

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

Maple Heights Senior Center

February 5, 2014

Council President Jackie Albers called the meeting to order at 7:00 p.m. Councilwoman Toni Jones of District 2 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 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. Absent and excused were Mayor Jeffrey Lansky, and Engineer Ed Hren,

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

There were no Communications or Minutes for approval.

COUNCIL COMMITTEE REPORTS:

Mr. Trojanski made a motion, seconded by Mr. Adams to approve the following Committee assignments for the years 2014 and 2015: Finance: Richard Trojanski, Chair, with members Alex Adams, Edwina Agee, and Ron Jackson; Community Life: Edwina Agee, Chair, with members Bill Brownlee, Ron Jackson, and Richard Trojanski; Economic Development and Housing: Toni Jones, Chair, with members Edwina Agee, Bill Brownlee, and Ron Jackson; Public Works and Safety: Alex Adams, Chair, with members Bill Brownlee, Anthony Cefaratti, and Toni Jones; and the Committee of the Whole: Jackie Albers, Chair, with members Alex Adams, Toni Jones, Anthony Cefaratti, Ron Jackson, Bill Brownlee, Richard Trojanski, and Edwina Agee. All voted aye, none opposed, the motion passed.

DEPARTMENT REPORTS:

Fire Department – Chief John Drsek reported that the Fire Department responded to a house fire at 15514 Turney Road on January 15th with \$27,000.00 in damages and a house fire at 30725 Hansen Road on January 26th with \$20,000.00 in damages, including an illegal gas line hook up. Chief Drsek stated that for the year 2013, the Fire Department responded to 4,718 incidents, which was an increase of 276 runs from 2012. Chief Drsek also asked residents who are able to please shovel around the fire hydrants on their street if one is on your tree lawn to help out the Fire Department.

Law Department - Mr. John Montello had no report.

Police Department – Chief Richard Maracz had no report.

Engineering Department – Mr. Edward Hren was not present.

Human Service Department – Mrs. Linda Vopat welcomed new Finance Director Irene Crowell and stated that South Pointe Hospital would be sponsoring an event at the Senior Center on February 18th at 5:30 p.m. regarding the importance of healthy numbers. Ms. Vopat stated that there will be screenings available for Blood Pressure, Cholesterol, Glucose and others along with explanations of how our important numbers affect our health. Ms. Vopat reminded the Senior residents that they may make an appointment to have their income taxes done until April 8th, and that Maple Park Place, a new apartment complex for seniors, will be opened by the middle of May.

Finance Department – Ms. Irene Crowell stated that she is happy to be in Maple Heights, but had no report.

CITIZENS COMMENTS: There were no citizens who commented.

LEGISLATION:

ORDINANCE NO.: 2014-03

AN ORDINANCE AMENDING SECTION 1494.09 OF THE CODIFIED ORDINANCES REGARDING THE ESCROW ACCOUNTS REQUIRED ENSURING THAT ALL VIOLATIONS ARE REPAIRED UPON A SALE OR TRANSFER OF REAL ESTATE IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

As this legislation was on its third reading, Mr. Trojanski made a motion, seconded by Mr. Adams to adopt the Ordinance.

Mr. Brownlee stated that he has a motion to refer to a committee that will supersede the main motion.

Council President Jackie Albers stated that Mr. Brownlee was not recognized by the Chair and there is a motion on the floor. Ms. Albers asked for any discussion.

Ms. Albers asked the Clerk to call the roll on the adoption. ROLL CALL. Ayes: Jones, Jackson, Trojanski, Agee, and Adams. Nay: Cefaratti and Brownlee. The Ordinance passed by the vote of 5 ayes and 2 nays.

Mr. Brownlee tried to make a motion to place the legislation in Committee.

Ms. Albers stated that Mr. Brownlee was out of order. Mr. Brownlee asked for clarification from Law Director Montello. Mr. Montello stated the legislation already passed, however Mr. Brownlee may ask the council to reconsider to refer this legislation to a committee. Mr. Brownlee made a motion, seconded by Ms. Agee, to ask the Council to reconsider sending the legislation to a committee. Ms. Albers asked for any discussion.

Ms. Jones commented that as she stated in caucus, she will be announcing in her report that she will be having a Economic Development and Housing Committee meeting on January 24th to discuss this legislation, any amendments that council has in mind for this ordinance, and other issues that are affecting the city in this area.

Mr. Brownlee stated that in the past, the City used outside Escrow companies and many of the companies and contractors were dishonest and did not require the money to be put aside. Mr. Brownlee continued and stated that in light of the fact that the City has not even contacted any escrow companies to find out their procedures, and that Council does not even know if this legislation will accomplish the goal for which they are putting it forward, that he wants the legislation moved to a committee to discuss it with the Building Commissioner.

Ms. Albers thanked Mr. Brownlee for his information and stated that she believes that this discussion is redundant as the Council has already discussed it, agreed to move forward and vote, and the Ordinance passed. Ms. Albers asked if there was any more discussion the pending motion.

Mr. Adams stated that this legislation was already presented before the work session when it was discussed, the Building Official asked for this legislation and the Finance Director commented in caucus that the Finance department does not have enough employees to process the paperwork that is required. Mr. Adams also stated that Ms. Jones will be having a committee meeting for any amendments that the Council wants. Adams stated that he believes that the Council should move forward.

Ms. Albers stated that the council has moved forward and passed this legislation and the motion on the floor is to put the legislation into committee, which seems to be redundant. Ms. Albers asked for a roll call. Mr. Brownlee asked for the session to be closed. Ms. Albers asked once more for a roll call.

Clerk Unger stated that the motion is “to reconsider to refer to committee”. ROLL CALL. Jones: No, Cefaratti: Yes, Jackson: No, Brownlee: Mr. Brownlee asked for clarification of the motion. Ms. Unger stated that the motion is “to reconsider to refer to committee”. Brownlee: Yes, Trojanski: No; Agee: Ms. Agee asked for clarification of the motion. Ms. Unger stated that the motion is “to reconsider to refer to committee”. Ms. Agee voted present. Mr. Brownlee stated that the Council President is out of order. Ms. Albers stated that Mr. Brownlee is out of order and that he must ask for and receive recognition from the Chair before he speaks. Mr. Brownlee asked for a point of order. Clerk Unger stated that we are still calling the roll. Adams: No. Clerk Unger counted the votes. There were four no votes, 2 yes votes and 1 present vote, therefore the motion failed to place the Ordinance in Committee.

Mr. Brownlee once again asked to reconsider for clarification of the motion. Council President stated that the motion was asking Council to reconsider sending the Ordinance to Committee and the majority of Council voted “no”. Mr. Brownlee once again stated that the Council President is out of order. Ms. Albers stated that Mr. Brownlee is out of order. Mr. Brownlee asked that the Law Director make a ruling to whether or not the council is out of order. Mr. Brownlee asked for clarification as to whether a motion to refer to committee superseded a main motion. Mr. Montello stated that he is not familiar with that section, but they are only rules, not laws. Mr.

Brownlee stated that the Charter states that the meetings shall be governed by Robert's Rules of Order. Mr. Montello stated that he would like to do some research as Mr. Brownlee surprised us all at the last minute. Mr. Brownlee stated to Mr. Montello that he believes the question is whether we are in order or out of order. Mr. Montello stated that he is ruling that we are in order.

ORDINANCE NO.: 2014-04

AN ORDINANCE AMENDING SECTION 648.19 OF THE CODIFIED ORDINANCES REGARDING THE ABATEMENT OF CRIMINAL ACTIVITY NUISANCES SUBJECTING THE OWNER OF THE PROPERTY TO THE PROVISIONS OF SECTION 698.02 IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

As this legislation was on its third reading, Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the Ordinance. ROLL CALL. Ayes: Jones, Jackson, Trojanski, Agee, and Adams. Nay: Brownlee. Present: Cefaratti. The Ordinance passed by the vote of 5 ayes, 1 nay, and 1 present.

RESOLUTION NO.: 2014-09

A RESOLUTION AUTHORIZING A PAYMENT BY THE CITY OF MAPLE HEIGHTS FOR THE INITIAL CONTRIBUTION TOWARDS THE HIRING OF THE SOUTHEAST COMMUNICATIONS ADMINISTRATOR FOR THE CENTRAL SAFETY FORCES DISPATCH CENTER TO BE KNOWN AS THE SOUTHEAST EMERGENCY COMMUNICATION CENTER ("SECC") THROUGH THE SOUTHEAST REGIONAL COUNCIL OF GOVERNMENTS ("SRCG") IN COOPERATION WITH THE CITY OF BEDFORD, THE CITY OF BEDFORD HEIGHTS AND THE CITY OF GARFIELD HEIGHTS AND DECLARING AN EMERGENCY

Mr. Brownlee 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 legislation. All voted aye, none opposed, the Resolution passed by the vote of 7 ayes, and 0 nays.

ORDINANCE NO.: 2014-10

AN ORDINANCE AMENDING SECTION 1062.07(e) OF THE CODIFIED ORDINANCES REGARDING THE USE OF THE PAVILIONS AT DUNHAM AND STAFFORD CITY PARKS, AND DECLARING AN EMERGENCY

Mr. Trojanski made a motion, seconded by Mr. Brownlee to suspend the rules and place the Ordinance on its third and final reading. ROLL CALL. Ayes: Jones, Cefaratti, Jackson, Brownlee, Trojanski, and Adams. Nay: Agee. Mr. Trojanski made a motion, seconded by Ms. Jones to adopt the Ordinance. ROLL CALL. Ayes: Jones, Cefaratti, Jackson, Brownlee, Trojanski, and Adams. Nay: Agee. The Ordinance passed by the vote of 6 ayes and 1 nay.

RESOLUTION NO.: 2014-11**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT AN AMENDMENT TO THE CONTRACT WITH MUNICIPAL BUILDING INSPECTION SOLUTIONS, LLC TO PROVIDE BUILDING INSPECTION AND RELATED SERVICES TO THE CITY OF MAPLE HEIGHTS, OHIO 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. All voted aye, none opposed, the motion passed. Mr. Adams made a motion, seconded by Mr. Trojanski to adopt the legislation. ROLL CALL. Ayes: Jones, Jackson, Brownlee, Trojanski, Adams, and Agee. Present: Cefaratti. The Resolution passed by the vote of 6 ayes, 0 nays, and 1 present.

EXPENDITURES OVER \$1,000.00: None

MAYOR'S REPORT: The Mayor was not present.

COUNCIL'S REPORT:

Councilman Alex Adams, District 1 stated that he has a six year problem with garbage being scattered around the dumpster at the Lee and Walvern apartments. Mr. Adams stated that he called the police where pictures were taken to move forward with this problem. Mr. Adams also reported that a battery was stolen out of a parked car on Walvern, and that residents should call the police non-emergency number at 662-1234 to report suspicious activity. Mr. Adams complimented the quick response of the Maple Heights Fire Department to a 2nd floor house fire on Turney Road which kept the damages to a minimum. Mr. Adams stated that he picked up 119 used eye glasses from eight businesses in his district and brought them to the Lion's Club collection center at St. Vincent's hospital and urged people to join the Club if they are interested. Mr. Adams announced that the American Legion Post 309 will be having a fish fry on February 7th from 4:00 to 7:00 p.m. with take-outs available.

Councilwoman Toni Jones, District 2 stated that she would like to reiterate what the Fire Chief commented on regarding the fire hydrants and urged everyone to help remove the snow around the hydrants and not to blow their snow on the hydrants for safety reasons. Ms. Jones also announced that there will be an Economic Development and Housing Committee meeting on Monday, January 24, 2014 at 6:00 p.m. in Room 7 at City Hall. Ms. Jones stated that the agenda will be placed in the council boxes once she has the Clerk prepare it and will include the escrow ordinance number 2014-03, and she will be asking Building Official Rick Loconti to attend.

Councilman Anthony Cefaratti, District 3 stated that he received some complaints about the snow plow drivers speeding down a street, but at the same time, he stated that he received several more compliments on the wonderful job that they are doing. In addition, Mr. Cefaratti stated that he is finding that many residents are against the increase in the income tax, so he hopes some information will be sent to the residents in order for them to make an informed decision.

Councilman Ron Jackson, District 4 agreed with Mr. Cefaratti about the negative reaction of the residents and stated that he thinks it is imperative that the City gets out information about the cuts and the cut-backs and the lack of money coming from the State and the County. Mr. Jackson stated that the residents should be presented with the current budget and what the budget would look like if the income tax levy fails. Mr. Jackson also expressed the importance of the calls he receives from the residents with their concerns.

Councilman Bill Brownlee, District 5 stated that he had the privilege of riding with one of the City's snow plow operators and learning about the job and he stated that the driver's really do give it their best. Mr. Brownlee stated that the drivers often work 12 hours shifts and do everything they can to try to save the City money on salt, while making the roads safe. Mr. Brownlee stated that the way to handle the condition of a snowy street is to not to complain about it but to simply drive slower and be patient, as many of our residents have been. Mr. Brownlee stated that spring is coming, both physically and for our city.

Councilman Richard Trojanski District 6 reported that on Monday, February 3, 2014, the Maple Heights Building Department declared the Clare Avenue apartments a nuisance, shut down the building, had the remaining tenants evacuated, and sent the owner to court. Mr. Trojanski stated that many utilities were not working and several of the apartments were unlivable. Mr. Trojanski also reminded everyone of the tax amnesty program going on in the Finance Department at City Hall for those persons who are behind on their taxes.

Councilwoman Edwina Agee, District 7 thanked the Maple Heights Service Department for taking care of an issue for her on Maple Heights Blvd.

Council President Jackie Albers stated that although the employees that we still have are doing the best job they can with limited resources, the residents are starting to notice that the lack of employees that they are used to is affecting the quality of the services in the City. Ms. Albers asked that the residents be patient and forgiving and stated that she is happy that some of them are still thankful for the services that they still receive.

There being no further business to come before this Council, Council President Jackie Albers adjourned the meeting at 7:40 p.m.

Passed: February 19, 2014

ATTEST:

s/s Katherine M. Unger, CMC