

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

Maple Heights Senior Center

July 28, 2014

Council President Jackie Albers called the meeting to order at 6:05 p.m. in the Maple Heights Senior Center. 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, Mr. John Montello, Assistant Law Director Blair Melling, Finance Director Irene Crowell, Acting Chief John Popielarczyk, and Fire Chief John Drsek and Human Services Director Linda Vopat.

Mr. Adams made a motion, seconded by Mr. Trojanski to suspend all regular items and reports from the meeting except the legislation. **ROLL CALL.** Ayes: Adams, Jones, Cefaratti, Jackson, Trojanski, and Agee. Present: Brownlee. The motion passed.

LEGISLATION:

ORDINANCE NO.: 2014-60

AN EMERGENCY ORDINANCE APPROVING THE MAYOR'S 2014 FINANCIAL RECOVERY PLAN AND DIRECTING THAT THE PLAN BE SUBMITTED TO THE FINANCIAL PLANNING AND SUPERVISION COMMISSION AT THEIR FIRST MEETING OF THE FINANCIAL PLANNING AND SUPERVISION COMMISSION FOR THE CITY OF MAPLE HEIGHTS, OHIO

This Ordinance was on its third reading. Ms. Crowell explained several changes in the Financial Recovery document that were requested by the Council and the Special Revenue Funds that were cited for a deficit by the Auditors. Mr. Jackson asked Ms. Crowell when she believes the City will break even. Ms. Crowell stated that if nothing changes, the City should be in the black in 2016.

Ms. Jones made a motion, seconded by Mr. Adams to adopt the Ordinance. **ROLL CALL.** Ayes: Trojanski, Adams, Jones and Jackson. Nays: Agee, Cefaratti, and Brownlee. The motion passed by the vote of 4 ayes and 3 nays and will become law 30 days after the Mayor signs the legislation.

ORDINANCE NO.: 2014-61

AN ORDINANCE AMENDING SECTION 1484.04 AND 1484.05 OF THE CODIFIED ORDINANCES DECREASING THE FEES FOR NOTICE OF FORECLOSED PROPERTIES IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance was on its third reading. Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the Ordinance. All voted aye, none opposed, the motion passed and will become law upon the Mayor's signature.

RESOLUTION NO.: 2014-62

A RESOLUTION AUTHORIZING THE MAYOR AND THE LAW DIRECTOR TO NEGOTIATE A LEASE CONTRACT WITH SBA TOWERS V, LLC FOR A PERPETUAL EASEMENT AGREEMENT OF A CELLULAR TOWER SITE AT DUNHAM PARK IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Resolution was on its third reading. Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the Resolution. ROLL CALL. Ayes: Trojanski, Agee, Adams, Jones, Cefaratti, and Brownlee. Abstain: Jackson. The Resolution passed by the vote of 6 ayes and 1 abstention and will become law upon the Mayor's signature.

RESOLUTION NO.: 2014-63

A RESOLUTION URGING THE CUYAHOGA COUNTY COUNCIL TO PASS ORDINANCE No. 02014-0014, AN ORDINANCE INTRODUCED BY CUYAHOGA COUNTY EXECUTIVE EDWARD FITZGERALD ESTABLISHING THE CUYAHOGA COUNTY PROPERTY DEMOLITION FUND TO ELIMINATE ABANDONED AND BLIGHTED PROPERTIES IN CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY

This Resolution was on its third reading. Mr. Adams made a motion, seconded by Ms. Jones 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.

RESOLUTION NO.: 2014-64

A RESOLUTION REPEALING RESOLUTION NUMBER 2014-46, WHICH WOULD REQUIRE THE TRANSFER OF 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 AND DECLARING AN EMERGENCY

Mr. Trojanski 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. Trojanski made a motion, seconded by Mr. Adams to adopt the Resolution.

Mr. Brownlee reminded everyone that in the fourth paragraph of the resolution, it states that the State Auditors recommended that this fund remain as it is to allow the city to monitor the funds for the next year. In addition, Mr. Brownlee stated that the residents should have their garbage assessment money in a place where they can see where it is going.

Mayor Lansky stated that the Council seems to only listen to the State Auditors when it is convenient to them. Mayor Lansky stated that the General Fund needs money and this is a good way to put some money in it.

Ms. Jones stated that this Resolution is repealing the transfer of money to the General Fund and she would like clarification on the voting. Mr. Montello stated that if you want to repeal the resolution, then you vote “yes”, otherwise you vote “no”. Mr. Jackson asked if he votes “yes”, then does that mean that he doesn’t want the money moved into the General Fund. The clerk answered that he is correct.

Mr. Adams stated that 2014-47 superseded this Resolution so there should be no problem leaving the garbage money in its fund. Mr. Adams stated that he still stands in agreement with 2014-47 and that the money should stay in the Solid Waste Fund. Mr. Adams stated that he is basing his vote on the prior events, when the money was not stolen or embezzled, but used for other payments. Mr. Adams stated that he is glad that Waste Management has cooperated with the City and is allowing us to pay the prior balance. Mr. Adams stated that we should never have been put into that predicament; where we have an ordinance that states that designated money should stay in a fund for the garbage collections, and then it does not. Mr. Adams stated that he is urging Council to vote to keep the money in the fund, but if there comes a time where there is an excess in the fund, the administration can come to Council to authorize a transfer by legislation, and he would give that request serious consideration.

The Clerk announced that the following vote is for the adoption of Resolution 2014-64 which if passed, will repeal Resolution Number 2014-46, and would keep the garbage assessments in the Solid Waste Fund. ROLL CALL for the Adoption. Ayes: Trojanski, Agee, Adams, Cefaratti, Jackson, and Brownlee. Nay: Jones. The Resolution passed by the vote of 6 ayes and 1 nay, and would become law upon the Mayor’s signature.

There being no further business to come before this Council, Council President adjourned the meeting at 7:00 p.m.

Passed: December 3, 2014

ATTEST:

Katherine M. Unger, CMC
Clerk of Council