

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

Maple Heights Senior Center

February 19, 2014

Council President Jackie Albers called the 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. Council Clerk 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, Chief Richard Maracz, Fire Chief John Drsek, Finance Director Irene Crowell, Human Services Director Linda Vopat, and Clerk of Council Katherine Unger.

ADDENDUM: There was no addendum.

MINUTES: Mr. Adams made a motion, seconded by Ms. Jones to approve the minutes for the Council meetings held on December 18, 2013, January 2, 2014, and February 5, 2014. Ayes: Adams, Jones and Trojanski. Present: Jackson, Agee, Brownlee. Nay: Cefaratti. As “present” votes are not counted, the motion passed by 3 ayes, and 1 nay.

COMMUNICATIONS:

From Mayor Jeffrey Lansky:

The Mayor’s Court report from the month of January, 2014.

From Law Director John Montello:

A letter to Councilman Bill Brownlee explaining proper protocol in placing legislation into a Committee according to the Codified Ordinances of Maple Heights.

COUNCIL COMMITTEE REPORTS: There were no committee reports.

DEPARTMENT REPORTS:

Fire Department – Chief John Drsek reported that due to the financial condition of the City, four Firefighters were laid off on February 12, 2014.

Law Department - Mr. John Montello read the letter to Councilman Brownlee from the communications.

Police Department – Chief Richard Maracz had no report.

Engineering Department – A report from Ed Hren, read by the clerk, explained the 2014 CDBG Grant to resurface Applegate Road, Milan Drive and Fairway Avenue.

Human Service Department –On behalf of herself and the entire Human Services Department, Mrs. Linda Vopat expressed her deepest sympathy on the loss of Councilman Ron Jackson’s brother, who recently passed away.

CITIZENS COMMENTS:

Mr. Stafford Shanett of 15051 Janice Drive expressed his concerns over the financial situation in the City and offered to help in any way that he could.

LEGISLATION:**ORDINANCE NO.: 2014-12**

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 MAY 6, 2014 PRIMARY ELECTION AND DECLARING AN EMERGENCY.

This Ordinance was on its first reading. Ms. Jones made a motion, seconded by Mr. Trojanski to suspend the rules and place the Ordinance on its third and final reading. Council President Jackie Albers asked for discussion.

Mr. Brownlee stated that he believes that this legislation, along with 2014-13, is bad timing, as the City is having financial difficulties and to reduce representation of the people should always be done cautiously. Mayor Lansky stated that the residents of the City should be allowed the choice to reduce the number of Council members and the Council President and that representation is not an issue because only 21 out of each 100 residents voted in last year's election. Mayor Lansky stated that this is just an option to save money and Council should allow the people make the decision about the size of their government. Mr. Adams stated that he asked the Mayor to withdraw the legislation because the Council gets all the calls and hears the people's complaints. Mr. Adams stated that he believes that all of our efforts need to go towards the passage of the income tax levy at this time and that these issues can be brought up later. Ms. Jones stated that if passed, the cut of 3 people from the Council would not happen until 2016, but she added that the voters are intelligent enough to make a good decision and should be allowed to do so. Mr. Cefaratti stated that he is not afraid to lose his seat because he knows that he has done his best as the Councilman for District 3, and also believes that the residents should have the opportunity to choose their government. Mr. Jackson stated that he believes that if Council and the entire administration would take a pay cut, it would save jobs for both the Council and of the workers. Ms. Albers stated that because this legislation would not go into effect until 2016, Council has time to decide. Ms. Albers stated that she does not have any objections to rework the positions of Council or the Council President, and that the ideas are very valid, but she would like to focus all of her energy at the present time to the passage of the income tax levy.

Council Clerk called the roll to suspend the rules. Ayes: Jackson, Trojanski, and Jones. Nays: Cefaratti, Brownlee, Agee and Adams. The motion failed by the vote of 4 nays and 3 ayes. Ordinance Number 2014-12 had its first reading.

ORDINANCE NO.: 2014-13

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 May 6, 2014 PRIMARY ELECTION AND DECLARING AN EMERGENCY.

This Ordinance was on its first reading. Mr. Trojanski made a motion, seconded by Ms. Jones to suspend the rules and place the Ordinance on its third and final reading. Council President Jackie Albers asked for discussion. There was no discussion. Council Clerk called the roll to suspend the rules. Ayes: Jackson, Trojanski, and Jones. Nays: Cefaratti, Brownlee, Agee and Adams. The motion failed by the vote of 4 nays and 3 ayes. Ordinance Number 2014-13 had its first reading.

RESOLUTION NO. 2014-14

A RESOLUTION DESIGNATING MARCH 2014 AS “MULTIPLE SCLEROSIS EDUCATION AND AWARENESS MONTH” IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY

This Ordinance was on its first reading. Mr. Jackson made a motion, seconded by Mr. Trojanski to suspend the rules and place the Resolution on its third and final reading. ROLL CALL. Ayes: Cefaratti, Jackson, Trojanski, Agee, Adams and Jones. Nay: Brownlee. Council President Jackie Albers asked for discussion. Mr. Brownlee stated that he is voting “no” on this legislation, but it has nothing to do with Multiple Sclerosis. Mr. Brownlee stated that there is so much going on in the City that the Council needs to address, that motions like these seem out of place. Mr. Adams thanked Mr. Trojanski for bringing this legislation to Council for those people who have this disease, because when we make the residents aware of how the disease affects them, we are supporting those who still carry on with their life. Clerk Unger called the roll on the adoption. ROLL CALL. Ayes: Cefaratti, Jackson, Trojanski, Agee, Adams and Jones. Nay: Brownlee. The Resolution passed by the vote of 6 ayes and 1 nay.

ORDINANCE NO.: 2014-15

AN ORDINANCE AMENDING SECTION 862.04 OF THE CODIFIED ORDINANCES REGARDING THE REGULATION AND LICENSING OF SOLICITORS AND PEDDLERS WHO, FOR THE PURPOSE OF SELLING GOODS OR SEEKING REVENUES, CANVASS RESIDENTIAL NEIGHBORHOODS IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance was on its first reading. Mr. Adams made a motion, seconded by Mr. Trojanski to suspend the rules and place the Ordinance on its third and final reading. ROLL CALL. Ayes: Cefaratti, Jackson, Trojanski, Agee, Adams and Jones. Nay: Brownlee. Council President Jackie Albers asked for discussion. Mr. Brownlee objected to the Ordinance being passed as an emergency and stated that he is not aware of an immediate emergency that is threatening the city, or a financial need that would require such a motion. Chief Maracz stated that after checking with surrounding cities, it was determined that our fees are low and needed to be adjusted. Ms. Albers explained to the audience that legislation that is passed on emergency becomes law as soon as the Mayor signs it, and that legislation that does not pass as an emergency requires three readings, which take place over six weeks, and then only becomes law thirty days after the Mayor signs it. Ms. Albers stated that spring is coming soon and that is when the solicitors start knocking on doors. Mr. Adams added that this law does not include school children selling magazines or cookies. Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the

legislation. Clerk Unger called the roll on the adoption. ROLL CALL. Ayes: Cefaratti, Jackson, Trojanski, Agee, Adams and Jones. Nay: Brownlee. The Ordinance passed by the vote of 6 ayes and 1 nay.

ORDINANCE NO.: 2014-16

AN ORDINANCE AMENDING CHAPTER 1494 OF THE CODIFIED ORDINANCES ENACTING NEW SECTION 1494.021 PROHIBITING CORPORATIONS FROM PURCHASING, OWNING, SELLING, OR TRANSFERRING REAL PROPERTY WITHOUT FIRST REGISTERING WITH THE OHIO SECRETARY OF STATE AND DECLARING AN EMERGENCY

This Ordinance had its first reading.

RESOLUTION NO.: 2014-17

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE RESURFACING OF SEVERAL STREETS IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

This Ordinance was on its first reading. Mr. Adams made a motion, seconded by Mr. Trojanski 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 Resolution. All voted aye, none opposed, the motion passed. The Resolution passed by the vote of 7 ayes and 0 nays.

EXPENDITURES OVER \$1,000.00:

Mr. Trojanski made a motion, seconded by Ms. Jones to approve the expenditures over \$1,000.00 numbered 2014-03 through 2014-29. ROLL CALL. Ayes: Jackson, Brownlee, Trojanski, Adams, and Jones. Nay: Agee. Present: Cefaratti. The motion passed.

MAYOR'S REPORT:

Mayor Jeffrey A. Lansky withdrew his legislation, Ordinances 2014-12 and 2014-13 for lack of the suspension of the rules, which would place the date of passage after the deadline at the Board of Elections. Mayor Lansky continued by stating that the conduct of one councilman tonight would be enough reason to reduce the size of Council. Mayor Lansky stated that in all his years as Mayor, Council President and a Councilman, he has never seen such chaos created by one or two and sometimes three individuals. The Mayor explained that in over 20 years, he has never seen anyone vote twice on an issue. Mayor Lansky suggested that the Council members who don't understand the voting procedures should read their rules, the Charter and the Codified Ordinances for clarification. Mayor Lansky stated that he feels that there is a real lack of respect for the Council President, the presiding officer who runs this meeting. Mayor Lansky stated that the City is in serious financial trouble and that the media is reporting on it along with the fire department lay-offs. Mayor Lansky stated that the 1.8 million dollars that is owed to us in property taxes is not news, and that RITA owes us over 2 million dollars is not news, but it should be. Mayor Lansky stated that the County Council asked him to support the sin tax, which he refused to do. Mayor Lansky stated that the City was promised Economic Development money from the County if we passed anti-poaching legislation, but we did not get any money. In

addition, the Mayor continued, the state shut down our internet cafes, which brought in about \$200,000.00 and where there were never any problems with crime, police calls or alcohol. The Mayor stated that the cities have not received any casino money; it all went to public square. Mayor Lansky stated that the City's alternatives to this deficit may be to close the Senior Center, a Fire Station, even City Hall, and that's why this tax levy is important, even if it doesn't become effective until later in the year. The Mayor stated that the residents have a choice, or the very people who took our money away will come in and take over. Mayor Lansky stated that many residents and businesses have left the city, but we are happy to be getting a new business that will be bringing in 18 new jobs. Finally, Mayor Lansky stated that he was contacted by News Channel 5 and they are doing a project showcasing "Block Watches" and Maple Heights has a reputation for being very strong with the Block Watch programs in the neighborhoods. Mayor Lansky recommended Councilman Adams, Councilman Trojanski and Councilwoman Agee to have their neighborhood Block Watches showcased as examples to other communities.

COUNCIL'S REPORTS:

Councilman Anthony Cefaratti, District 3 had no report.

Councilman Ron Jackson, District 4 had to leave the meeting at 8:15 p.m.

Councilman Bill Brownlee, District 5 stated that he feels he is being intimidated by the letter that Law Director John Montello wrote to him, and in regards to Mr. Montello's response about how the council conducted its business at the last meeting, there were multiple errors. He also stated that he was not even sure if it was only Mr. Montello's opinion. In addition, Mr. Brownlee stated that in the letter, Mr. Montello stated that Mr. Brownlee's web site, Maple Heights News, supposedly portrays itself as the official City News, and the City insisted that a disclaimer be added to the site to inform people that the information contained in the web site is not necessarily the views and opinions of the City Council and the Administration of the City. Mr. Brownlee stated that there has been a lot of confusion in the City, and he apologized and expressed his regret over the confusion. Mr. Brownlee suggested that the Council has more meetings, that they are longer for discussion, and that the council has forums with the residents to get their input on the issues in the city.

Councilman Richard Trojanski District 6 thanked his colleagues on Council for their support for proclaiming March as "Multiple Sclerosis Education and Awareness" month. Mr. Trojanski stated that the two duties of Council members is to legislate; that is to create the laws that govern the City, and to appropriate; which is to provide the money so that the government can operate. Mr. Trojanski stated that the Council is the representative branch of government, therefore Council represents the people. Mr. Trojanski stated that he takes it upon himself as a Council Member to bring causes forth for public awareness with resolution 2014-14. Mr. Trojanski continued and stated that his intention is to raise awareness and to educate the public about Multiple Sclerosis, an issue that affects many of our people. Mr. Trojanski stated that he is working on two projects, one with ESOP, a state-wide non-profit organization that has approached him with new home buyer educations classes, foreclosure education and assistance, and the second with a local bank to provide financial skills to our residents.

Councilwoman Edwina Agee, District 7 thanked the four fire fighters who were laid off for their service to Maple Heights.

Councilman Alex Adams, District 1 stated that he has had an ongoing complaint from a resident on Carol Drive regarding a pool of water that the next door neighbor has in their yard, which was referred to the Building Department. Mr. Adams stated that he has also had

complaints from a resident regarding a neighbor's barking dog that barks during the day while she sleeps for her night job. Mr. Adams also reported that residents on Carol Drive and Schreiber Road did not receive mail for the last two days due to the amount of snow around the mailboxes and on the roads. Mr. Adams stated that he called the Bedford post office and they stated that some residents would not get their mail during the bad weather because the streets are not plowed. Mr. Adams thanked the Service Department for taking care of the problem. Mr. Adams stated that the garbage pick-up was also delayed one day due to the snow storm. Mr. Adams thanked Darryl from the Building Department for taking care of a garbage problem on Walvern and Lee roads. Mr. Adams also thanked his opponent in the last election, Shannette, who spoke in favor of the income tax levy on the ballot on May 6th, which will raise the individual income tax rate by one half of one percent if passed to save the City.

Councilwoman Toni Jones, District 2 commended the Fire Fighters who were in attendance at the meeting and thanked them for their service. Ms. Jones stated that residents are concerned about the number of fire fighters being laid off and many are wondering if and when the Fire Department will come to their aid and if the other neighboring departments will also come, as there are many communities in the same situation. Ms. Jones announced that she would be having a Housing Committee Meeting next Monday in City Hall in Room 7 at 6:00 p.m. to discuss how we can actually help the Building Department. Ms. Jones explained that the Building Department has also been down-sized and there is only one lady at the window and one inspector for residential complaints, as the permit inspections have been out-sourced to MBIS. Ms. Jones stated that retirees may be able to drive around the districts and report violations to the Building Department. Ms. Jones urged everyone to become good neighbors and to report violations to keep our neighborhoods looking nice.

Council President Jackie Albers thanked everyone for their comments and stated that the City needs discussion to move the City forward from its present financial state. Ms. Albers stated that the person who contacted the Mayor for support of the sin tax in Cuyahoga County stated to him that he made a mistake calling the Council President for her support and that's why he was calling the Mayor. Ms. Albers stated that after receiving an email from the sin tax committee member asking for her support and to join the committee, she sat down and wrote a very opinionated response and stated that she would not support the sin tax and she would inform the public in Maple Heights not to support it either. Ms. Albers also reported that because the community has consistently asked for financial information regarding the need to raise the income tax rate to 3%, the Council, herself and the Mayor are hosting a Community Forum at the Library on Thursday, March 13th, from 6:00 p.m. to 8:30 p.m. with facts, figures and a question and answer session, so that the residents can understand our situation and make an informed decision regarding the tax increase. Ms. Albers stated that there are flyers in the back and she asked everyone to attend

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

Passed: _____, 2014

Katherine M. Unger, CMC
Clerk of Council