

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

September 16, 2015

MEETING CAUCUS

Council President Jackie Albers called the caucus to order at 6:35 p.m. with the following Council members present: Adams, Jones, Cefaratti, Jackson, Trojanski and Agee. Also present were Law Director John Montello, Finance Director Irene Crowell and Jana Crosby from the Finance Department, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, and Council Clerk Leonette Cicirella. Councilman Brownlee, Mayor Jeffrey Lansky, Engineer Ed Hren and Human Services Director Linda Vopat were absent and excused.

Ms. Albers noted there was a limited amount of legislation on the agenda for tonight's meeting and requested Council vote to pass these items. Regarding **Ordinance 2015-56**, the Local 1363 AFL-CIO collective bargaining contract for the Service Department mechanic, Ms. Albers said this ordinance was on its second reading and asked if there was any additional information for Council to consider to be prepared to pass the legislation tonight. Finance Director Crowell presented a review of the contracts and stated that the total annualized savings for the mechanic's contract is \$3,825.35. She said the greater impact of the concessions would be for new hires under the contract.

Councilwoman Jones asked if the information presented for the Teamster Local 507 contract in **Ordinance 2015-57** for the holiday hours forfeited would be times seven (7) since that contract covers seven (7) employees to which Ms. Crowell answered the number of employees would result in the savings amount indicated of \$6,858.01. Councilman Jackson asked about the time period for the Local 1363 contract from September 15, 2015 to August 31, 2017 and how that impacted the cost savings. Ms. Crowell said the information to clarify the cost savings under the contracts was calculated as total annualized savings in the concessions for health care insurance and holidays forfeited. She said the insurance change was effective September 1, 2015, but the holiday concession was not effective until January 1, 2016. Ms. Jones asked about the duration of the Teamsters Local 507 contract and the issue of retroactivity. Ms. Crowell stated the holiday forfeiture was also not effective until January 1, 2016, but the health insurance concession for that contract was retroactive to June 1, 2015. Ms. Albers said given the fact the union members had already approved these contracts, Council should pass both items **2015-56** and **2015-57** tonight.

Ms. Albers presented **Ordinance 2015-61** amending Section 698 of the City ordinances to include participation in the Cuyahoga County Juvenile Diversion Program. Ms. Albers said the purpose of the legislation was to include juveniles who cannot afford the program fee to still be able to participate in it. Mr. Jackson asked Police Chief Popielarczyk how people got into this program. Chief Popielarczyk said that since the County Juvenile Court system is so overextended, it allows municipalities to participate in juvenile diversion programs. He said these programs are usually for first offenders and non-violent offenders so there is at least some punishment for their crimes. The Chief stated the program includes supervised community service work such as picking up trash, etc. He said everyone benefits from the program since it eases the burden on the court, it helps the City to get work done and it helps the offender to learn skills and have their juvenile record sealed. Ms. Albers said the program is funded by the County so there is no cost to the City.

Mr. Jackson asked Chief Popielarczyk if there was an educational component to the program to which the Chief responded in the negative. Law Director Montello stated the program does a one-

on-one review of the participant to see if there is a more serious problem that would need to be handled, but there is no education offered. Mr. Montello said the schools had been more involved, but now they're not involved at all.

Mr. Jackson asked if a participant can be placed in the program more than once. Mr. Montello said the participant is allowed only one time in the program; if the offender completes the program their record is sealed. If the participant becomes a repeat offender however, both cases are re-opened by the court.

Finance Director Crowell stated that the agreement for this program was really a renewal of the program for the City and there was a deadline of September 25, 2015 for it. Ms. Albers said Council will need to pass the legislation tonight then.

Regarding **Resolution 2015-62**, Ms. Albers said this legislation proclaiming October 2015 as National Disability Employment Awareness Month was on its first reading and should be passed tonight. Mr. Trojanski asked Mr. Jackson who sponsored the legislation if he could be added as a co-sponsor. Mr. Jackson said he'd welcome all council to be so added. Mr. Jackson stated that the legislation emphasizes the need for employers to take on the responsibility of accommodating disabled employees within the workplace so disabled people can contribute to the economy.

Ms. Albers reviewed the list of **Expenditures over \$1,000.00: 2015-66 through 2015-69** asking if there were any questions or comments. Mr. Jackson asked about **Expenditure 2015-69** regarding Bureau of Workers' Comp coverage and if the City employees were actually without coverage for any period of time. Ms. Albers said she also questioned both **Items #68 and #69** by an e-mail inquiry to Human Resources Director Laurie Waller. Ms. Albers read Ms. Waller's e-mail response which is attached hereto and incorporated by reference.

With regards to these expenditures, Ms. Crowell stated she called the Bureau to verify the charges. She said she was told the City participated in a program in 2012-2013 in which participants could save about half of the premiums for the year; the flip side of the program however is that for 10 years after participants are self-insured for the claims. Ms. Crowell said when the premium payment lapsed, the City was considered out of compliance meaning the City will be responsible for the full amount of any claim filed after that date. Ms. Crowell stressed the importance of bringing the City back into compliance.

Ms. Albers asked Ms. Crowell if she had any additional information regarding **Item #68** to which Ms. Crowell responded in the affirmative. Ms. Crowell said this item involved the City transitioning from one TPA company to another so there was an overlap of coverage with both companies. Mr. Jackson asked Ms. Crowell how invoices are routed to departments and then the finance department. Ms. Crowell said mail is routed based upon how it is addressed – if mail is addressed to a specific person it is routed to that person; if it is an invoice, the department still needs to approve it and then forward it to the finance department for processing. Mr. Jackson asked about inter-office tracking of the mail. Ms. Crowell said the finance department time-stamps invoice, etc. upon receipt. Mail from agencies such as Bureau of Workers' Comp and Unemployment are not opened but routed to Human Resources since they may be claims with personal information and not necessarily invoices.

Regarding **Item #68** Chief Popielarczyk asked who would have been responsible to contact the previous TPA regarding the change in companies. Mr. Montello said neither the finance department nor law department are involved with the insurance companies. Ms. Crowell said she becomes involved after invoices are submitted to the City.

Councilman Adams asked Ms. Crowell if steps had been taken to assure employees were covered for Workers' Comp. Ms. Crowell said she keeps up with renewal payments once she is aware payments will be due.

Chief Popielarczyk asked about the status of medical claims submitted to Workers' Comp after 9/2/2015. Ms. Crowell said the Bureau will pay the claim, but the City will need to reimburse the Bureau for those payments.

The caucus meeting adjourned at 6:57 p.m.

REGULAR MEETING OF COUNCIL

Council President Albers called the meeting to order at 7:00 p.m. with the following Council members present: Albers, Adams, Jones, Cefaratti, Jackson, Trojanski and Agee. Also present were Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas and Council Clerk Leonette Cicirella. Councilman Brownlee, Mayor Jeffrey Lansky, Engineer Ed Hren and Human Services Director Linda Vopat were absent and excused.

Councilman Richard Trojanski gave the invocation and led the Pledge of Allegiance to the Flag. Council Clerk Leonette Cicirella called the roll.

ADDENDUM: None

MINUTES: Mr. Adams made a motion, seconded by Mr. Trojanski to approve the Work Session Meeting minutes of August 31, 2015. All voted aye, none opposed, the motion passed. Mr. Adams made a motion, seconded by Mr. Trojanski to approve the Regular Council Meeting minutes of September 2, 2015. All voted aye, none opposed, the motion passed.

COMMUNICATIONS:

From the Ohio Division of Liquor Control:

Notice regarding application for a new class "C" liquor permit by Politics Lounge, LLC 5120 Warrensville Center Road, Maple Heights, Ohio

COMMITTEE REPORTS: There were no Committee Reports.

DEPARTMENT REPORTS:

Fire Department – Chief Kavaliunas reported that to date there have been 3,518 calls for service. The Chief also reported that the orders have been placed for the new Pumper Truck and Rescue Squad. The Chief said the expected delivery time for the Pumper will be in eight (8) to

ten (10) months and the Rescue Squad should be within six (6) to eight (8) months. Chief Kavaliunas thanked the Mayor and Council for approving the legislation to provide these much needed vehicles to the Fire Department. Lastly, the Chief reminded residents to make sure property addresses are present and clearly visible to assist emergency responders and that when there is an emergency such as a gas leak or smoke, it is important to get everyone out of the house to a safe location, but don't let family members leave the location. The Chief stressed the importance of keeping people together in one area to avoid confusion about missing individuals.

Law Department - Mr. Montello complimented Councilman Adams on his recent trip to Washington to testify on legislation regulating pension plans.

Police Department – Chief Popielarczyk reported that to date the Police Department has responded to 15,949 calls for service; 870 of which were since last Council Meeting. The Chief said he attended a District 7 Block Watch Meeting which was well-attended. Chief Popielarczyk said the investigation into the release of social security numbers on the internet has been completed and are awaiting the ruling from the independent law director. Copies of the investigation will be available. The Chief said the Police Department has four (4) police cadets on the civil service list and would be able to add five (5) officers to the department under the budget. The Chief reported the new police cars have also been ordered with delivery by the end of the year. Chief Popielarczyk also thanked the Mayor and Council for approving the leases to help the Police Department to purchase the new vehicles. The Chief said the new emergency communication system is working well, but calls to individual police personnel are experiencing voicemail problems. He asked that if people call someone in the Police Department, leave a voicemail message but don't receive a return call within a day, to contact his office at 216-587-9610 to let him know.

Human Service Department – Although Mrs. Vopat was absent and excused, Council Clerk Cicirella made the following announcements: the Senior Levy will be Issue #67 on the November ballot per the Cuyahoga County Board of Elections and the Rebuilding Together Northeast Ohio Safe at Home Modification Program is still ongoing. This is a pilot program for area residents which include safety modifications such as bathroom grab bars, handrails, light plumbing and electrical work and step/porch repairs and ramps. Applications are still available at the Senior Center. For further information or questions, call 216-800-8556.

Finance Department – Ms. Crowell announced that the complete 2014 audit for the City will be released in October. Ms. Crowell said the Finance Department is working on the year-end Budget for 2015 and starting to prepare the Budget for 2016.

CITIZENS COMMENTS:

Mr. Gerald Arnold of 20709 Bowling Green Drive commented on the reduced property values as calculated by the County. He suggested the City have staff from the County come to Maple Heights and actually see the City. Mr. Arnold said he did not believe the values dropped by eight per cent (8%) and that the community is not a bad community. He stated that houses are the owners' largest investment and if the property values keep going down but mortgages stay high, more homeowners will be under water and walk away from their properties.

Mr. James Coyle of 15614 Edgewood Avenue said he wasn't sure who was responsible for the sewers at Summit Avenue and Rochelle Street but there is a lot of grass growing in the grates and rats were seen. He also said that the fire hydrant at 16120 Edgewood Avenue has been missing for over a month. Mr. Coyle also questioned why semi-trucks are seen on Libby Road to Dunham Road when there is a sign posted that says No Commercial Vehicles.

Mr. Bob Halen of 16226 Maplewood Court said in response to the previous comment about the trucks on Libby Road and Dunham Road that the sign is for No Thru Traffic; trucks have to be on those roads since it is a commercial area.

LEGISLATION:

ORDINANCE NO.: 2015-56

AN ORDINANCE AUTHORIZING THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS AUTO MECHANICS LOCAL 1363-AFL-CIO ("UNION") AND 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 ordinance on its third and final reading. All voted aye, none opposed, the motion passed.

Mr. Jackson thanked Finance Director Crowell for the additional information to help Council understand the changes in the contracts. Mr. Adams thanked both Local 1363 and Local 507 for making concessions again in their negotiations and for the work their members do for the City.

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.

ORDINANCE NO.: 2015-57

AN ORDINANCE AUTHORIZING THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 507 ("UNION") AND THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Trojanski made a motion, seconded by Mr. Adams 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.

ORDINANCE NO.: 2015-61

AN ORDINANCE TO AMEND CHAPTER 698 OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS ENTITLED PENALTIES AND SENTENCING IN REGARDS TO PENALTIES FOR MISDEMEANORS TO INCLUDE PARTICIPATION IN THE CUYAHOGA COUNTY JUVENILE DIVERSION PROGRAM 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. Jackson said he hoped that when the City's finances improved an educational component could be added to the juvenile diversion program. Ms. Albers said it was important for people to know that the diversion program is subsidized by the County.

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.: 2015-62

A RESOLUTION PROCLAIMING OCTOBER, 2015 AS NATIONAL DISABILITY EMPLOYMENT MONTH IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

Mr. Trojanski 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. Jackson stated that one of the biggest reasons the issue presented by this legislation is so important is that people with disabilities can contribute to the workforce in many ways, but still have trouble finding jobs.

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.

EXPENDITURES OVER \$1,000.00: 2015-66 THROUGH 2015-69

Ms. Albers asked if there were any questions, comments or concerns regarding the expenditures over \$1,000.00. There being none, Mr. Adams made a motion, seconded by Mr. Trojanski to approve the expenditures over \$1,000.00 numbered 2015-66 through 2015-69. ROLL CALL: Adams – Yes; Jones – Yes; Cefaratti – No; Jackson- Yes; Trojanski – Yes; Agee – Yes. The motion passed by the vote five (5) ayes, one (1) opposed.

MAYOR'S REPORT: No Report

COUNCIL REPORTS:

Councilman Ron Jackson, District 4 had no report.

Councilman Richard Trojanski District 6 thanked residents for attending the meeting and announced that through the month of September he will be sponsoring a Back to School Supplies Drive for the 4th and 5th grade students at Barack Obama School. The collection bin is located in the lobby of Maple Heights Library and will run thru September 30, 2015. Mr. Trojanski also reminded residents that on September 28th he will be conducting a Save Our Homes event to raise awareness of the foreclosure problem in the City and to help residents who may be facing these issues. He said this event will be held at the Lutheran Church of the Covenant located at 19000 Libby Road at 6:30 p.m. and that since the program is a county-wide program people in neighboring communities can also benefit from it. Mr. Trojanski announced that the Capella Institute, a charter school for grades 9 thru 12 which focuses on students who have dropped out, will be starting classes on Monday, September 28th. Lastly, Mr. Trojanski announced that October is National Bullying Prevention Month so he will be organizing a program to address this issue. More details will be available at the next council meeting. Copies of the September issue of his District 7 newsletter are available at the back table.

Councilwoman Edwina Agee, District 7 announced that on Saturday, September 12th, Southgate USA celebrated its 60th Anniversary. She also thanked Police Chief Popielarczyk for attending the Beverly Block Watch Meeting and announced that the next District 7 Block Watch meeting will be held on Tuesday, September 22nd at 6:30 p.m. at the Maple Heights Library. Ms. Agee concluded her report by responding to Mr. Arnold's comment regarding the reduced property values stating that County Council representative Parnell Jones will be sending a representative from the County to explain the valuation process.

Councilman Alex Adams, District 1 reported a barking dog complaint on Walvern Road which was referred to the Animal Warden and an accident in which a car hit a gas pump at the gas station located at Dunham and Turney Roads. Mr. Adams said the Police and Fire Departments were called and that there was little damage due to the quick response from both Departments. Mr. Adams mentioned the article in the *Cleveland Plain Dealer* and on *Cleveland.com* regarding his trip to Washington DC to testify regarding legislation affecting multiemployer pension plans. Mr. Adams said in October 2013 Congress voted to permit multiemployer pension Plans to cut members' pensions up to 50% -60%; the recent hearing he attended was held by the Treasury Department, the IRS and the Department of Labor to establish the rules for these pension plan changes. Mr. Adams said some members of Congress are trying to change the law and advised people to watch their pensions, protect their pensions and be aware of what is happening in Washington. Mr. Adams concluded his report by thanking the American Legion Honor Guard for the good job they did at a Flag Ceremony held at Nordonia High School on September 11th. He said the ceremony was well-received by the students, staff and the public and was an important way to keep the public aware of what happened on that day.

Councilwoman Toni Jones, District 2 announced that the 2016 HEAP Applications were available at the back table. She said the program is not just for senior citizens, but rather is based

on income qualifying criteria. Ms. Jones also addressed Mr. Arnold's comment about the property values and said she e-mailed many people at the County but has not received any responses back. She said she asked, what were considered "valid sales" and did the County include transactions without a sales amount. Ms. Jones said the fact that escrow amounts were not included didn't reflect the fact that properties have been improved; the County only looked at property values by sales and not value-added by repairs to properties not sold, such as those used as rentals. She said it is important for the County to consider changing the formula to assess property values in the entire area and not just Maple Heights. Ms. Jones concluded her report stating she will be attending a 3-day land bank seminar which will be discussing State law changes to the land bank legislation.

Councilman Anthony Cefaratti, District 3 congratulated the candidates who will be moving onto the November election and reminded them that elected seats are earned. He also thanked the candidates who did not make it and asked that they stay involved. Mr. Cefaratti also asked residents to support Issue 67, the Senior Levy to keep the building open and support the department programs. In response to Mr. Arnold's comment, Mr. Cefaratti said that property owners will need to fight for each individual property value and said he was mad that the county valuations keep going down even though he does improvements each year to keep his property value up. Mr. Cefaratti also encouraged residents to start block watch groups in their neighborhoods and give police information whenever possible to help them solve crimes in the area.

Council President Jackie Albers also responded to Mr. Arnold's comments saying that City did meet with the County Auditor and also complained at the Tri-C meeting, but the County uses its own formula and will not change it. Ms. Albers announced there were copies of the Quality of Life pamphlet available at the back table and encouraged residents to share the information in it with their neighbors. She asked residents who notice a neighbor doing something improper to highlight it in the pamphlet and leave it on their door. She said everyone needs to live up to their responsibilities.

There being no further business to come before this Council, Council President Albers adjourned the meeting at 7:50 p.m.

Passed: October 7, 2015

ATTEST:

S/S Leonette F. Cicirella, Clerk of Council

