

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

Maple Heights Senior Center

August 20, 2014

Council President Jackie Albers called the meeting to order at 7:10 p.m. Councilman Ron Jackson of District 5 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, Law Director John Montello, Finance Director Irene Crowell, Acting Chief John Popielarczyk, and Fire Chief Castelucci, and Human Services Director Linda Vopat.

PUBLIC HEARING: FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT

Mr. Jackson made a motion, seconded by Mr. Trojanski to temporarily adjourn the regular meeting of Council to have a Public Hearing for the Cuyahoga County 2015 Competitive Municipal Grant Program. ROLL CALL. Ayes: Adams, Jones, Cefaratti, Jackson Trojanski and Agee. Nay: Brownlee.

Mr. Brett Keller of Chagrin Valley Engineering held the required Public Hearing in order for the Maple Heights City Council to apply for the Cuyahoga County 2015 Competitive Municipal Grant Program. The City of Maple Heights is eligible to apply for up to \$150,000 in Federal Community Development Block Grant funds administered by Cuyahoga County through the Department of Development. Funds can be used for a variety of housing, economic development and community improvement projects. Residents were invited to attend a public hearing to voice their opinions on local housing and community development needs, or to submit opinions in writing to the address below. A list of eligible activities and application requirements was provided at the hearing.

Mr. Adams made a motion, seconded by Mr. Trojanski to reconvene the regular meeting of Council. All voted aye, none opposed, the motion passed.

ADDENDUM: None

MINUTES: Mr. Adams made a motion, seconded by Mr. Brownlee to approve the minutes from the Regular Council meeting on May 7, 2014 as amended. All voted aye, none opposed, the motion passed.

COMMUNICATIONS:

From Mayor Jeffrey A. Lansky:

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

From the Ohio Division of Liquor Control:

A request to the legislative authority to transfer a “C” Liquor license from NIJU Investments, LLC at 5270 Warrensville Center Road to 5270 WC RD Inc. at 5270 Warrensville Center Road, Maple Heights, Ohio.

From the Ohio Division of Liquor Control:

A request to the legislative authority to transfer a “C” Liquor License from Afefa Sadik, doing business as Southgate Deli & Beverage at 5312 Warrensville Center Road to Jasvinder K Gill doing business as Southgate Deli & Beverage 5312 Warrensville Center Road, Maple Heights, Ohio.

From Mayor Jeffrey A. Lansky:

A notice to Council received on July 16, 2014 that he has vetoed Ordinance 2014-47, an ordinance to retain the money assessed to the residents for garbage and rubbish collections, in the Solid Waste Fund, and that no transfer of money may be completed unless the Council approves the transaction by Resolution.

From the Committee representing the Petitioners for a Charter Amendment:

Received by the Clerk of Council on August 5, 2014, 56 petitions with signatures supporting an amendment to the Charter of the City of Maple Heights to limit use of photo-monitoring devices to detect certain traffic law violations.

From Mayor Jeffrey A. Lansky:

A notice that he has officially withdrawn his veto of 2014-47 and that it would pass without his signature.

COUNCIL COMMITTEE REPORTS: None

DEPARTMENT REPORTS:

Fire Department – Chief Jim Castelucci announced that Fire Station Number 2 has reopened on Dunham Road and that he would do his best to keep it operational. Chief Castelucci announced that three more fire fighters resigned or retired, which brings the force down to 27 men, a 31% decrease in man power since the first of this year.

Law Department - Mr. John Montello had no report.

Police Department – Chief John Popielarczyk reported that for the month of July, the Police Department had 2,163 calls for service, bringing the total for the year to 15,340 calls. Chief Popielarczyk warned the residents about the number of bicycle and car thefts recently and asked that everyone secure their belongings. Chief Popielarczyk reported that on August 15, the department held an OVI checkpoint, which resulted in 19 arrests including 1 with a loaded gun. Chief Popielarczyk commented on the speed cameras and stated that the posting of signage within 300 feet of a speed camera is only required if the camera is in a fixed location, but in order to meet the requests of the residents, Chief Popielarczyk stated that signs would now be posted by cameras. Chief Popielarczyk also stated that the cameras would be moved to the

school zones beginning in September and that the cameras have slowed down the traffic which is why the cameras were installed. The Chief explained that with a 25% drop in man power in the Police Department due to resignations and retirements, the cameras have aided the department in the enforcement of the traffic laws. Chief Popielarczyk thanked Mr. Brownlee for hosting an informational meeting on the cameras and also Mr. Trojanski and Ms. Agee for inviting him to their Community meetings and Back to School party.

Human Service Department – Mrs. Linda Vopat announced that the Senior Center received an addition \$17,600.00 grant from the Cuyahoga County Senior and Adult Services in addition to the \$47,000.00 already received. Ms. Vopat also reported on the amount of vandalism at the parks and asked the residents to report any unusual activity in the parks to the Police Department. Ms. Vopat announced that the City-Wide garage sale would be held from September 11th through the 14th and a Health Care event would be held on August 28th at the Senior Center sponsored by Marymount and South Point Hospitals.

Finance Department – Ms. Irene Crowell reported that she is working on the three audits that the State has required for the Financial Plan of the City.

CITIZENS COMMENTS:

Mrs. Cabitt of 18905 Maple Heights Boulevard commented on the need for the traffic cameras in the City and stated that if you don't like the cameras, then don't speed.

Mr. Stephen Basas of 14115 Kennerdown Drive commented that since the removal of the stop signs on East 141st Street, there has been a lot of people speeding down the street and it has become a hazard. Mr. Basas approved of the speed cameras but hoped that some of the stop signs would be replaced.

Ms. Annette Blackwell of 15357 Longvale Drive thanked the Police and Fire Departments for their help and quick response in aiding her 8 year old grandson who was recently hit by a car on the west side of town. Ms. Blackwell also commented that her grandson is still in the hospital.

Mr. Gerald Arnold of 20709 Bowling Green Avenue commented that he does not understand why the garbage assessment for the residents in 2015 was not lowered since the deletion of the recycling program.

Mr. Aaron Mitchell of 20100 McCracken Drive stated that he would support the traffic cameras because it would free up the police officers, but doesn't want them to target certain people.

Mr. Bob Halen of 16226 Maplewood Court negatively commented about Councilman Bill Brownlee.

Mrs. Doris Hendrix of Gerard Avenue commented against Bob Halen and his remarks against her Councilman, Bill Brownlee.

Mrs. Keys of 15904 Eveningstar Drive complained that the police would no longer be directing traffic in the school parking lots. Chief Popielarczyk replied and stated that the school hired auxiliary police officers last year to direct traffic and it has nothing to do with Maple Heights Police Department or the City. He suggested that Ms. Keys contact the school board.

LEGISLATION:

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

Ms. Albers tabled this Ordinance on its third reading until the September 17, 2014 meeting of Council, in order to have more time to discuss the content.

ORDINANCE NO.: 2014-53

AN ORDINANCE AMENDING SECTION 240.05 OF THE CODIFIED ORDINANCES OF MAPLE HEIGHTS REGARDING THE APPROVAL BY COUNCIL OF EXPENDITURES IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance had its second reading.

ORDINANCE NO.: 2014-65

AN ORDINANCE REPEALING ORDINANCE NUMBER 2014-25, TO PLACE A CHARTER AMENDMENT ON THE NOVEMBER 4, 2014 BALLOT FOR THE GENERAL ELECTION, DECREASING THE NUMBER OF THE MEMBERS OF COUNCIL AND DISTRICTS FROM 7 TO 5 BEGINNING WITH THE TERM STARTING ON JANUARY 1, 2016 IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance was withdrawn by Ms. Agee due to 2014-25 not passing by the required 5 votes of Council on June 25, 2014.

ORDINANCE NO.: 2014-66

AN ORDINANCE CREATING SECTION 240.11 DESIGNATING TWO PERCENT (2%) OF THE FUNDS RECEIVED FROM THE SPEED ENFORCEMENT CAMERAS TO BE USED FOR THE EMPLOYMENT OF CERTIFIED INSPECTORS IN THE BUILDING DEPARTMENT, IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

This Ordinance had its first reading and moved to the Committee of the Whole for discussion.

RESOLUTION NO.: 2014-67

A RESOLUTION CERTIFYING TO THE AUDITOR OF CUYAHOGA COUNTY THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED TO CORRECT BUILDING VIOLATIONS, INCLUDING THE BOARDING UP OF HOUSES, WHICH CONSTITUTES AN IMMEDIATE HAZARD TO HUMAN LIFE OR HEALTH OR CONSTITUTES A BLIGHTING OR DETERIORATING INFLUENCE ON THE NEIGHBORHOOD IN ACCORDANCE WITH OHIO REVISED CODE SECTIONS 731.51 TO 731.54 INCLUSIVE, AND DECLARING AN EMERGENCY.

Mr. Adams made a motion, seconded by Mr. Jackson to suspend the rules and place the legislation on its third and final reading. ROLL CALL. Ayes: Jackson, Trojanski, Agee, Adams, Jones and Cefaratti. Nay: Brownlee. Mr. Trojanski made a motion, seconded by Mr. Adams to adopt the legislation. All voted aye, none opposed, the motion passed. The legislation passed by the vote of 7 ayes and 0 nays and will become law upon the signature of the Mayor.

RESOLUTION NO.: 2014-68

A RESOLUTION CERTIFYING TO THE AUDITOR OF CUYAHOGA COUNTY THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED TO THE ABATEMENT OF CRIMINAL ACTIVITY NUISANCES, WHICH CONSTITUTES AN IMMEDIATE HAZARD TO HUMAN LIFE OR HEALTH OR CONSTITUTES A BLIGHTING, DETERIORATING OR NEGATIVE INFLUENCE ON THE NEIGHBORHOOD IN ACCORDANCE WITH OHIO REVISED CODE SECTIONS 731.51 TO 731.54 INCLUSIVE, AND DECLARING AN EMERGENCY.

This Resolution had its first reading.

RESOLUTION NO.: 2014-69

A RESOLUTION CERTIFYING TO THE AUDITOR OF CUYAHOGA COUNTY THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED TO CUT NOXIOUS WEEDS AND HIGH GRASS, WHICH CONSTITUTE AN IMMEDIATE HAZARD TO HUMAN LIFE OR HEALTH OR CONSTITUTES A BLIGHTING OR DETERIORATING INFLUENCE ON THE NEIGHBORHOOD IN ACCORDANCE WITH OHIO REVISED CODE SECTIONS 731.51 TO 731.54 INCLUSIVE, AND DECLARING AN EMERGENCY.

Mr. Adams made a motion, seconded by Mr. Trojanski to suspend the rules and place the legislation on its third and final reading. ROLL CALL. Ayes: Jackson, Trojanski, Agee, Adams, Jones and Cefaratti. Nay: Brownlee. Mr. Adams made a motion, seconded by Ms. Jones to adopt the legislation. All voted aye, none opposed, the motion passed. The legislation passed by the vote of 7 ayes and 0 nays and will become law upon the signature of the Mayor.

RESOLUTION NO.: 2014-70

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 AUDITOR THE COSTS

DUE TO THE CITY OF MAPLE HEIGHTS FOR GARBAGE AND RUBBISH COLLECTIONS, AND DECLARING AN EMERGENCY

This Resolution had its first reading.

EXPENDITURES OVER \$1,000.00:

Mr. Adams made a motion, seconded by Mr. Jackson to approve the expenditures over \$1,000.00 numbered 2014-72 through 2014-78. ROLL CALL. Ayes: Jackson, Brownlee, Trojanski, Agee, Adams, and Jones. Present: Cefaratti.

MAYOR'S REPORT: Mayor Jeffrey Lansky began his report by commenting that there are a lot of people attending the meeting but doesn't understand why there are not more residents coming up to the podium to talk. The Mayor stated that he would like to know if there is something that the residents are interested in and if so, they need to tell the administration. Mayor Lansky told the story of the optimist and the pessimist that President Ronald Reagan use to tell and stated that he hoped more people would come and talk about how they think the City can raise more money and get out of debt. Mayor Lansky discussed the award of grant money that was used to pave several streets in the City and stated his remorse that the county would not provide any additional funds to the Cities that need it most.

COUNCIL'S REPORT:

Councilman Ron Jackson, District 4 commented that the City has been cutting employees and services since he took office and less employees mean less services to the Community. Mr. Jackson stated that mostly because of the property de-valuation, the City has less money to work with and has only two options: to cut more services or to generate new revenue. Mr. Jackson stated that the main reason for the speed cameras is a safety concern but they will also generate much needed revenue, as the City is 1.8 million dollars in the hole. Mr. Jackson welcomed Chief Castelucci back to the Fire Department and warned the residents to watch out for the children walking to school.

Councilman Bill Brownlee, District 5 commented about the number of people who do not speak at the meetings and stated that he feels that the residents are intimidated by the backlash of certain people. Mr. Brownlee also stated that not enough information about the City is given to the residents. Mr. Brownlee encouraged residents to voice their opinions and give their ideas to their district council representative. Mr. Brownlee stated that he recently had a community forum in favor of the traffic cameras with Chief Popielarczyk and the Mayor from Newburgh Heights who has successfully brought the traffic cameras to his village. Mr. Brownlee stated that the residents at his meeting were not afraid to talk and ask questions.

Councilman Richard Trojanski District 6 commented on sharing information and civic engagement and stated that he has several block watch meetings in his district where information is given and received about the issues in the community. In addition, Mr. Trojanski stated that he is starting a District 6 Community Association to promote residents' input, unity, and camaraderie. Mr. Trojanski explained that meetings will be held once a month and the residents will have a place to come to ask questions and receive information about the community and

District 6. Mr. Trojanski stated that the first meeting would be Saturday, August 23rd at the Library from 11:00 a.m. to 12:30 p.m. and anyone can pick up a newsletter from his district on the back table.

Councilwoman Edwina Agee, District 7 reported that over the last couple of months this Council has had to make some tough decisions to save money including the elimination of the curbside recycling program and the addition of traffic cameras in the City. Ms. Agee stated that she has had many negative calls regarding these issues, but not one person had any better suggestions. Ms. Agee stated that she hoped all of the negativity would stop and that the people would try to work together to move the City forward. Ms. Agee thanked two of her residents who have kept her informed about things happening on their streets and announced her “Back to School” party on Saturday, August 23rd.

Councilman Alex Adams, District 1 reported on complaints about Davey Tree Service leaving cut branches on driveway aprons, a sink hole on Rowena; there since January, and loose garbage on a bus stop at Turney and Lee. Mr. Adams also reported that recycling bins are at the Service Department, St. Monica’s, and St Martin of Tours. Mr. Adams announced that the American Legion #309 will be having a Clam Bake on September 27th from 4:00 p.m. to 6:00 p.m. at the post on Broadway. Mr. Adams welcomed Chief Castelucci back to work and thanked him for re-opening the Fire Station on Dunham Road. Mr. Adams also stated that he was sorry to Mrs. Blackwell about her grandson being hit by a car and hoped that it wasn’t because the car was speeding. Mr. Adams also commented that the speed cameras have made a difference all over the City; people are slowing down and the streets are safer.

Councilwoman Toni Jones, District 2 reported that there are HEAP applications on the back table, which is for an income based tax credit on your gas bill. Ms. Jones commented that there have been a lot of meetings for Council this summer, especially in July, sometimes three a week, and that is in addition to meetings and duties in our own Council districts. Ms. Jones stated that we try to notify the public of the meetings and the forums, but it is difficult to do without news media. Ms. Jones stated that residents should check the web site and Facebook for information on the meetings. Regarding the speed cameras, Ms. Jones asked residents to email their council person as to where they would like to see a speed camera and perhaps the City could get another one. Ms. Jones commented about Mr. Brownlee’s closing statement when he said, “WE are all in this together”, and Ms. Jones wanted to reiterate that “we” means all of us, all of Council, and she asked that all of Council work together to govern the City and become financial stable. Finally, Ms. Jones commented on the recent letters that she sent to residents complimenting them on their yards, and other letters to the investors asking them to require that their tenants keep up the properties.

Councilman Anthony Cefaratti, District 3 thanked Chief Castelucci for coming out of retirement and offering his time and services to our City. Mr. Cefaratti also commented on East 141st Street in his district and stated that the stop signs were removed years ago because there was a lawsuit which forced the removal of the stop signs, because stop signs cannot be used to slow down traffic. Mr. Cefaratti stated that he received two calls from people who received tickets, admitted that they were speeding, and wanted a home town discount. Mr. Cefaratti stated that he is hearing more and more positive feedback on the cameras as they are slowing

down the motorist. Mr. Cefaratti also stated that at the many finance meetings that Council had, he never saw Mr. Wagner or Mr. Leroy Peterson, nor did they ever contact him on how the City could raise additional revenue. Mr. Cefaratti stated that either the City has to generate new revenue or the City will go into fiscal emergency. Mr. Cefaratti stated that the residents can make their decision in November. He stated that there will be two property levies on the ballot, where only the home owners will generate the revenue, and a charter amendment to ban the speed cameras. Mr. Cefaratti stated that everyone has a choice whether or not to speed, and the cameras do not just target the residents, but all those who choose to break the law. Mr. Cefaratti stated that he is sick and tired of people like Mr. Wagner and Mr. Peterson who stick their noses into other people's business, and do not offer any positive solutions to the problems.

Council President Jackie Albers clarified a few comments made and stated that the financial recovery plan has been sent to Columbus, where the state auditors are reviewing it and they will either approve it or recommend changes which will give us another 30 days to reply. The financial plan is at City Hall for residents to review. Ms. Albers also stated that the Finance Director will be reviewing the basis for the charges that the residents pay for garbage pick-up after the City pays the bill to Waste Management. Ms. Albers also agreed that it has been a grueling summer with many, many meetings, where difficult decisions had to be made. Ms. Albers stated that it hasn't been easy but we got through it. Ms. Albers stated that the Council would be having Community Forums to discuss the issues that will be on the ballot, with the dates and times announced at an upcoming meeting. Ms. Albers stated that the August 27th forum has been cancelled but will be a work session for Council at 6:00 p.m. at City Hall.

There being no further business to come before this Council, Council President Jackie Albers adjourned the meeting at 8:55 p.m.

Passed: October 15, 2014

ATTEST:

s/s Katherine M. Unger, CMC