

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

Maple Heights Senior Center

December 17, 2014

Council President Jackie Albers called the meeting to order at 7:30 p.m. Councilman Ron Jackson of District 4 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, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Finance Director Irene Crowell, Human Services Director Linda Vopat, and Council Clerk Katherine Unger.

PUBLIC HEARING: The Public Hearing was called to order at 7:33 according to Article 16, Section 2 of the Charter and Chapter 1268 of the Codified Ordinances of the City of Maple Heights. The Public Hearing was held to permit the public to speak in opposition or in favor of the proposed zoning amendments requested by the Planning and Zoning Commission. Residents were advised that if they wish to speak in favor or against this recommendation, they must state their name and address for the record and would have 3 minutes to speak.

2014-PZ-12: Regarding a request from Hertz Corporation, a recommendation from the Planning and Zoning Commission to the Council of the City of Maple Heights for a Map/Text Change pursuant to Sections 1268.03 and 1268.04 of the Codified Ordinances of Maple Heights. More specifically:

1. Map Change for 5501 & 5515 Warrensville Center Road, PPN 783-19-025 & PPN 783-19-030, currently zoned Neighborhood Commercial to change to General Commercial; and
2. Text Change to Section 1280.04 of the Codified Ordinances of Maple Heights adding Used Car sales as a Conditionally Permitted Use in General Commercial zoning areas.

Ms. Albers asked three times if there were any proponents to Case number 2014-PZ-12. Ms. Albers asked three times if there were any opponents to Case number 2014-PZ-12. No one spoke for or against the Case. The Public Hearing closed at 7: 35 p.m.

ADDENDUM: There were no objections , therefore, the addendum became part of the agenda.

MINUTES: There were no minutes.

COMMUNICATIONS

From Mayor Jeffrey A. Lansky:

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

From the Planning and Zoning Commission:

2014-PZ-15: A recommendation by the Planning and Zoning Commission to City Council, pursuant to Section 1268.04(A) for zoning map amendment(s) and due to the recommendations made by the commission in reviewing 2014-PZ-12 and its findings in said case as well as for maintaining the economic viability of existing land, both developed and undeveloped, and in keeping with the City's overall economic development, to recommend the following zoning map amendment(s):

Dunham Road - Turney Dunham Plaza Area: 20 parcels

Currently General Commercial to be rezoned Neighborhood Commercial:

1. Six (6) Parcels on the east Side of Dunham Road Between Turney Road and Rowena
2. Four (4) parcels on the East Side of Dunham Road Between Shirley and Turney Road
3. One (1) Parcel on the North-West Corner of the Turney Dunham Intersection (6120 Dunham Road
4. One (1) parcel on Turney Road (15003 Turney Road)
5. Two (2) parcels on West Side of Dunham Road Between Turney Road and Maple Heights City Property (6134 -6188 Dunham Road aka Turney Dunham Plaza)

Currently Residential to be rezoned Neighborhood Commercial:

6. Six (6) parcels on the East Side of Dunham Road between Rowena and Mendota

Warrensville Center – Between Libby and Rockside Roads: 9 (11) parcels

Currently Neighborhood Commercial to be rezoned General Commercial:

7. Three (3) Parcels on the West Side of Warrensville Center Road beginning at Stockton Avenue and heading South until reaching current General Commercial zone (5310 -5332 Warrensville Center Road)
8. Six (6) Parcels on the East Side of Warrensville Center Road beginning at Rockside Road and heading North until reaching current General Commercial zone (5601 – 5525 Warrensville Center Road)
 - a. Number 8, above, assumes that Council has amended Map to reflect this Commissions recommendation for a Map Change pursuant to Applicant 2014-PZ-012. If however Council has not adopted this Commission's recommendation on said case number 8 should be amended to read:
 - i. Eight (8) Parcels on the East Side of Warrensville Center Road beginning at Rockside Road and heading North until reaching current General Commercial zone (5601 – 5501 Warrensville Center Road)

Northfield Road between Hillgrove Avenue and Franklin Road: 6 parcels

Currently General Commercial to be rezoned as Neighborhood Commercial: Six (6) parcels on the West Side of Northfield Road between Hillgrove Avenue and Franklin Road.

COMMITTEE REPORTS: Ms. Albers reported on the Committee of the Whole Meeting on December 10, 2014, where the budget was discussed.

DEPARTMENT REPORTS:

Fire Department – Chief Vito Kavaliunas reported that the calls to date in the Fire Department were 4,596 and that the department placed in service 12 new self contained breathing apparatus unites on all front line trucks, replacing units that were very badly worn and not up to current standards. The Chief reminded residents of various safety precautions during the holidays.

Law Department - Mr. John Montello had no report but wished everyone a Happy Holiday.

Police Department – Chief John Popielarczyk reported that the Police Department has 22,721 calls for service so far this year and 54 burglaries in October and November, with most of them being in District 3 north of Rockside and north of Libby Road in District 6 and 7. The Chief reminded everyone to be cautious about solicitors coming to their doors and wished everyone Happy Holidays.

Human Service Department – Mrs. Linda Vopat reported that Bob Evans in Beechwood donated \$1,200.00 in donations for 15 Farm Basket meals that they will create for larger families in need for their Christmas meal. Ms. Vopat stated that the donations for the Senior Center have been coming in every day and she wished everyone a Blessed Holiday.

Finance Department – Ms. Irene Crowell wished everyone a Happy Holiday.

CITIZENS COMMENTS:

Ms. Delma Russell commented about the Section 8 housing problems in the City.

Dedra Holland of 16331 Home Street complained about her neighbors next door who throw their garbage in her yard and have a delinquent tax bill of \$31,000.00 for the property.

Mr. Stephan Vashis of 14115 Corridon Avenue thanked the Police Department for catching the criminal who burglarized and vandalized his home and putting the person in jail. In addition, Mr. Vashis thanked and commended Councilman Cefaratti for his support and Ms. Unger for her work to change the zoning to allow more businesses to come in and revitalize the City. Mr. Vashis also commended about the work being done at Southgate and hoped that revitalization would begin at Mapletown, especially the Burger King property.

Rich Compton of 5616 Jefferson Drive complained about a special assessment on his tax bill for a property next door from him. Mr. Crompton stated that he spoke to the Building Department who stated that they sent the bill to the property, but the property is vacant.

Mr. Al Glotz, 5758 Homewood Drive asked Linda Vopat if the American Legion can host a fund raiser for the Senior Center and presented \$100.00 from the Memorial Association.

LEGISLATION:

ORDINANCE NO.: 2014-87

AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF MAPLE HEIGHTS, FOR THE FISCAL YEAR ENDING MARCH 31, 2015, AND DECLARING AN EMERGENCY.

As this Ordinance was on its third reading, Mr. Jackson made a motion, seconded by Ms. Jones to adopt the legislation. All voted aye, none opposed, the legislation passed by the vote of 7 ayes and 0 nays and would become law upon the Mayor's signature.

RESOLUTION NO.: 2014-88

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH TO PROVIDE HEALTH SERVICES FOR THE CITY OF MAPLE HEIGHTS IN 2015, AND DECLARING AN EMERGENCY

Mr. Jackson made a motion, seconded by Ms. Jones to suspend the rules and place the Resolution on its third and final reading. All voted aye, none opposed, the motion passed. Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the legislation. All voted aye, none opposed, the resolution passed by the vote of 7 ayes and 0 nays and will become law upon the Mayor's signature.

ORDINANCE NO.: 2014-89

AN ORDINANCE AMENDING SECTION 1060.02(b) OF THE CODIFIED ORDINANCES AND TERMINATING THE SOLID WASTE COLLECTION FUND (251) FOR PAYMENT OF GARBAGE AND RUBBISH COLLECTIONS IN THE CITY IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance was withdrawn by the Introducer.

RESOLUTION NO.: 2014-90

A RESOLUTION TERMINATING THE RAINY DAY CONTINGENCY FUND (102), TRANSFERRING THE BALANCE TO THE GENERAL FUND IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Adams made a motion, seconded by Ms. Jones to suspend the rules and place the Resolution 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. ROLL CALL. Ayes: Trojanski, Adams, Jones and Cefaratti. Nays: Jackson Brownlee and Agee. The legislation passed by the vote of 4 ayes and 3 nays and would become law in 30 days.

ORDINANCE NO.: 2014-91

AN ORDINANCE AMENDING SECTION 1280.04 OF THE CODIFIED ORDINANCES, ADDING A ZONING TEXT CHANGE TO THE CODIFIED ORDINANCES TO PERMIT USED CAR SALES IN THE GENERAL COMMERCIAL ZONING DISTRICT AND A ZONING MAP CHANGE TO INCLUDE CERTAIN PARCELS IN THE GENERAL COMMERCIAL ZONING DISTRICT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

Mr. Adams made a motion, seconded by Ms. Jones to suspend the rules and place the Resolution on its third and final reading. All voted aye, none opposed, the motion passed. Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the legislation. All voted aye, none opposed, the resolution passed by the vote of 7 ayes and 0 nays and will become law upon the Mayor's signature

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

Mr. Adams made a motion, seconded by Mr. Trojanski to suspend the rules and place the Ordinance on its third and final reading. Regarding the consideration by Council to suspend the rules, Mr. Brownlee stated that the Council has not received any documentation proving that the advances occurred, and are over the one year limitation to be returned. The Clerk called the roll for the suspension of the rules. ROLL CALL. Ayes: Jackson, Trojanski, Agee, Adams, and Jones. Nays: Brownlee and Cefaratti. As six affirmative votes are needed to suspend the rules, the Ordinance remained on its first reading.

RESOLUTION NO.: 2014-93

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY LAND REUTILIZATION CORPORATION FOR PARTICIPATION IN THE COUNTY'S DEMOLITION FUND PROGRAM IN THE CITY OF MAPLE HEIGHTS IN 2015, AND DECLARING AN EMERGENCY

Mr. Adams made a motion, seconded by Ms. Jones to suspend the rules and place the Resolution on its third and final reading. All voted aye, none opposed, the motion passed. Mr. Adams made a motion, seconded by Ms. Jones to adopt the legislation. All voted aye, none opposed, the resolution passed by the vote of 7 ayes and 0 nays and will become law upon the Mayor's signature.

ORDINANCE NO.: 2014-94

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH LANDMARK DIVIDEND COMPANY FOR A LEASE PURCHASE AGREEMENT OF THE CITY'S LEASE AND EASEMENT AGREEMENT WITH GLOBAL TOWER PARTNERS (GTP) FOR PERMANENT PARCEL NUMBER 784-19-022, LOCATED AT THE CELLULAR TOWER SITE AT GATEWAY BOULEVARD FOR THE MAINTENANCE AND OPERATION OF A COMMUNICATION FACILITIES IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance had its first reading.

RESOLUTION NO.: 2014-95**A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE INSTALLATION OF AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBLE CURB RAMPS ON LIBBY ROAD FROM LEE ROAD TO NORTHFIELD ROAD 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. Trojanski made a motion, seconded by Mr. Jackson to adopt the legislation. All voted aye, none opposed, 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: There were no expenditures.

MAYOR'S REPORT: Mayor Jeffrey Lansky wished everyone a very Merry Christmas/Happy Holidays and a safe and prosperous New Year and asked the residents to please be careful during the holiday season because there is a lot of crime that goes on and he would like everyone to stay safe and enjoy the holidays with their families.

COUNCIL REPORTS:

Councilman Ron Jackson, District 4 wished everyone a Happy Holiday and asked everyone to stay safe and enjoy the holidays with their families.

Councilman Bill Brownlee, District 5 stated that he recently looked over the Master Plan from 1999 where they made some suggestions on how the City should proceed. Mr. Brownlee stated that the Master Plan did not benefit the City at all, and was struggling even in that time. Mr. Brownlee stated that change is needed in Maple Heights. Mr. Brownlee wished everyone a Merry Christmas.

Councilman Richard Trojanski District 6 wished everyone a Happy Hanukkah, Merry Christmas, Happy Kwanzaa and a Happy New Year, and he stated that he looks forward to serving the residents in 2015.

Councilwoman Edwina Agee, District 7 announced that on December 22nd, she would be having her last Block Watch meeting for the year and that she would be passing out Christmas baskets. Ms. Agee wished everyone a Merry Christmas and a Happy New Year.

Councilman Alex Adams, District 1 reported on a few complaints in his district including calls about the construction of the new cell tower behind the Turney-Dunham Plaza, trash out too early, and a lost dog. Mr. Adams thanked Mr. Glotz for his offer to hold a fundraiser for the Senior Center and also thanked the Service Department for the work that they do in his district. Mr. Adams wished everyone a Merry Christmas and a Happy New Year and asked everyone to support the Senior Center with any donation that they can.

Councilwoman Toni Jones, District 2 wished everyone a Merry Christmas and a Happy New Year and stated that her wish for 2015 is that everyone pray for peace because there are a lot of bad things happening in the world and in the streets.

Councilman Anthony Cefaratti, District 3 thanked the Police Department for their work in solving the rash of burglaries in his District and throughout the City, but stated that the real key in solving many of the burglaries was the resident participation in reporting anything and everything out of the ordinary on their streets. Mr. Cefaratti stated that the residents make the difference in the City because residents make the calls and the detectives use the information that they receive. Mr. Cefaratti wished everyone a Merry Christmas and a Happy New Year.

Council President Jackie Albers reported that she received a letter from the Board of Elections stating that they will be doing another purge of the voters and eliminating anyone who moved, had the wrong address or has not voted in many years. Also, Ms. Albers reported on a meeting she attended at Marymount Hospital where they announced the new addition of a “Health Spot” in the Marc’s store in Garfield Commons where they can help people with minor illnesses, for a fee, by connecting people with a doctor by video. Ms. Albers wished everyone a Merry Christmas and a Happy New Year.

There being no further business to come before this Council, Council President Jackie Albers adjourned the meeting at 8:27 p.m.

Passed: _____, 2015

ATTEST:

Katherine M. Unger, CMC
Clerk of Council