojanski and Agee. Also present were Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, and Council Clerk Katherine Unger. Mayor Jeffrey Lansky was absent and excused.

The legislation on the agenda for the meeting was discussed. Mr. Brownlee commented that a reduction of compensation for all employees and City Officials should be considered in the budget for this year. Mr. Brownlee also commented that according to a survey in Cleveland.com, his legislation reducing the Mayor's salary is in line with the results of the survey. In addition, Finance Director Irene Crowell explained changes that were made to the Appropriation Ordinance being considered at Council Meeting including a generator lease for \$48,227.00, a secretary position that was moved to the Fire Department, loss of employees with pay outs, and overtime. Ms. Crowell explained that the appropriations for 2014 included many expenses from 2013 that were not paid and the Special Funds are self sustaining because funds are collected to cover the costs. Ms. Crowell stated that some of the funds have contingencies included in case unexpected expenses occur. Caucus was adjourned at 7:20 p.m.

Council President called the Regular meeting to order at 7:20 p.m. Councilman Anthony Cefaratti of District 3 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 Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, and Council Clerk Katherine Unger. Mayor Jeffrey Lansky was absent and excused.

MINUTES:

Mr. Adams made a motion, seconded by Mr. Trojanski to approve the minutes of the Work Session on January 26, 2015, the Regular Council Meeting held on March 4, 2015 as amended, the Special Meeting on March 11, 2015, and the Work Session Meetings for 2014. Mr. Brownlee commented that he does not believe that the Work Session minutes are minutes, but only a recording of who showed up and a version of the agenda in sentence form. He stated that there is no description of the discussion of the meeting. ROLL CALL. Ayes: Adams, Jones, and Trojanski. Nays: Brownlee. Present: Cefaratti, Jackson, and Agee. The motion received votes of 3 ayes, 1 nay, and 3 present, therefore it did not pass.

COMMUNICATIONS: None

COMMITTEE REPORTS:

Ms. Albers reported on the Committee of the Whole Meeting held on March 11, 2015 at 6:00 p.m. at the Senior Center, where the State Auditors explained the conditions of the Fiscal Emergency Status of the City and also spoke about the formation of an Oversight Committee and their duties.

DEPARTMENT REPORTS:

Fire Department – Chief Vito Kavaliunas announced that the Fire Department has received 1034 calls to date for 2015. The Chief reported that work has continued to switch the Fire Department dispatch to the new Southeast Communications Center, to formulate new operational guidelines, and to incorporate the City of Garfield Heights into their automatic fire response. The Chief stated that Bedford and Bedford Heights will be switched over to the new center on March 19th and Maple Heights and Garfield Heights will be switched over on June 2nd.

Law Department - Mr. John Montello reported that there have been over three million dollars in cuts to the budget this year. Mr. Montello stated that in addition to the cuts by the State of Ohio to the City, the Administration has been working continuously for several years to cut spending. Mr. Montello added that there is just nowhere else to save money, and that new revenue is needed.

Police Department – Chief John Popielarczyk stated that there have been 4,405 calls for service so far this year to the Police Department. Chief Popielarczyk reported on several shootings that have occurred in the last few days and stated that anyone with information should call the Police Department.

Human Service Department – Mrs. Linda Vopat expressed her condolences to the family of the City's transportation coordinator whose son recently died and reported that \$400.00 was sent to the Senior Center from the Bob Evans Fund Raiser, where 93 people came to participate. Ms. Vopat reminded everyone to purchase their Girl Scout cookies from the troop at the meeting.

Finance Department – Ms. Irene Crowell had no report.

CITIZENS COMMENTS:

Ms. Alfreda Abbadini thanked the Service Department for the great job they did plowing snow this winter despite a terrible winter, only 6 employees and limited snow plows and salt. Ms. Abbadini also thanked the Police and Fire Departments for their assistance with an accident during a storm on Rockside Road, in which a family member was a victim. Ms. Abbadini stated that the Council and Mayor's pay should remain where it is now and that members of Council should vote yes or no, not present.

Ms. Angela Madden of 5555 Gardenvue Drive asked for a list of houses that will be demolished and stated that the Council salaries should not be changed. Ms. Madden asked for the financial

reports to be posted on the City's web site and complained about people who place their garbage and trash out too early.

LEGISLATION:

ORDINANCE NO.: 2015-08

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF MAPLE HEIGHTS, STATE OF OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND DECLARING AN EMERGENCY.

This Ordinance had its second Reading. Mr. Brownlee asked what the \$27,000.00 for professional services was for in the Legal Department on page 7 of the Appropriations. Mr. Montello stated that the City uses an independent Labor Attorney for the negotiations of the Union contracts and also to cover lawsuits. Mr. Jackson stated that he would like more meetings to go over the budget. Mr. Trojanski stated that he would like to schedule a Finance Meeting for Monday, March 23 to discuss the appropriations.

ORDINANCE NO.: 2015-09

AN ORDINANCE AMENDING SECTION 260.27 REDUCING THE SALARIES OF THE MAYOR, COUNCIL PRESIDENT AND MEMBERS OF COUNCIL FOR THE NEXT TERM COMMENCING JANUARY 1, 2016 IN THE CITY OF MAPLE HEIGHTS

As this Ordinance was on its third Reading, Mr. Adams made a motion to adopt the Legislation. Mr. Brownlee stated that it is Parliamentary Procedure to allow the introducer to make the motion to adopt. Ms. Albers stated that Mr. Adams has already made the motion, so Mr. Brownlee can second the motion. Mr. Brownlee seconded the motion. Mr. Brownlee stated that the Plain Dealer listed the salaries of the Mayors and Council members of most of the communities in Cuyahoga County, and that the salaries of Maple Heights' officials are a little above average, so because Maple Heights is below average, the salaries of our officials should also be below average. Mr. Brownlee stated that there are no statutes as to how officials should be paid; only that the Council sets the salary of the Mayor and Council and should consider the City's budget, the cost of living, and the time involved.

Mr. Adams stated that the Council has had three decreases in their salary in the past several years and has also cut the Mayor's salary for the next term, so the Mayor's position has made sacrifices also. Ms. Jones stated that very little of the Council members salary is to live on, if any, and that most of the money is donated back to the City by the majority of the members to the Senior Center, the Food Pantry, the Recreation Department, and other needs and organizations. Mr. Montello stated that to imply that this administration has not made any hard choices is wrong. Mr. Montello stated that the administration has been making cuts for the last eight years, cutting over 72 employees, programs, and services. Mrs. Vopat stated that the majority of the Council has donated hundreds and even thousands of dollars to her department to keep it operating. Ms. Agee stated that she asked Mr. Brownlee to donate his paycheck back to

the City. Mr. Brownlee stated that if the Council doesn't like the Ordinance, they can just consider this pay cut as a donation to the City.

Clerk Unger called the roll on the adoption of Ordinance Number 2015-09. ROLL CALL. Aye: Brownlee. Nays: Adams, Jones, Cefaratti, Jackson, Trojanski, and Agee. The motion and the Ordinance failed by the vote of 6 nays and 1 aye.

ORDINANCE NO.: 2015-11

AN ORDINANCE AUTHORIZING THE CITY OF MAPLE HEIGHTS TO ACCEPT THE TITLES TO PARCELS OF LAND AT 5130 LEE ROAD OBTAINED THROUGH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

This Ordinance had its first Reading. Mr. Brownlee asked for a separate motion for the land purchase specifically waiving the requirement that it be sent to the Planning and Zoning Commission for review.

RESOLUTION NO.: 2015 –12

A RESOLUTION DESIGNATING APRIL 2015 AS “PARKINSON'S AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

Mr. Jackson made a motion, seconded by Mr. Adams to suspend the rules and place the Resolution on its third and final reading. All voted aye, none opposed, the motion passed. Mr. Jackson made a motion, seconded by Mr. Adams to adopt the Resolution. All voted aye, none opposed, the motion passed. The Resolution 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. Adams made a motion, seconded by Mr. Jackson to approve the expenditure over \$1,000.00 numbered 2015-21. All voted aye, none opposed, the motion passed.

MAYOR'S REPORT: Mayor Lansky was not present.

COUNCIL REPORTS:

Councilman Anthony Cefaratti, District 3 reported that winter damage including ice and flooding has caused damage to the East 141st street elevations, residential garages and properties and that he is notifying the Engineer and Building Department of the problems. Mr. Cefaratti warned residents to be aware of the conditions of the roads from the damage this winter as there are many pot holes and some water damage as well. Mr. Cefaratti announced that he will not be seeking re-election this year in District 3 for personal reasons and he wanted to announce it early in hopes that someone will step up and run for office.

Councilman Ron Jackson, District 4 congratulated Mr. Cefaratti and thanked him for his years of service. Mr. Jackson reported that there is a problem in his district with trash being put out too early and would like the people cited who don't comply. Mr. Jackson reported that he attended the open house for the new dispatch center and stated that it is state of the art and will be a great asset for the City. Mr. Jackson also warned the residents about the pot holes in the roads and stated that the Service Department did the best they could under the harsh conditions that the City experienced this winter. Mr. Jackson stated that with the loss of revenue, the residents can expect a loss in services and some areas of the budget will need to be adjusted. Mr. Jackson stated that he is willing to meet as many times as it takes to hear everyone's ideas and suggestions to balance the budget.

Councilman Bill Brownlee, District 5 stated that now that the snow has melted, the trash and litter is all over the City, so he suggested that residents pick up the trash on their streets. Mr. Brownlee stated that this week is "Sunshine Week in Ohio" which was designated to shine light on operations of government in Ohio to help everyone learn how to access information about their government, including the official minutes. Mr. Brownlee stated that Cleveland.com has listed the Mayor's salaries in Cuyahoga County and that Maple Heights is a little above average. Mr. Brownlee requested that the budget be placed on the City's web site and that even though \$3 million was cut from the budget this year, City spent an extra \$3 million dollars last year over the 2014 appropriations. Mr. Brownlee stated that a levy will not pass until the people trust the officials.

Councilman Richard Trojanski District 6 commented that it is interesting to hear Mr. Brownlee's comments, and wonder what his motives are since he has pulled petitions to run for Mayor. Mr. Trojanski stated that he respects the legislation that Mr. Brownlee introduced, but that legislation is not going to move the City forward. Mr. Trojanski stated that he is working with the Finance Director to re-examine the company that collects our municipal income taxes that go directly to Police, Fire, Health and Human Services, infrastructure, especially street repair, and other policies to determine what works for the City. Mr. Trojanski stated another good example of moving the City forward is the amendment to the Rental Registration Ordinance requiring property owners to pay their property taxes or be on a payment plan before they obtain a rental license. Mr. Trojanski stated that the legislation may bring in most of the \$4 million that is owed to the City from delinquent landlords of both residential and commercial properties. Mr. Trojanski stated that the Council needs work together to examine policy that will bring constructive solutions to the City's problems. Mr. Trojanski stated that the City has economic development issues, housing issues, people who need jobs, education and medical insurance, and asked Mr. Brownlee what he has done since he has been on Council to address these important problems. Mr. Trojanski stated that his next newsletter will be coming out with details of the "Best Yard Contest" and that baseball registration will be held at Abraham Lincoln Elementary School at noon on Saturday, March 28th for children 5 to 16 years old.

Councilwoman Edwina Agee, District 7 reported that there will be a Block Watch meeting at 6:30 p.m. at the Library on March 19th, and also an opening for three intern positions for 16 year old or older students to work 20 hours per week, paying minimum wage, at Southgate, to shadow the Property Manager in her duties, and interested students may contact her for more details.

Councilman Alex Adams, District 1 stated that despite what Mr. Brownlee said, no one has misused any money in the City and the Finance Director is doing a good job. Mr. Adams stated that there is a real need for additional revenue in the City and that contingency revenue is always built into a budget, even in your own home for emergencies. Mr. Adams stated that no one can accurately foresee the future and predict that so many employees would leave or be laid off, no one could predict the gasoline, salt, and asphalt prices, and no one could predict the amount of overtime needed by our firemen to fight a fire like the one at Fannie Mae. Mr. Adams stated that the employees have taken furlough days, hospitalization increases, no raises for six years, and additional duties, so those that are left have done their part. Mr. Adams stated that the Council passed an Ordinance to put financial information on the web site and then the employee got another job and left the City. Mr. Adams stated that the Mayor, the Council and the Finance Director rely on the income we receive, and there is not enough revenue. Mr. Adams state that the Finance Director has met with all of the Directors in all the departments and that everyone is working to save every dollar they can. Mr. Adams also commented that the personal sacrifices that were made by Linda Vopat and the volunteers and donations that she solicited to keep the Senior Center opened, is to be commended. Mr. Adams reported on several complaints in his district included garbage out too early, blocked sewer grates, and unregistered contractors. Mr. Adams announced that the American Legion #309 will be having a fish fry every Friday from 4 to 7 p.m. during Lent.

Councilwoman Toni Jones, District 2 reminded everyone that the Girl Scouts are selling cookies at the meeting and the Boy Scouts are here to witness how their government operates. Ms. Jones asked the Boy Scouts and the residents if they can help to clean up the City because the re-assessment of homes will be done by the county this summer, which will directly affect the home's valuation. Ms. Jones wanted to let the audience know that all of the houses slated for demolition have been through a very stringent process before the list is presented to the County. Ms. Jones stated that most of the homes slated for demolition have between \$15,000.00 to \$30,000.00 worth of liens on their properties, and the owners just can't get out from under the debt. Ms. Jones stated that after a house in demoed by the County, another lien goes on the property until it goes into foreclosure to become "clean dirt", available for sale or transfer. Ms. Jones also stated that Mr. Brownlee asked the Finance Director why \$27,000.00 was budgeted as additional money for in the Law Department and Ms. Jones wanted the audience to know that Mr. Brownlee has brought two lawsuits against the City, one against the Mayor, the Council President and the Law Director, and the second against the rest of Council and the Clerk. Ms. Jones stated that it would have been nice if Mr. Brownlee had agreed to mediation instead of a lawsuit, so now, the lawsuits will be paid from taxpayer's dollars and have to be budgeted. Ms. Jones stated that she works for a Community Development Corporation and they had a landlord forum with the Cleveland Tenant's Association that she would like to have in Maple Heights and use some of her Council salary to fund the costs.

Council President Jackie Albers commented on one of the lawsuits that Mr. Brownlee brought on the City. Ms. Albers stated that there were many comments regarding the work session minutes because Mr. Brownlee thought that there wasn't enough discussion in them. Ms. Albers stated that the Council meets at Work Sessions a few times a year to discuss ideas and legislation with open doors and adequate notice to the public. Ms. Albers stated that nothing official is ever done at a work session; there were minutes for those meetings, and to chastise the Clerk for those

minutes is wrong. On a personal note, Ms. Albers stated that perhaps there are things that we can change, but Mr. Brownlee has been a Councilman for a year and three months, and has been trying to instill his rules onto the Council, especially about Parliamentary Procedure, while chastising many of us, but in reality, nothing has come from all of these rules. Ms. Albers stated that maybe with the salary that Mr. Brownlee wants to donate; the Council can hire someone to teach Parliamentary Procedure to everyone.

There being no further business to come before this Council, Council President Jackie Albers adjourned the meeting at 8:50 p.m.

Passed: April 1, 2015

ATTEST:

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