

City of Maple Heights
Caucus and Regular Council Meeting Minutes
Maple Heights Senior Center

August 5, 2015

MEETING CAUCUS

Council Pro Tempore Richard Trojanski called the caucus to order at 6:31p.m with the following Council members present: Adams, Jones, Cefaratti, Jackson, Brownlee, Trojanski and Agee. Also present were Mayor Jeffrey Lansky, Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, and Council Clerk Leonette Cicirella. Council President Albers arrived at 6:50 p.m. Engineer Ed Hren was absent and excused.

Several pieces of legislation were on the agenda, including: **Ordinance No. 2015-36**, Amendment to City Charter regarding traffic cameras. Mr. Trojanski stated that this ordinance was on second reading and asked for any discussion. Councilman Adams asked Councilman Cefaratti as sponsor to withdraw the legislation and place it in committee until the new council is seated. Mr. Adams stated his reason for this request was to give time for the voters to understand the legislation and not confuse them with the Senior Center levy already placed on the ballot. Mr. Adams continued that it is important that the Senior Center levy gets passed with Council support, so there should be only that one issue on the ballot. Mr. Adams stated that he had thought about this issue a lot, and that this was his own opinion, he hadn't discussed it with anyone else. Mr. Cefaratti respectfully declined to withdraw the ordinance stating that whether there was support for it or no support Council should vote on it tonight.

Mr. Trojanski stated that **Resolutions 2015-37 to 2015-42** inclusive, were all on second reading and announced that further discussion of these items would be held at Council's Work Session scheduled for August 31, 2015 when the assessment lists should be available.

Ordinance No. 2015-46 derived from action by the Planning and Zoning Commission, Case Number **2015-PZ-09**, recommending the approval of a lot split at 16501 Rockside Road. Councilwoman Jones explained that the lot split involved a small parcel of land owned by Redi-Wash which is being used by the railroad. The lot split would complete the sale of this portion of land to the railroad. Law Director Montello asked if it could be voted on tonight so the railroad would be able to continue on with their project. Mr. Trojanski asked Council to suspend the rules for this legislation.

Mr. Trojanski presented **Ordinance No. 2015-47**, Amending Chapter 1226 of the City Ordinances regarding the sale of unimproved residential lots and asked Councilwoman Jones to start the discussion as the sponsor of this legislation. Ms. Jones stated that the ordinance was the result of a discussion at a Housing Committee Meeting regarding the disposition of vacant lots held in the City land bank. Ms. Jones said that unimproved residential vacant lots are coming to the City now as a result of the demolitions completed with NSP funds and the tax foreclosure process. Ms. Jones stated that people are interested in purchasing these lots, so the Housing Committee developed a list of qualifications for purchasers, including being current on their property taxes; must be the owner of the property; the property must be adjacent to the vacant lot; there are no code violations on their property, the purchaser must receive a letter of support from the councilperson of the District; and the buyer must complete a lot consolidation. Ms. Jones further explained that the lot consolidation could be substantiated by a down payment made to a surveying company. With regards to the lot consolidation requirement, Mr. Montello said that Council would need to consider the City

Engineer's input concerning the deposit of funds for both the lot purchase and the consolidation plat. Mr. Montello stated that perhaps the funds could be deposited in an escrow account. Ms. Jones stated there wouldn't be a title company for these transactions though and asked if the City Finance Department could hold these funds or if the City has a title company it uses. Ms. Jones stated that the language of Section 2(c) could be changed to include "money deposited in escrow for payment of lot consolidation." Ms. Jones said that this ordinance should stay on first reading to clarify this issue and allow for further comments on it.

In reference to the escrow issue, Finance Director Crowell stated that these funds could be held by the Finance Department, but not in the current escrow account. Mr. Montello said that Council should discuss this further with the City Engineer since he must review all lot splits and/or consolidations which would include fees. Ms. Jones said that the surveying would need to be done by a private company though.

Councilman Jackson asked for clarification about the requirement that there be no code violations, whether that referred to the exterior of the purchaser's house. Ms. Jones answered in the affirmative. Mr. Jackson also inquired about the requirement that purchasers agree to pay future taxes on the lot. He stated that since taxes are based on the value of the lot which could be thousands of dollars, it could be expensive. Ms. Jones replied that since the lots are unimproved pieces of land, there is no development on the land that would affect the taxes. Ms. Jones stated there will be an increase in taxes only after the parcels are added together via consolidation, but should only increase between Fifty Dollars (\$50.00) to Two Hundred Dollars (\$200.00) per year. Ms. Jones added that this would be explained on the application form used for the program. Mr. Trojanski stated that this legislation would have its first reading to permit more discussion.

Ordinance No. 2015-48 designating the month of September as Save Our Homes Month was presented by Mr. Trojanski as sponsor. Mr. Trojanski stated that the purpose of the legislation was to raise awareness of the foreclosure crisis in the City and make resources available to people facing this problem. Mr. Trojanski stated that he is partnering with the Cuyahoga County Court of Common Pleas Foreclosure Mediation Program to bring their program and resources from other agencies to the residents of Maple Heights in need of these services. Mr. Trojanski asked for consideration of the legislation on first reading. The following council members asked to be co-sponsors: Jackson, Cefarrati, Adams, Brownlee, Jones and Agee.

Councilman Brownlee asked if there was any information regarding this event to which Mr. Trojanski responded that it would be held toward the end of September and would involve counselors from the Court Mediation program and from the Cleveland Housing Network (CHN). Mr. Trojanski said that the Lutheran Church of the Covenant at 19000 Libby Road was interested in hosting the event.

Mr. Trojanski presented **Ordinance No. 2015-49** amending Section 244.04 of the Codified Ordinances to permit the hiring of Part-time Police by the City. Mr. Trojanski asked Police Chief Popielarczyk to address this issue. Chief Popielarczyk said the idea of hiring part-time police officers had been discussed since January, with the loss of eight (8) policemen through resignation or retirement. The Chief said that although there will be a test to hire new police on August 19th, the City needs more officers to cover the hours that are required to be staffed. The Chief stated there was no union opposition to the proposal. Chief Popielarczyk explained that the Police Department would hire experienced policeman to work part-time, providing the following benefits to the City and

residents: 1) it would reduce the burden and stress on full-time officers to work excess overtime and 2) would provide coverage to the City without the costs of overtime.

Councilwoman Jones asked Chief Popielarczyk what is considered part-time before benefits would be required. The Chief stated the Department would keep part-time officers at 16-24 hours per week to comply with Federal Law regarding benefits. Councilman Adams stated the program would result in savings for the City if the part-time officers were scheduled to cover the hours that are now overtime for the regular shifts so the legislation should be voted on tonight. Mr. Montello stated that another benefit of the reduced overtime is that the full time officers could have more time with their families, reducing stress and officer burn-out.

Mr. Jackson asked if only part-time police would be hired even though the title of the ordinance to be amended is "Special Police and Clerical Help." Chief Popielarczyk stated that since this legislation is already in place for unclassified police employees it would be logical to add the part-time police to it since these would be unclassified employees also. Mr. Jackson asked if the Police Department would replace a full time officer with two (2) part-time officers to which the Chief answered in the negative, and stated that was not the purpose of the legislation. Chief Popielarczyk said there are not enough officers available to adequately cover the shifts. Mr. Jackson inquired as to the range of pay rates for the part-time officers. Chief Popielarczyk stated that the pay range is based upon the officer's level of experience and would be from \$21.00/\$22.00 per hour to \$27.00 per hour. Mr. Brownlee asked if the Chief received any feedback from the union and he stated they would not oppose it as long as the City would follow the guidelines and not hire part-time police to replace full-time officers. The Chief said that presently the Department is seeking to hire four (4) full-time officers to bring the staff to thirty-three (33). Mr. Brownlee asked if the amendment would be a temporary fix. Chief Popielarczyk stated it may or may not be temporary; the police department may need to hire part-time police to cover hours even if full-time officers are hired. Mr. Montello stated that full staff for the Police Department is forty-one (41) officers per their contract terms. In view of these facts, Mr. Trojanski asked Council to suspend the rules.

Regarding **Resolution 2015-50**, Mr. Trojanski asked Fire Chief Kavaliunas to address this legislation. Chief Kavaliunas stated that presently the Fire Department has three (3) rescue squads, one (1) front line at each fire station and one (1) back-up. The Chief said the newest is a 2010 model with a refurbished patient compartment. Chief Kavaliunas stated that in the past the department followed a 3-5 year plan, purchasing lighter vehicles with the idea the vehicles would be turned-over more frequently. The Chief said that with the present call volume however and the fact that hospital rules require that all ob-gyn and trauma calls must go to either Hillcrest or Metro, the trucks are running all day. The Chief stated further that all three (3) vehicles are experiencing engine problems which are reducing the department's level of service to the community and increasing repair costs since the repairs being needed are more technical and must be outsourced. Chief Kavaliunas said the Fire Department was requesting to replace one (1) rescue unit with a heavier duty vehicle which would be leased. The Chief stated the unit was selected based upon the service needs of the City and would include an extended warranty.

Mr. Trojanski asked how much time was required for this customized equipment to which Chief Kavaliunas stated it takes about 6-9 months. Mr. Trojanski said the resolution should go to a vote to expedite the order process. The Chief said another consideration is that the preferred medium duty chassis will no longer be available after the first of the year due to a change in EPA standards, but the manufacturer (International Harvester) would hold one for the City. Council President Albers asked Chief Kavaliunas if he could give Council a broad summary on a monthly basis of the costs for the

extensive repairs to the vehicles. The Chief stated that for both the ambulance and pumper truck the repairs were about Twenty-five Thousand (\$25,000.00) to Twenty-seven Thousand (\$27,000.00).

Councilman Cefaratti asked if the chassis selected is the only one offered in the price range. Chief Kavaliunas said that the chassis chosen is the most reliable one available and that some manufacturers have pulled the diesel engine and replaced it with a gasoline engine, even though that model can be more unreliable.

Mr. Jackson asked Finance Director Crowell how these lease costs would fit into the City's current financial situation. Ms. Crowell said that a projected Three Hundred Twenty-two Thousand Dollars (\$322,000.00) in current expenses (from current lease payments and debt servicing) will fall off in 2016 which would then be available for this lease financing. Ms. Crowell stated that the City would also realize savings from reduced repair costs and staggered lease payments which will be paid off at different increments of time.

Mr. Brownlee asked the Chiefs about the repair costs for the vehicles to which Chief Kavaliunas responded that only expenses One Thousand Dollars (\$1,000.00) and over per item are reported on the list for Council review, but there are numerous repairs that are smaller than that dollar amount. Mr. Brownlee asked Chief Popielarczyk about the same dollar amounts repeated on the bill list. Chief Popielarczyk said those items were for similar transmission work performed on two (2) different police cruisers.

Mr. Trojanski asked Chief Popielarczyk to discuss **Resolution 2015-51** regarding the lease of four (4) 2016 Ford Explorers for the Police Department. The Chief stated that the Police Department selected the Ford SUVs since the current Dodge Chargers have numerous repair issues and officers have difficulty getting people into the cars. The Chief also said that the SUVs would have all-wheel drive making it possible for officers to drive through unplowed streets. Mr. Trojanski asked Council to suspend the rules for both Resolutions 50 and 51.

Mr. Jackson asked Chief Popielarczyk if the Police Department had any K-9 units or would be getting a K-9 unit which would require the option to remotely release the locks. The Chief stated that the Department does not have a dog and probably would not get a K-9 unit due to the expense. The Chief said that under federal law the dog's handler needs four (4) hours off per week to care for the animal and he doesn't have officers to cover those hours. In addition, the Chief said there are costs to maintain the dog.

Mr. Brownlee asked what happens at the end of the vehicle lease term and what would the Police Department plan on doing at that time. Chief Popielarczyk said that vehicles can be purchased at the end of the lease for \$1.00. The Chief said the decision to purchase at the end of the lease would depend on the condition of the cars, the mileage, etc. Mr. Brownlee questioned when would the Department need more vehicles and how would these be paid for. Chief Popielarczyk stated he cannot foresee when new vehicles would be needed, it would depend on how often the current cars break down. The Chief said that with six (6) officers on a shift, at least four (4) vehicles are needed. Chief Popielarczyk stated further that ideally a Department purchases one (1) to two (2) vehicles a year, so that the costs are spread out and vehicles can be rotated. With regards to how to pay for the vehicles, the Chief said he did not know about the funding; that he researches what the Department needs to do their job and forwards the information to the Finance Department.

Mr. Trojanski presented **Resolution 2015-52**, regarding the lease of a new pumper truck for the Fire Department and asked Chief Kavaliunas for his input. The Chief stated that the newest pumper truck is a 2002, which has limited capacity to carry the additional equipment which is now required to be carried. Chief Kavaliunas said the older vehicles are also experiencing more serious mechanical problems such as axle repairs and transmissions; with the lease of a new pumper truck the oldest would be liquidated and parts taken for use. The Chief stated that the new pumper truck is a heavier duty, stripped down model. The Chief said it is made in Columbus, Ohio, and carries a full warranty. Mr. Trojanski asked Council to suspend the rules for this resolution which is also on first reading.

Regarding **Resolution 2015-53**, Acceptance of SAFER Grant for the Fire Department, Mr. Trojanski asked Chief Kavaliunas to explain this Program. The Chief said this was an extremely important grant from the federal government since it will allow the Fire Department to hire six (6) new firemen. The Chief stated that these additional hires would increase the staff to thirty-five (35); this would allow eight (8) to be scheduled per shift bringing Station #2 back to its previous staffing level. The Chief said the Department would continue to apply for grants to extend the retention of personnel. Mr. Trojanski congratulated the Chief and asked if there were any deadlines requiring a suspension of the rules. Ms. Crowell stated that the Grant had to be accepted within thirty (30) days of award. Chief Kavaliunas said he was required to hire the new staff within one hundred eighty (180) days from the date of the grant which starts the 2- year clock running. Mr. Trojanski asked Council to suspend the rules to expedite the grant acceptance. Councilman Cefaratti and Council President Albers asked to be added as co-sponsors of the legislation.

Resolution 2015-54 was placed on the agenda by addendum, and derived from action by the Planning and Zoning Commission, Case Number **2015-PZ-07**, recommending the approval of a lot consolidation at 19950 Rockside Road. Mr. Montello stated the lot consolidation would allow the DriveTime Car Sales Company to consolidate their parcels with the adjacent parcel purchased from the Honey Baked Ham Company. Mr. Montello asked Council to suspend the rules so the Company could complete the transaction.

Mr. Trojanski presented the list of **Expenditures over \$1,000.00: 2015-53 and 2015-54** for council review.

Council President Albers had two (2) announcements at the conclusion of the Caucus session: there would be a Special Presentation at the Council Meeting by Councilwoman Agee and there will be a Work Session for Council scheduled on Monday, August 31, 2015.

Councilman Jackson announced that he would be making a motion to remove the council rules of order legislation out of committee.

The caucus meeting adjourned at 7:30 p.m.

REGULAR MEETING OF COUNCIL

Council President Albers called the meeting to order at 7:35 p.m. with the following Council members present: Albers, Adams, Jones, Cefaratti, Jackson, Brownlee, Trojanski and Agee. Also present were Mayor Jeffrey Lansky, Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, and Council Clerk Leonette Cicirella. Engineer Ed Hren was absent and excused.

Councilman Anthony Cefaratti gave the invocation and led the Pledge of Allegiance to the Flag. Council President Albers introduced the new Clerk of Council, Leonette Cicirella. Council Clerk Leonette Cicirella called the roll.

ADDENDUM: There being no objections, the Addendum became part of the Regular Agenda.

SPECIAL PRESENTATION:

From Councilwoman Edwina Agee: To Jaymee Abercrombie and Sharilyn Clark a \$200.00 Scholarship Award for their achievements as Outstanding Graduating Seniors in Maple Heights. Ms. Abercrombie volunteered at the Veterans Administration while attending school and graduated with a 3.2 GPA. She will be attending Kent State University where she plans to major in Psychology with a Pre-Med background. Ms. Clark was senior class president and achieved a 4.06 GPA. She plans on majoring in Political Science.

MINUTES: Mr. Jackson made a motion, seconded by Mr. Trojanski to approve the Regular Council Meeting minutes of July 1, 2015. All voted aye, none opposed, the motion passed.

COMMUNICATIONS:

From the Ohio Department of Commerce, Division of Liquor Control:

Notice to inform the City that all permits to sell alcoholic beverages in the City will expire October 1, 2015 and to notify Council of the process to object to the renewal of permits and request hearings before that agency.

From the Ohio Division of Liquor Control:

Notice regarding application for a new class "C" liquor permit by H2O Ultra Lounge LLC, 21300 Libby Road, Maple Heights, Ohio

From Rick Loconti, Building Commissioner, Notice of Abatement of Nuisance for property located at 14561 Pease Road, Maple Heights, Ohio

COMMITTEE REPORTS: There were no Committee Reports.

DEPARTMENT REPORTS:

Fire Department – Chief Kavaliunas reported that to date there were 2,916 calls for service and that the Fire Department responded to a garage fire on Monday, July 27th at 14061 James Avenue. Although the garage was fully involved, the Fire Department prevented the fire from reaching the residence where two elderly people resided; no injuries were reported. The Chief said that on Friday, July 31st, the Fire Department received notification that it had been awarded a SAFER Grant in the amount of \$1,106,958.00. He stated that this grant which is offered by FEMA would allow the City to hire six (6) additional firefighters, increasing the Department staff to thirty-five (35). Chief Kavaliunas explained that the Grant is for two (2) years, and covers all salary and associated benefits for the six (6) new hires for the two-year period. The Chief thanked

FD Captain Dan Sypen for his research work to secure the Grant and also thanked Ms. Crowell and the Finance Department for assistance with the financial information and guidance with the grant submission.

Chief Kavaliunas also thanked FD Captain John Tippen and FF Tony Selar for their work to acquire the specifications for replacement apparatus needed by the Department. He said that due to the age of the newest equipment (a 2010 rescue squad and 2002 pumper truck), the call volume for the Fire Department and the climate conditions have taken a physical toll on these vehicles. The Chief stated that the vehicles have reached mileage and engine hours requiring major overhauls. Chief Kavaliunas stated that the new apparatus is 6 -9 months away from completion upon order and the chassis will increase in price by the end of the year due to new 2016 EPA regulations. The Chief said that the new rescue squad will have a re-mountable patient compartment allowing the Department to update the truck chassis only which will save considerable costs. The Chief ended his report noting that our neighboring cities have been very helpful by lending the City pumpers and squads when necessary.

Law Department - Mr. Montello complimented Human Services Director Vopat on the Spaghetti Dinner Fundraiser held on Sunday to benefit her Department and thanked all those who attended and volunteered. Mr. Montello congratulated Chief Kavaliunas on the Grant received by the Fire Department and extended his condolences to the family of retired Detective Allen Henderson.

Police Department – Chief Popielarczyk reported that since last Council Meeting, the Police Department responded to 1,947 calls for service, bringing the total number of calls to date to 9,885. He stated there are thefts from vehicles being reported throughout the City, in particular the areas of Bowling Green, Sunnyslope and Phillip. The Chief reminded residents to lock their vehicles at all times and not to leave valuables inside. Chief Popielarczyk also asked residents to call if they see anything suspicious such as persons walking through back yards looking in vehicles parked in the driveways.

Chief Popielarczyk announced that the Police Department will be holding an exam to hire new officers on Wednesday, August 19, 2015 at Maple Heights High School. He said the application deadline is August 14, 2015; applications are available at and can be returned to City Hall and the Police Department. The Chief asked residents to encourage people to take the test.

Chief Popielarczyk extended his condolences to the family of retired Detective Allen Henderson. He said that Det. Henderson was a 27- year veteran of the Police Department and that his last homicide case had recently gone to trial and the accused was found guilty. Lastly, the Chief reminded everyone that school will be starting soon, so watch the school zones and be cautious with kids who may be in the streets.

Human Service Department – Mrs. Vopat reported that since the last Council Meeting, two (2) fundraisers were held to help Senior Services. The first was a Rummage Sale held at the Senior Center on July 25, 2015 which raised One Thousand Four Hundred Dollars (\$1,400.00) for the Senior Center. Mrs. Vopat thanked all those who helped with this project, especially Erin Price, Manager of the Maple Heights Walgreen's whom Mrs. Vopat introduced at the Council meeting. Mrs. Vopat said that Mr. Price brought the rummage sale project to her and worked hard to collect

the items and set-up the day of the sale with three of his friends who were also managers at other Walgreen stores. Mrs. Vopat announced that Mr. Price's next project will be the Flu Shot Program at the Senior Center in early fall.

Mrs. Vopat said the second fundraiser was held on August 2nd which was a Spaghetti Dinner Fundraiser at St. Andrew's Eastern Orthodox Church sponsored by the First Catholic Slovak Ladies Association, Branch 618. She extended many thanks to all those who attended the fundraiser in support of the Senior Center and especially wanted to thank the following: Chris's Family Restaurant, St. Andrew's, the First Catholic Slovak Ladies organization, Suburban Pavilion, the band, Council President Albers, Councilwoman Jones, Councilman Jackson, Councilwoman Agee, Law Director Montello and his secretary Cheryl Seidenwand, Finance Director Crowell and Jana Crosby from the Finance Department, Tonya Black from the Service Department, Former Chief Jim Castelucchi and his wife Joan, and former service director Lou Rogers. Mrs. Vopat reported that Fifteen Thousand Dollars (\$15,000.00) was raised from this activity and would be added to the Human Services budget. Mrs. Vopat concluded her report with the announcement that the Food Pantry would be hosting a fundraiser for Human Services on Tuesday, August 18th from 11:30 am to 3:30 pm and on Thursday, August 20th from 4:00 pm to 8:00 pm. The Food Pantry, located at 17100 Broadway Avenue, will be selling hot dogs, chips and pop for \$2.00. All proceeds will benefit Human Services.

Finance Department – Ms. Crowell announced that the auditors have completed the 2014 audit for the City and it will be filed with the State of Ohio by August 15, 2015. The City will receive a certified copy of it by the 1st of October. Ms. Crowell also reported that the Finance Department has been meeting with Mrs. Vopat and the Mayor to monitor the status of the Senior Center. She said that the budget for last month indicated there was funding to August 31st, but with savings the Center can operate to September 30th. Ms. Crowell said it requires approximately Thirty Thousand Dollars (\$30,000.00) per month to operate the Center so with the fundraisers, there will be funding to the middle of October. Ms. Crowell concluded her report by commending Mrs. Vopat for her efforts to save money and to raise additional funds which may be available to stay operational

Mrs. Vopat requested to amend her report to add that there were three (3) other sources of funding she had been actively pursuing; she said she hopes to hear the outcome of one by August 21st, another by the next council meeting and the last one by the first week of October.

CITIZENS COMMENTS:

Mr. Willie Hardwick of 16655 Anthony Street asked about the financial audit being completed next month and where the money from recycling was being used. He also stated that Anthony and Raymond Streets are in need of repair and asked when the streets would be cleaned by the street sweeper. Mr. Hardwick objected to the delay in the start of the Council Meeting and said the caucus should be changed.

Council President Albers stated that the delay was the result of the Caucus Meeting being extended due to the number of pieces and complexity of the legislation on the agenda.

Mr. Bruce Terrell of 16258 Dunham Road said the traffic cameras are needed, especially with the speeding on Dunham Road like a raceway. He said the money would help the City and suggested that the locations be posted on the City website to meet citizens' concerns. Mr. Terrell also asked Councilman Brownlee about his statements regarding "haphazard renters" which comprise about 30% of the City's residents and his comment about "giving up his seat."

Ms. Tanglyn Madden of 5555 Garden Street asked Chief Popielarczyk about the use of police officers with the traffic cameras and would the City have the finances to be using both. The Chief stated that the use of officers with the traffic cameras would be the same as when officers are on patrol and that the cameras would not need to be run 24 hours. The Chief said the costs could be absorbed by the funds generated by the citations.

LEGISLATION:

ORDINANCE NO.: 2015-36

AN ORDINANCE REQUIRING THE CLERK OF COUNCIL TO DELIVER TO THE CUYAHOGA COUNTY BOARD OF ELECTIONS A PROPOSED AMENDMENT TO THE MAPLE HEIGHTS CHARTER TO LIMIT THE USE OF PHOTO-MONITORING DEVICES TO DETECT CERTAIN TRAFFIC LAW VIOLATIONS, IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Councilman Cefaratti asked Chief Popielarczyk to address the use of traffic cameras within the City and what benefits could be provided. Chief Popielarczyk stated that the use of cameras slowed down traffic, especially on Warrensville Center Road and Broadway Avenue where there were many complaints of speeding and this is a positive thing. He said that adjustments to the program were possible, which could make it more acceptable to people from both the financial standpoint and the enforcement level. The Chief said that it depends on the level of enforcement the citizens want. Chief Popielarczyk stated that in the opinion of the Police Department, the cameras are a good thing, that they serve a purpose for the community and the Department.

Council President Albers asked Mr. Cefaratti if he wanted to clarify his proposal. Mr. Cefaratti said that he didn't need to clarify his proposal but would make a statement. He stated that this legislation would allow voters to decide about the use of cameras in the City; that since the Supreme Court has decided that cameras are legal, he's asking Council to give residents the right to vote on a new proposal for traffic cameras under the new laws with new parameters. Mr. Cefaratti stated that the old question was mute, and that this is a positive tool for law enforcement and one that would augment the budget.

Councilman Adams stated he wanted to clarify why he was voting "no" on this legislation. Mr. Adams said that last year, there was much opposition to the cameras which was defeated 3 to 1; the senior levy which was also on the ballot lost by fifty-five (55) votes. He said that many voters did not understand the legislation, so it should be taken up at a future date when there can be public meetings to discuss what the legislation means. Mr. Adams said in his own opinion the Charter change is a good idea, that he is

on the record as supporting the legislation at a future date, but not now. Mr. Adams said the City needs to support the Senior Center and keep the ballot clean with only that levy.

Mayor Lansky presented two premises for consideration regarding this legislation: that no one wants to pay new taxes and that 94% of the tickets from the past traffic cameras were issued to individuals who did not live in the City; that only 6% of the tickets were issued to residents. Mayor Lansky said the cameras brought in money from outside sources to the City without raising additional taxes. He noted that it is hard to pass a levy since new candidates won't ask voters for levy increases. Mayor Lansky concluded by stating that the Police Chief was right, it is a safety issue and the cameras worked to slow people down.

Law Director Montello said that the use of traffic cameras actually limit the drivers' contact with the police officer. He said the system only issues speeding tickets requiring payment of a One Hundred Dollar (\$100.00) fine as opposed to the standard fine of One Hundred Eight Dollars (\$180.00). Also, no other charges are assessed with these tickets, such as driving without a license, drug violations, etc. which can happen with a regular traffic stop.

Councilwoman Jones said she wanted residents to know that Council recognized that what was done last year may not have been right by not explaining the "why" or "what" to the public, and perhaps they denied the money aspect, but it was considered necessary to the City. She said that the benefits were 2-fold, the money was needed, but the safety was needed also. She stated that the areas selected, such as Warrensville Center Road, were not chosen because of demographics but because those were heavily traveled streets with a number of incidents.

Ms. Jones stated the problem now is that when voters voted down the legislation, it changed the Charter not allowing Council to bring back the traffic cameras under new legislation reflecting the change in State law and the requirements of the Ohio Supreme Court decision. Ms. Jones continued that the new legislation would change the Charter to give Council the opportunity to go to the voters regarding the cameras under the requirements of State law. Ms. Jones stated that this should wait until next year however, to let a new Mayor and Council decide if they would support it.

Councilman Cefaratti said that in view of the indecision that is evident he was willing to take the Ordinance to a third reading.

Council President Albers said that given the misunderstanding which is surrounding this legislation it would be best to have the opportunity to review it and allow future administrations to decide on the use of traffic cameras.

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 and Jackson. Nays: Brownlee, Trojanski, Agee, Adams and Jones. The motion failed by the vote of 5 nays and 2 ayes. This Ordinance had its second reading.

RESOLUTION NO.: 2015-37

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.

This Resolution had its second reading.

RESOLUTION NO.: 2015-38

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 AND THE ABATEMENT OF NUISANCES WHICH MAY INCLUDE, WITHOUT LIMITATION, REMOVAL, REPAIR, ALTERATION AND SECURING ADMINISTRATIVE COSTS, WHICH CONSTITUTES AN IMMEDIATE HAZARD TO HUMAN LIFE AND 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.

This Resolution had its second reading.

RESOLUTION NO.: 2015-39

A RESOLUTION CERTIFYING TO THE AUDITOR OF CUYAHOGA COUNTY THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR 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 second reading.

RESOLUTION NO.: 2015-40

A RESOLUTION CERTIFYING TO THE AUDITOR OF CUYAHOGA COUNTY THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR THE DEMOLITION OF BUILDINGS, AND TO CORRECT BUILDING VIOLATIONS, INCLUDING THE NUISANCE ABATEMENT OF FORECLOSED 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

This Resolution had its second reading.

RESOLUTION NO.: 2015-41

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.

This Resolution had its second reading.

RESOLUTION NO.: 2015-42

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 second reading.

ORDINANCE NO.: 2015-46

AN ORDINANCE AUTHORIZING THE LOT SPLIT OF A CERTAIN PARCEL OF REAL PROPERTY LOCATED AT 16501 ROCKSIDE ROAD OWNED BY THE SALEM/REDI-WASH FAMILY LIMITED PARTNERSHIP IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

Ms. Jones made a motion, seconded by Mr. Trojanski to suspend the rules and place the ordinance on its third and final reading. All voted aye, none opposed, the motion passed. Mr. Trojanski made a motion, seconded by Ms. Jones to adopt the legislation. All voted aye, none opposed, the motion passed. The Ordinance passed and will become law upon the Mayor's signature.

ORDINANCE NO.: 2015-47

AN ORDINANCE TO AMEND CHAPTER 1226 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS ENTITLED LAND REUTILIZATION BY ADDING SECTION 1226.02, DISPOSITION OF UNIMPROVED RESIDENTIAL LOTS AND DECLARING AN EMERGENCY

This Resolution had its first reading.

RESOLUTION NO.: 2015-48

A RESOLUTION DESIGNATING SEPTEMBER OF 2015 AS "SAVE OUR HOMES MONTH" IN THE CITY OF MAPLE HEIGHTS, OHIO AND DECLARING AN EMERGENCY

Mr. Adams made a motion, seconded by Mr. Jackson 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 motion passed. The Resolution passed and will become law upon the Mayor's signature.

ORDINANCE NO.: 2015-49

AN ORDINANCE TO AMEND SECTION 244.04 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS ENTITLED SPECIAL POLICE AND CLERICAL HELP 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. 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 motion passed. The Ordinance passed and will become law upon the Mayor's signature.

RESOLUTION NO.: 2015-50

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT FOR ONE (1) 2016 NAVISTAR TERRA STAR MEDIUM DUTY CRAWL THRU AMBULANCE FOR THE FIRE DEPARTMENT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Adams made a motion, seconded by Mr. Jackson 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 legislation. All voted aye, none opposed, the motion passed. The Resolution passed and will become law upon the Mayor's signature.

RESOLUTION NO.: 2015-51

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT FOR FOUR (4) 2016 FORD EXPLORER UTILITY INTERCEPTORS ("FORD EXPLORERS") FOR THE POLICE DEPARTMENT IN THE CITY OF MAPLE HEIGHTS THROUGH STATEWIDE FORD LINCOLN 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 motion passed. The Resolution passed and will become law upon the Mayor's signature.

RESOLUTION NO.: 2015-52

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT FOR ONE (1) EXTREME DUTY CUSTOM PUMPER TRUCK

(“PUMPER”) FOR THE FIRE DEPARTMENT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Jackson stated that he wanted to remind residents that the money being spent on the leases for all these vehicles will be available from obligations that will be ending this year and that the City Finance Director has verified that there will be funds available to cover these leases.

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 motion passed. The Resolution passed and will become law upon the Mayor’s signature.

RESOLUTION NO.: 2015-53

A RESOLUTION AUTHORIZING ACCEPTANCE OF THE SAFER GRANT EMW-2014-FH-00163 IN THE AMOUNT OF \$1,106,958.00, 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 motion passed. The Resolution passed and will become law upon the Mayor’s signature.

ORDINANCE NO.: 2015-54

AN ORDINANCE AUTHORIZING THE LOT CONSOLIDATION OF CERTAIN PARCELS OF REAL PROPERTY LOCATED AT 19950 ROCKSIDE ROAD OWNED BY THE DRIVETIME CAR SALES COMPANY, LLC IN THE CITY OF MAPLE HEIGHTS 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. Jackson to adopt the legislation. All voted aye, none opposed, the motion passed. The Ordinance passed and will become law upon the Mayor’s signature.

Mr. Jackson made a Motion to move legislation regarding the Rules of Council from Committee. ROLL CALL: Ayes: Cefaratti, Jackson and Agee; Nays: Adams, Jones, Brownlee and Trojanski. The motion failed by the vote of 4-3.

EXPENDITURES OVER A \$1,000.00: 2015-53 THROUGH 2015-54

Mr. Adams made a motion, seconded by Mr. Trojanski to approve the expenditures over \$1,000.00 numbered 2015-53 through 2015-54. All voted aye, none opposed, the motion passed.

MAYOR'S REPORT:

Mayor Lansky addressed comments made by Councilman Brownlee in his council report of 7/1/15 regarding the appointments to be made to the City's Fiscal Commission, or lack thereof. The Mayor said that the State requested five applications be submitted from applicants who were either residents or business people in Maple Heights having a background in finance. He stated that 3 months ago he submitted 6 names to Columbus, but doesn't know what the Office of Budget and Management did with this information. The Mayor said that over seventy-three (73) cities, etc have been placed in fiscal emergency and that Maple Heights lost \$10 million dollars as the result of cuts in State funding. In addition, the Mayor said that with Cuyahoga County facing a \$27 million dollar deficit there would be little future funding from the County.

Mayor Lansky said that these previous comments made by Councilman Brownlee show that Mr. Brownlee was more interested in campaigning rather than performing his elected duties. The Mayor said that Mr. Brownlee showed a lack of respect for the public bodies when during the Mayoral Forum he blamed the Mayor and Council and criticized them when he is part of the public office. The Mayor said that serious issues require serious people, and not individuals who incite and divide. The Mayor also stated that Mr. Brownlee has filed two (2) lawsuits against the City, one which has been filed against the other members of Council and the former Clerk of Council.

COUNCIL REPORTS:

Councilman Anthony Cefaratti, District 3 had no report.

Councilman Ron Jackson, District 4 announced that the Maple Heights Democratic Club Picnic will be Saturday, August 8th at Stafford Park Pavilion #2 from Noon to 4:00 pm. For more information, call 216-965-5357 or 216-323-8829. Mr. Jackson also announced that Stafford Park will be hosting Softball Tournaments on the weekends of August 8th and 9th and August 22nd and 23rd. He said all 3 fields will be in use since there will be 20-25 teams playing this weekend and 30 teams the next weekend. He said that all games start at 8:00 pm and encouraged residents to support the teams and the City by attending the games since events such as this boost the local businesses. Mr. Jackson thanked Mrs. Vopat and her staff for their hard work on the fundraisers. He also thanked those who participated in the events to make them community events. Mr. Jackson reported a number of curfew violations in his area and thanked the Police Department for issuing citations to control this behavior. Mr. Jackson reminded everyone that this is the 50th anniversary of the Voting Rights Act which eliminated race-based discrimination and discrimination against minorities, the elderly and the poor in the voting process. Lastly, Mr. Jackson addressed his motion, stating that he was disappointed that his colleagues did not vote to move it from committee, and that he still believes that residents should be able to get their questions answered by Council. He said that as long as elected officials are in office, they should do work that needs to be completed.

Councilman Bill Brownlee, District 5 commented on the timeliness of the inquiries made by Mr. Hardwick during the Citizens Comments regarding the City's audit and where the money was from the recycling fees. He said those were all good questions and that the money was being spent somewhere else. He said he also agreed that Council should meet before the council

meeting date. Mr. Brownlee said that the comments from Mr. Terrell regarding “haphazard renters” were not his statements, but that he had been quoting someone else in reference to renters being blamed for the defeat of the past Senior Levy. With regards to his statement about “giving up his seat” Mr. Brownlee said this was the correct way to describe when an elected official is not running for re-election. Mr. Brownlee stated that with regards to the pending lawsuits, people would need to wait and see what the facts are and what the outcome will be. Mr. Brownlee concluded his report by stating that if the City wants to increase revenues, it needs to build trust with the residents.

Councilman Richard Trojanski District 6 thanked residents for attending the meeting and thanked his colleagues for passing his legislation. He said that from 2007-2010 Maple Heights had been seriously affected by the foreclosure crisis. Mr. Trojanski stated that because of this, he would be partnering with the Cuyahoga County Court of Common Pleas and local agencies to bring resources to residents in need of them. Mr. Trojanski thanked the residents who attended his Block Watch Meeting for Hillgrove Avenue, Franklin Road and Clare Avenue and announced that he would be hosting another Block Watch Meeting on August 27th. This meeting will be held at the Lutheran Church of the Covenant located at 19000 Libby Road; residents are welcome to attend a free meal at the Church from 5:00 pm to 6:00 pm with the meeting starting at 6:30 pm. Mr. Trojanski welcomed a new business to District 6, The Capella Institute located at 5130 Warrensville center Road. He said this is a charter school for students aged 16-23 who are seeking to earn a high school diploma or GED equivalency. Mr. Trojanski announced that his August newsletter will be completed soon.

Councilwoman Edwina Agee, District 7 thanked the residents from Watercrest Avenue who attended her meeting last week. Ms. Agee announced that on August 22nd she will be holding her Back To School Rally at 5333 Warrensville Center Road starting at 12:30 pm. Ms. Agee thanked Mrs. Vopat for her hard work keeping the Senior Center open.

Councilman Alex Adams, District 1 congratulated Mrs. Vopat on the successful fundraisers on behalf of the Senior Center and thanked her, her staff and all the volunteers. Mr. Adams announced that on August 18th the American Legion Post 309 will be hosting a Spaghetti Dinner Fundraiser from 2:00 pm to 7:00 pm. Tickets are available at the door, cost is \$7.00 for dine-in or carry-out. Mr. Adams also announced that the American Legion Post 309 will be hosting a Clambake on September 19th; more information to follow. Mr. Adams reported complaints of loud music in his district so he advised the residents to call the non-emergency police phone number. Mr. Adams also reported a suspicious moving truck on Walvern Road at several different times which was reported to the police using the non-emergency phone number. He stressed that residents need to call the police whenever they see something suspicious as soon as they see it happening. Mr. Adams stated there have been numerous garbage complaints for which he gave notices. He said these letters work for 1 or 2 weeks, and then they stop abiding by the law again. Mr. Adams said that residents, whether they are owners or renters, need to take care of their properties. Mr. Adams announced there will be a Block Watch Party at 15712 Corkhill Drive on August 22nd. Mr. Adams congratulated Sharilyn and Jaymee for their scholarship awards from Councilwoman Agee. Mr. Adams thanked a number of individuals and groups including: the manager of Walgreen’s for his support of the City; the seniors who supported the fundraisers; the Police Department for controlling the speeders on Dunham Road

and Summit Avenue and also the independent grass cutters who cut the grass and repaired damage done by vandals at Stafford Park. Mr. Adams concluded his report by asking residents to support the Senior Center and its services. He reminded the residents that the City does not have large companies whose taxes help support the City and the City has lost \$10 million dollars from the State and other funding from the County. He said as a result, the taxpayers have to pay for all the basic services.

Councilwoman Toni Jones, District 2 thanked Walgreen's for their help with the Rummage Sale and their continuing support of the City. Ms. Jones reminded residents that the property tax lien sale will take place in mid-September so residents still have time to make payment arrangements with the County to remove their property from the list. Ms. Jones said that she attended a meeting at CMHA regarding the Housing Choice Voucher Program. She said that there were 15,000 vouchers available in the most recent lottery and the average subsidy is Five Hundred Three Dollars (\$503.00) per unit; tenants pay 30% to 40% of their adjusted gross income. She said CMHA terminates the subsidy of fifty (50) to sixty (60) families per month and does perform criminal background checks on all applicants. Ms. Jones said the program also requires annual and sometimes semi-annual inspections of the units which must comply with CMHA and City codes and that lawn maintenance is usually a term of the lease. She said that both the tenant and landlord are notified in writing of any code violations and any nuisance violations which will be investigated by CMHA. Ms. Jones said that properties in foreclosure or are tax delinquent will cause the owner to lose the right to rent under a CMHA contract. Ms. Jones stated that this meeting was very informative and hoped that some of these issues could be adapted for landlords not under CMHA rules.

Council President Jackie Albers commended Council for the work they had accomplished at the Council Meeting as they reviewed and discussed the several pieces of legislation. She said it was critical that decisions were made so that new vehicles could be procured and new personnel hired for both the Police and Fire Departments which will take some time. Ms. Albers also thanked everyone who volunteered and attended the fundraisers. Ms. Albers also commended the City employees who are working to maintain the City and keep it running and solvent. She stated that grants received by city departments are an indication the City is moving forward and that we are working together to do so.

Ms. Albers announced that there will be a Council Work Session on August 31, 2015 and that the NEOCC Association which sponsors quarterly forums will be hosting one regarding Ohio Ethics Laws on September 17, 2015 at the Doubletree by Hilton in Independence, Ohio.

There being no further business to come before this Council, Council President Albers adjourned the meeting at 9:25 p.m.

Passed: September 2, 2015

ATTEST:

S/S Leonette F. Cicirella, Clerk of Council

