

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

Maple Heights Senior Center

June 18, 2014

Council President Jackie Albers called the meeting to order at 7:08 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 Mayor Jeffrey Lansky, Assistant Law Director Blair Melling, Finance Director Irene Crowell, Acting Chief John Popielarczyk, and Fire Chief John Drsek, and Human Services Director Linda Vopat.

SPECIAL PRESENTATION:

Mayor Jeffrey Lansky awarded the Annual Mayor's \$1,000.00 Scholarship to Maple Heights High School Senior Brianna Barnes for her outstanding academic achievements. Mayor Lansky stated that she will attend Kent State University and major in Interior Design.

There were no minutes for approval.

COMMUNICATIONS:

From Mayor Jeffrey A. Lansky:

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

From the Ohio Division of Liquor Control:

A request to the legislative authority for a new D2 Liquor license for MDM, LLC doing business as Paint and Wine Studio at 5152 Warrensville Center Road, Maple Heights, Ohio.

COUNCIL COMMITTEE REPORTS:

Committee Finance Chairman Richard Trojanski reported that a Finance Committee meeting was held on June 2, 2014 where the Finance Director Irene Crowell reported that through the end of May the City's revenue was \$7.7 million dollars but with expenses, the City had an ending balance of negative \$1.1 million dollars. He also reported that the Income tax collections for the month of May were down \$223,000.00.

Committee Chairman Alex Adams reported that a Public Works Committee meeting was held on June 11, 2014 where Ordinance 2014-25 was discussed regarding decreasing the number of Council members and re-districting. Mr. Adams reported that Councilman Anthony Cefaratti gave his reasons for introducing the Ordinance with all other members of Council giving their opinion of the Ordinance with emphasis on the financial condition of the City.

Committee Chairman Alex Adams reported that a second Public Works Committee meeting was held on June 16, 2014 where Ordinance 2014-26 was discussed regarding the elimination of the elected position of Council President and having the members of Council elect their own Council President who would have the same voting rights as the other members. Mr. Adams reported that Councilman Anthony Cefaratti gave his reasons for introducing the Ordinance with all other members of Council giving their opinion of the Ordinance and asked the Law Director several questions about how the amendment would affect other areas in the Charter and the Code, including who would break a tie.

Mr. Adams made a motion, seconded by Ms. Jones to bring Ordinance Numbers 2014-25 and 2014-26 out of Committee. and placed onto the Agenda for consideration by Council. ROLL CALL. Ayes: Adams, Jones, Cefaratti, Jackson Trojanski and Agee. Mr. Brownlee Abstained. The motion passed.

Mr. Adams made a motion, seconded by Ms. Jones to place Ordinance Numbers 2014-25 and 2014-26 placed onto the addendum for consideration by Council. ROLL CALL. Ayes: Adams, Jones, Cefaratti, Trojanski and Agee. Nay: Jackson. Mr. Brownlee Abstained. The motion passed.

DEPARTMENT REPORTS:

Fire Department – Chief John Drsek reported that his department responded to house fires at 5448 South Blvd on May 30th with \$15,000.00 in damages and 20668 Donnybrook Drive on June 14th with \$55,000.00 in damages. Chief Drsek also reported that the City's insurance rating went from a Class 4 to a Class 3 rating based off of Dispatch capabilities, water supply and Fire Department staffing and equipment. Finally, Chief Drsek reported the retirements of Captain Plunkett effective June 4th with 28 years of service and Firefighter David Gustely effective June 16th with 28 years of service.

Law Department - Mr. Blair Melling had no report.

Police Department – Chief John Popielarczyk reported that there were 2,142 calls for service in the month of May and that many of them were for false alarms that will be billed by the City.

Human Service Department – Mrs. Linda Vopat apologized to the residents that the shredding truck did not show up and that the company will be at Stafford Park for another shred day on July 19, 2014 from 9a.m to 1 p.m. Ms. Vopat also reminded everyone that there will be a fund raiser for the Senior Center on Sunday June 22, 2014 at St. Andrews Church and that tickets are \$20.00 and available at the Senior Center.

Finance Department – Ms. Irene Crowell reported that the Finance Department is busy working on 3 audits, 2 budgets and other mandatory reports.

CITIZENS COMMENTS:

Mr. Bob Halen of 16226 Maplewood Court expressed his opinion regarding the Speed Cameras and stated that they are good for the City to protect our children from speeders.

Ms. Marilyn Phillips of Schreiber Road stated that the question of the speed cameras should be up to the voters of the City.

Ms. Joanne Majoris of Tokay Avenue reported on the many venues available for residents to recycle and also classes that residents could attend on how to and what to recycle.

Mr. Andrew Herring, Mgr. at the Maple Heights Library reported that the construction on the Library is finally coming to a close and that the ribbon cutting would be held at 4p.m on July 10th with a outdoor movie at night from 7 to 10 p.m. with children's activities.

Ms. Cheryl Clark of Beverly Avenue invited everyone to a High School fund raiser on June 28th .

LEGISLATION:

ORDINANCE NO.: 2014-25

AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS PROPOSED AMENDMENTS TO ARTICLE VII, SECTION 1 AND ARTICLE XVII OF THE CHARTER OF THE CITY OF MAPLE HEIGHTS DECREASING THE MEMBERS OF COUNCIL AND THE NUMBER OF DISTRICTS TO FIVE (5) TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 4, 2014 GENERAL ELECTION AND DECLARING AN EMERGENCY.

This Ordinance had its second reading.

ORDINANCE NO.: 2014-26

AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE III, SECTION 1, AND ARTICLE VII, SECTION 5 OF THE CHARTER OF THE CITY OF MAPLE HEIGHTS ELIMINATING THE ELECTED POSITION OF PRESIDENT OF COUNCIL TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 4, 2014 GENERAL ELECTION AND DECLARING AN EMERGENCY.

This Ordinance had its second reading.

ORDINANCE NO.: 2014-44

AN ORDINANCE DIRECTING THE CLERK OF COUNCIL TO CERTIFY TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO ARTICLE VII OF THE MAPLE HEIGHTS CHARTER TO BE SUBMITTED TO THE ELECTORS AT THE NOVEMBER 4, 2014 GENERAL ELECTION, AND DECLARING AN EMERGENCY.

Mr. Trojanski made a motion, seconded by Mr. Adams to amend the legislation changing the tax credit from 100% to 50 %. ROLL CALL. Ayes: Jackson, Trojanski, Agee, Adams, and Jones. Nay: Brownlee. Present: Cefaratti. The motion passed.

Ordinance Number 2014-44 had its second reading as amended.

Mr. Brownlee made a motion, seconded by Mr. Jackson for discussion on the amendment. Ms. Albers stated that Ordinance Number 2014-44 was introduced to change the tax credit from 100% to

25%, but with Mr. Trojanski's motion to amend, the Ordinance, if passed by Council and the electorate, would change the tax credit from 100% to 50%.

Mr. Brownlee asked for a motion to reconsider the vote on the amendment as one of the council members was not prepared to vote. Mr. Jackson seconded the motion. All voted aye, none opposed, the motion passed.

The Clerk called the roll to reconsider the vote on the motion to amend the Ordinance. All voted aye, none opposed, the motion passed. Ms. Albers asked if there was any further discussion on the original amendment presented by Mr. Trojanski.

Mr. Adams stated that the amendment was discussed in caucus and that he recommended the 50% change, and the Mayor, as introducer, agreed with the change. Mr. Adams stated that Ms. Albers wanted to get information on the cost of the income tax change and that she would like it to be discussed at a Committee of the Whole meeting. Mr. Adams stated that Mr. Brownlee was at the meeting and made no statements.

Mr. Jackson commented that everyone knows that the City needs money and stated that there have been levies on the ballot before that the residents voted down, so he agrees that the tax credit at 25% is too much to ask the residents and that 50% is a more equitable amount.

Mr. Brownlee made a motion, seconded by Mr. Cefaratti to refer this legislation to a Committee of the Whole for further discussion and consideration by the Council. All voted aye, none opposed, the motion passed.

RESOLUTION NO.: 2014-45

A RESOLUTION EXPRESSING MAPLE HEIGHTS CITY COUNCIL'S SUPPORT FOR THE PROPOSED OHIO VOTER BILL OF RIGHTS STATEWIDE CONSTITUTIONAL AMENDMENT TO GUARANTEE THE RIGHTS OF ALL ELIGIBLE OHIO CITIZENS, AND DECLARING AN EMERGENCY

Mr. Adams made a motion, seconded by Mr. Trojanski to suspend the rules and place the Resolution on its third and final reading. Ms. Albers asked for discussion. ROLL CALL. Ayes: Cefaratti, Jackson, Trojanski, Agee, Adams, and Jones. Nay: Brownlee. Mr. Adams made a motion, seconded by Mr. Jackson to adopt the legislation. Ms. Albers asked for discussion. Mr. Brownlee stated that this legislation doesn't really affect our residents and is not really City business and since the City is in such a financial bind this legislation is out of place. Mr. Jackson stated that anyone who has lived in Ohio for any length of time, knows what Ohioans have gone through for their right to vote. Ohioans have put up with long lines, non-working voting machines, and Mr. Jackson said, and he is very happy with the changes to make voting easier for those who have to work long shifts or just can't get to the polls on election day. Mr. Jackson also stated that he cannot believe that some people still think that "voter fraud" is an issue because it has not been proven. Mr. Jackson stated that Mr. Brownlee claims that the Council does not have time for legislation like this, but in fact Mr. Brownlee has spent more time talking about it than it would have taken to just vote. Clerk Unger called the roll for the adoption of Resolution Number 2014-45. ROLL CALL. Ayes: Cefaratti, Jackson, Trojanski, Agee, Adams, and Jones. Nay: Brownlee. The Resolution passed by the vote of 6 ayes and 1 nay.

RESOLUTION NO.: 2014-46

A RESOLUTION AMENDING RESOLUTION NUMBER 2013-55 AND DIRECTING THE FINANCE DIRECTOR TO TRANSFER ALL EXISTING AND FUTURE FUNDS ASSESSED AND COLLECTED FOR GARBAGE AND RUBBISH COLLECTIONS IN THE CITY FROM THE SOLID WASTE COLLECTION FUND TO THE GENERAL FUND IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Resolution had its first Reading.

RESOLUTION NO.: 2014-47

A RESOLUTION AMENDING RESOLUTION NUMBER 2013-55 REGARDING THE SPECIAL FUND KNOWN AS THE “ SOLID WASTE COLLECTION FUND,” NUMBER 251, SPECIFYING THAT PAYMENTS FROM THIS FUND BE DESIGNATED ONLY FOR THE PAYMENT OF GARBAGE AND RUBBISH COLLECTIONS IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

Mr. Brownlee made a motion to suspend the rules and place the Resolution on its third and final reading. There was no second to the motion.

This Resolution had its first Reading.

ORDINANCE NO.: 2014-48

AN ORDINANCE AMENDING SECTION 220.01 OF THE CODIFIED ORDINANCES REGARDING THE RULES OF ORDER FOR COUNCIL IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

Mr. Brownlee made a motion to postpone the Ordinance indefinitely. There was no second.

This Resolution had its first Reading.

EXPENDITURES OVER \$1,000.00:

Mr. Jackson asked if the new radios on the bill list had anything to do with the new dispatch center. Chief Popielarczyk stated that the radios are for the Police Department. Mr. Jackson made a motion, seconded by Mr. Adams to approve the expenditures over \$1000.00 numbered 2014-59 through 2014-62. ROLL CALL. Ayes: Jackson Trojanski, Agee, Adams, and Jones. Nay: Brownlee. Cefaratti: Present. The motion passed.

MAYOR’S REPORT:

Mayor Lansky announced that resurfacing work has begun on Applegate, Milan, and Fairway Drives and is being funded by a \$150,000 Cuyahoga County Community Development Block Grant. Mayor Lansky reported on a luncheon he attended for the election of Republican Jack Schron, who is running for County Executive, and asked Mr. Schron how he would correct the financial inequities that Cuyahoga County has bestowed on various cities in the county. Mayor Lansky stated that Mr.

Schron met with him and discussed how the county would work harder to collect unpaid taxes for Maple Heights. Mayor Lansky stated that he also explained to Mr. Schron how the County devaluated the properties in Maple Heights and asked for his help in restoring them. Mayor Lansky also explained the problems of vacant homes and the City's cost in cutting the grass and securing the houses if they are broken into. Mayor Lansky stated he plans to meet with all of the County Executive candidates to see what they can do for Maple Heights. Mayor Lansky thanked the Council for allowing the speed cameras, which will promote safety while bringing in much needed revenue and also for introducing the Charter amendments to reduce the size of Council and the elimination of the publically elected position of Council President.

COUNCIL'S REPORT:

Councilman Anthony Cefaratti, District 3 thanked Chief Popielarczyk for attending the Krems Avenue Block Watch to aid and educate the residents. Mr. Cefaratti recognized two of his residents, Joanne Majoris for her efforts to find alternative solutions for residential recycling and also Tim Murphy, who is the Captain of the block watch on Krems Avenue and has worked hard to organize block watch parties and get-togethers for his neighbors. Mr. Cefaratti thanked these two individuals and stated that these two residents are perfect examples of people who have found something that they are passionate about and have made the effort to make a difference in their community. Mr. Cefaratti urged other residents to do the same.

Councilman Ron Jackson, District 4 announced the meeting on July 8, 2014 where the State Auditors will discuss the Fiscal Watch condition in the City. Mr. Jackson stated that the City needs an all inclusive plan that includes tax considerations from property owners, employees who work in and out of the City, unions, non-unions, the administration, and the Mayor and Council. Mr. Jackson stated that if everyone was included, no one would feel that they are singled out. Mr. Jackson stated that he is not in favor of reducing the number of Council members but believes that the pay can be reduced.

Councilman Bill Brownlee, District 5 reported that he has passed out flyers to residents in his district to attend the meeting tomorrow night with the State Auditors. Mr. Brownlee stated that he is looking forward to the meeting and seeing all of the residents attend. Mr. Brownlee commented that he is against reducing Council as each Councilmember presently represents about 3000 people, and the number would climb to over 4000 with that change. Regarding the Council President's position being changed from an elected position to a position voted on by the members of Council, Mr. Brownlee stated that he agrees with the change. Mr. Brownlee agreed with Mr. Jackson in that the City needs a comprehensive plan, and stated that the Council rules also need to be amended to preserve the rights of the minority.

Councilman Richard Trojanski District 6 stated that he is currently working to bring some free educational programs to the resident of Maple Heights including ESOP (Empowering & Strengthening Ohio People). He stated that ESOP can help people in foreclosure prevention and provide financial and homeowner classes for adults and Money Smarts for seniors, which educates older residents on scams, healthcare and other benefits that they may be eligible for. Mr. Trojanski also stated that this weekend would be the judging for the "Best Yard Contest" and that he would announce the winners at the July Council meeting. Mr. Trojanski reminded residents to pick up his June Newsletter on the back table and announced that one of his residents, Dr. Regina Williams is hosting a free education event on June 30th at the Maple Heights Library.

Councilwoman Edwina Agee, District 7 thanked the Fire Chief and his team for their work on the fire at 20668 Donnybrook Road. Ms. Agee stated that the Fire and Police Departments are very important in this community and that they make the residents of District 7 feel safe.

Councilman Alex Adams, District 1 thanked the Council for introducing the two Ordinances regarding the size of Council and stated that now it would be up to the residents to decide how they want their government to be run. Mr. Adams stated that he is available 24/7 to his residents because he is retired. He also stated that he took a volunteer pay cut by donating 5% of his pay and that the rest of Council could do the same. Mr. Adams stated that he hopes that the residents realize what that additional tax would mean to the City. Mr. Adams stated that the City cannot afford any more workers in the Service Department to take care of all the complaints that they get. Mr. Adams stated that with more money we can hire more police and fire men and fix the streets. Mr. Adams reported on various complaints that he had in his district including high grass, pot holes, tree problems, neighbor disputes and garbage out too early. Mr. Adams contacted the proper departments. Mr. Adams also announced a spaghetti dinner at the American Legion 309.

Councilwoman Toni Jones, District 2 announced that there will be a Housing and Economic Development Committee meeting on Tuesday, June 24, 2014 at 6:00 p.m. at City Hall regarding Rental Registrations. Ms. Jones also asked everyone to attend the Senior Center fund raiser on Sunday, June 22, 2014 at St. Andrew's Church. Ms. Jones also reported about a home in her district that was hit by a car and heavily damaged was approved for demolition and is presently boarded. Ms. Jones also reported on the four unit condominium that had the water shut off because the only water meter was located in the unit that was unoccupied and the bill was unpaid by the owner. Ms. Jones stated that she was working with the water company to have the water turned on, when the empty unit was broken into and the vandals stole the water meter and left the water running everywhere. Ms. Jones thanked the Fire Chief for his assistance securing the unit and hoped the situation could be corrected.

Council President Jackie Albers reminded everyone about the Market at the Lutheran Church on Libby with a hot dog and a can of pop for a dollar on Saturday. Ms. Albers stated that they also have fruits and vegetables for sale. Ms. Albers commended Joanne Majoris for compiling a list of places to recycle in the County, and she spoke to Waste Management about placing bins in the City but there would be a charge. Ms. Albers commented that she knows people are upset about the possible tax credit decrease however, the Council did amend the legislation to be a 50% credit instead of a 25% credit, which is better for the working residents. Ms. Albers stated that the Clerk will be compiling a chart so that the residents can understand the actual numbers

There being no further business to come before this Council, Council President Jackie Albers adjourned the meeting at 8:45 p.m.

Passed: November 5, 2014

ATTEST:

Katherine M. Unger, CMC
City of Maple Heights