

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

February 3, 2016

MEETING CAUCUS

Council President Richard Trojanski called the Caucus to order at 6:30 p.m. with the following Council members present: Trojanski, Shenett, Jones, Miller, Jackson, Madden, Thomas and Agee. Also present were Mayor Annette M. Blackwell, Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, Service Director Dennis Lew and Council Clerk Leonette Cicirella. City Engineer Ed Hren was absent and excused.

Mr. Trojanski announced that due to technical difficulties, only the minutes of the January 6, 2016 meeting of council would be voted on tonight and that the minutes for the December 16, 2015, December 21, 2015 and December 28, 2015 meetings of council which are listed on the agenda were not available.

Moving to the legislation, regarding **Ordinance 2016-02**, Mr. Trojanski asked Police Chief Popielarczyk if there were any updates regarding the Police Department collective bargaining agreements. Chief Popielarczyk requested that the legislation stay on second reading since some of the language in the contracts needed to be changed. The Chief said the required changes were nothing critical to the terms of the document. Councilman Jackson asked Chief Popielarczyk if Council would be able to get a copy of the contracts before the second council meeting in February which would be the third reading for the legislation. The Chief said Council will get a copy of the contract as soon as possible, but there are issues in the contract that are not correct such as confusion with the pay scale which had been negotiated.

Mr. Jackson said he was concerned about the second reading of the legislation without a copy of the contract with the third reading to be done at the next regularly scheduled council meeting. Chief Popielarczyk stated that he did not write the contract, but is required to review it and there are changes still being worked on such as changes in how benefits are paid which now will be done in two (2) tiers depending on the date of hire. The Chief said the contract is favorable to the City.

Councilman Shenett asked if the legislation could go into committee if the contract was not available by next week. Mr. Trojanski said it could go into committee if there are questions regarding the legislation. Law Director Montello said both he and the Chief just received the draft on Monday, but the contract cannot be altered now and that there is only some language clarifications needed. Chief Popielarczyk said that the contract is based upon the fact finders' report as stated in the executive summary council received which is binding on both parties and in fact some terms of the contract are already being implemented and being abided by on both sides. Mr. Montello said once the City receives a copy of the corrected contract, Council will be notified and Council can contact either himself or the Chief with any particular questions before the next scheduled council meeting.

Councilwoman Thomas asked Mr. Montello to clarify the issue if more than three (3) readings is possible to which Mr. Montello answered in the affirmative, stating that the City rules require at least three (3) readings and also allow for legislation to be tabled if so decided.

Regarding **Resolution 2016-11**, Councilwoman Agee stated the legislation will stay on second reading for tonight's meeting.

Mr. Trojanski said that Council will be voting on the Council Committee assignments for the 2016-2017 term so there will need to be a motion to approve these appointments. He said these are standing committees in which the Chair of the committee is appointed by the Council President and Council Pro Tem and is responsible for taking the minutes at their committee meetings on forms available from the Clerk's office. Mr. Trojanski also reminded Council that committee meetings are public meetings which will require the Clerk to prepare and distribute a notice of committee meeting to be scheduled and that two (2) members of a committee are required as a quorum to conduct committee business.

Mr. Trojanski also discussed the appointment of members by Council to the Charter Review Commission which by City Charter is to be at Council's first meeting in February. Mr. Trojanski said that due to the change in the time Council and the Mayor are sworn-in, there will need to be a motion to extend the time for appointment to the Charter Review Commission to the second council meeting in February which is February 17th. Mr. Montello said the nominees will need to attend that Council Meeting to be sworn in. Mr. Trojanski said he is asking the Council members and the Mayor to select their nominees and submit the names to him and the Law Department by 5:00 p.m. on Wednesday, February 10th.

Mayor Blackwell asked Mr. Trojanski to describe the Charter Review Commission process for the benefit of the new council members. Mr. Trojanski said that the City Charter requires that every five (5) years, residents are appointed to the Charter Review Commission to review the Charter and advise Council as to possible changes to the Charter to strengthen it.

Mr. Shenett asked about the motion to extend the time to appoint the members of the commission and the deadline for the nominees to be submitted for consideration. Mr. Trojanski said the deadline for submission of nominees would be the Wednesday before the next council meeting to allow the Law Department time to check that the nominees meet the requirements.

Councilwoman Thomas asked if there was information in writing that Council could give the nominees. Mr. Trojanski said the requirements are listed in the Charter. Councilman Jackson said that Article XX of the Charter contains this information.

Mr. Montello said there will also be additional information once the commission is seated such as the time limits for any changes that would need to be submitted to the residents in the November election. He said the ballot language would need to be submitted to the State and also the Board of Elections within certain deadlines.

Mr. Trojanski said after the last Fiscal Commission Meeting he talked with one of the representatives from the State Auditor's office regarding a meeting with Council to discuss the City's fiscal emergency status. He said the two (2) possible meeting dates were Tuesday, February 16th or Thursday, February 18th at 6:30p.m. It was the consensus of the Council to schedule the meeting for Thursday, February 18th as a Committee of the Whole meeting. Councilwoman Jones asked if the meeting could be held at the Senior Center since it would be open to the public. Council agreed to hold the meeting at that location since the purpose would be to discuss the City's financial status.

Mr. Trojanski asked if Council had any questions regarding the upcoming City Hall Open House. Ms. Jones asked if the Mayor needed any help from the Council. Mayor Blackwell said that Mr. Jackson had volunteered to help so he will be meeting with the Mayor's Administrative Assistant to discuss the program. Mr. Jackson said he will be having this meeting on Thursday and would let Council know what is discussed and asked for any ideas from Council.

The caucus meeting adjourned at 6:55 p.m.

REGULAR MEETING OF COUNCIL

Council President Trojanski called the meeting to order at 7:00 p.m. with the following Council members present: Trojanski, Shenett, Jones, Miller, Jackson, Madden, Thomas and Agee. Also present were Mayor Annette M. Blackwell, Law Director John Montello, Finance Director Irene Crowell, Police Chief John Popielarczyk, Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, Service Director Dennis Lew and Council Clerk Leonette Cicirella. City Engineer Ed Hren was absent and excused.

Councilwoman Ebony Miller gave the invocation and led the Pledge of Allegiance to the Flag. Council Clerk Leonette Cicirella called the roll.

ADDENDUM: None.

MINUTES: Mr. Jackson made a motion, seconded by Ms. Miller to approve the Regular Meeting of Council minutes of January 6, 2016. All voted aye, none opposed, the motion passed.

COMMUNICATIONS:

From the Ohio Division of Liquor Control:

Notice regarding the application for a transfer of a class "C" liquor permit by Maple Leaf Tavern, Inc. DBA Maple Leaf Tavern, 15755 Broadway Avenue, Maple Heights, Ohio To Hornes Management LLC, DBA All Stars Ultra Sports Lounge

COMMITTEE REPORTS: There were no Committee Reports, however at this time Council President Trojanski asked for a Motion to approve the 2016-2017 Council Committee Assignments which was made by Councilwoman Madden and seconded by Councilwoman Thomas. Ms. Jones requested that Mr. Trojanski announce the committee assignments to the residents/public before the vote is taken. Mr. Trojanski read the assignments as per copy of assignments attached and incorporated herein by reference. All voted aye, none opposed, the motion passed.

DEPARTMENT REPORTS:

Fire Department – Chief Kavaliunas reported the calls to date for the Fire Department are 475 and that on January 24th the Fire Department assisted the Bedford Fire Department with a serious house fire at 1360 Caryl Drive. The Chief said the City continues to benefit from mutual automatic response from surrounding communities to reports of structure fires and said the Fire Department

hopes to improve these efforts this year. Chief Kavaliunas thanked Bedford Heights, Bedford and Garfield Heights for their continued commitment to collaboration. The Chief concluded his report stating that the Fire Department will continue their efforts to secure grants and review department spending to assist the City's fiscal recovery.

Law Department - Mr. Montello reported on the Court activity for the month stating that in Garfield Municipal Court there were one hundred two (102) cases including pre-trials and bench trials; sixty-nine (69) were criminal cases; thirty-three (33) were traffic cases with multiple charges; and thirteen (13) OVI cases. Mr. Montello also reported there were twenty-five (25) cases handled by the City's Mayor's Court during the month. He said the Law Department also handled public records requests and made fifty (50) plus rulings in potential cases.

Police Department – Chief Popielarczyk reported that the Police Department responded to 1,769 calls for service to date and that the Police Department was working with the Law Department to finalize the Police Department contracts. He said the contracts just needed some changes in language and should be available for the next council meeting. The Chief also announced that Police personnel are working hard to keep the City safe as evidenced by two (2) Officers having received awards for safety and the most number of OVI citations. Chief Popielarczyk said the Police Department will be enforcing the false alarm ordinance regarding security systems. The Chief said three (3) alarms are permitted in a twelve (12) month period at no charge; if there are more than three (3) alarms in a year the owner will receive a letter from the Chief assessing the fine. Chief Popielarczyk concluded his report stating that the Police Department, like the Fire Department, will be pursuing grants to increase staff and update equipment.

Human Service Department – Mrs. Vopat announced that applications for absentee ballot forms were available on the back table and encouraged residents to vote in the March 15, 2016 primary election since there is the renewal of the County Health and Human Services Levy on the ballot. Mrs. Vopat said in the November election, there was a problem with absentee ballots not being counted because the ballots had not been post-marked. She said she has been notified by the Board of Elections that this problem has not been rectified, so the Senior Center will deliver absentee ballots to the Board of Elections. Mrs. Vopat also announced that residents in precincts 2B and 3A will have a new voting location starting with the March primary. She said these precincts will change from voting at St. Andrew Orthodox Church to Abraham Lincoln Elementary School.

Mrs. Vopat said that on February 11, 2016 the Mediterranean Party Center on Rockside Road will be hosting a Black History Month Food Show. The Cost is \$10.00 per ticket. She said the Senior Center will be providing transportation to this event for residents who are disabled or over 60 years of age.

Mrs. Vopat concluded her report by announcing there will be various health screenings and health programs during February. She said on February 11th there will be a discussion on health donor decisions; on February 17th from 9:00 am to Noon, Marymount Hospital will be offering free screenings at the hospital for blood pressure, glucose screening and cholesterol; and on February 23rd, Marymount Hospital will be sponsoring a program regarding Cardiac Rehab entitled "Keep Heart Healthy."

Finance Department – Ms. Crowell presented an update of the City’s financial status, stating that the State Auditor’s office has reconciled the 2015 audit which indicates the City had improved its bottom line by approximately Five Hundred Fifty-Six Thousand Dollars (\$556,000.00) which included covering a deficit of Thirty-Six Thousand Dollars (\$36,000.00) and increased revenue of Five Hundred Twenty Thousand Dollars (\$520,000.00). Ms. Crowell said the Fiscal Emergency status concerns the City’s General Fund only, which is what the State is monitoring in this process and that the General Fund improved by Ninety-Five Thousand Dollars (\$95,000.00) at year end.

Ms. Crowell said the City is pursuing a number of initiatives to increase revenue sources. She stated that RITA collections have increased by Two Hundred Sixty-Nine Thousand Dollars (\$269,000.00) over 2014 collections. Ms. Crowell said a portion of this increase was due to Fannie May Chocolates set to re-open for business and the expansion of Sherwood Foods Distribution Company.

Ms. Crowell stated that the City’s ending cash balance for the month of January of approximately Seven Hundred Fifty-Seven Thousand Dollars (\$757,000.00) was an improvement of Seventy-Four Thousand Dollars (\$74,000.00).

Ms. Crowell ended her report by stating that the Finance Department hired a part-time payroll clerk who is a resident of Maple Heights and is also busy with three (3) audits, one (1) being conducted by the Fiscal Commission and two (2) with the City’s external auditors.

Service Department: Mr. Dennis Lew reported that with the milder weather the City has used approximately 10 tons of cold patch which is up from this time last year and the Service Department worked on nineteen (19) water jobs, down from one hundred ninety-four (194) for last year. Mr. Lew said the Service Department also removed eleven (11) trees and is planning on using the street sweeper as weather permits.

CITIZENS COMMENTS:

Mr. Willie Hardwick of 16655 Anthony Street questioned Council President Trojanski and Law Director Mr. Montello regarding the Council President’s filing of his report with the Ohio Ethics Commission within the deadline. He also questioned Councilwoman Sharri Thomas of District Six regarding her address not being listed on the Council contact sheet.

Mr. Montello responded that he would discuss these matters with Mr. Hardwick after the meeting.

Council President Trojanski said that Council cannot answer during the Citizen’s Comment section of the meeting, but will respond during the Council Reports section of the meeting.

LEGISLATION:

ORDINANCE NO.: 2016-02

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLECTIVE

BARGAINING AGREEMENT (“CBA”) WITH THE FRATERNAL ORDER OF POLICE, LODGE 67 (“FOP”) INCORPORATING THE TERMS AND CONDITIONS OF THE FACT FINDERS REPORT, AND DECLARING AN EMERGENCY

This Ordinance had its second reading.

RESOLUTION NO.: 2016-11

A RESOLUTION EXTENDING THE CITY’S GRATITUDE TO ALL THE BUSINESSES LOCATED IN THE CITY OF MAPLE HEIGHTS AND ENCOURAGING RESIDENTS TO PATRONIZE AREA BUSINESSES AND URGING BUSINESSES TO EMPLOY RESIDENTS FOR EMPLOYMENT POSITIONS AVAILABLE IN THE CITY FOR WHICH THEY ARE QUALIFIED AND DECLARING AN EMERGENCY

This Resolution had its second reading.

At this time, Mr. Trojanski asked for a Motion to extend the time for Council to nominate the appointees to the 2016 Charter Review Commission to the February 17, 2016 council meeting due to the previous Commission’s oversight in failing to extend this date an additional thirty (30) days to coincide with the date of the January swearing in ceremony and to allow a thorough review of the qualifications and backgrounds of the nominees. Mr. Shenett made the motion, seconded by Ms. Thomas. Mr. Shenett said that he wanted the residents to know that this oversight was caught by Council and by working with the Mayor and various departments the error will be corrected. ROLL CALL: Shenett: Yes; Jones: Yes; Miller: Yes; Jackson: Yes; Madden: Yes; Thomas: Yes; Agee: Yes. All voted aye, none opposed, the Motion passed.

EXPENDITURES OVER \$1,000.00: None.

MAYOR’S REPORT: In response to Mr. Hardwick, Mayor Blackwell said that Council President Trojanski will address the issue in his report and that the matter had been referred to the Ohio Ethics Commission.

Mayor Blackwell announced that on March 9, 2016 there will be a City Hall Open House from 6:00 p.m. to 7:30 p.m. for residents to visit City Hall and see how the City works for them and how the City and its employees are responding to the challenge of the City’s fiscal emergency.

The Mayor also announced that the City will be launching a new website that has been developed by her Administrative Assistant, Bill Brantsch. Mayor Blackwell said the website will be more colorful, more user friendly and will include more information for residents and more links to other departments and agencies.

Mayor Blackwell also announced that Sherwood Foods Distribution Company will be expanding its business to include a building expansion of forty thousand (40,000) sq. ft. and a freeze expansion of fifty thousand (50,000) sq. ft. in an existing building. She said the company anticipates an increase in the number of employees and will be hiring local residents.

The Mayor also reported that continuing efforts at collaboration and regionalization are occurring, with a recent discussion regarding the sharing of an economic development director to work on job creation projects and tax abatement issues. Mayor Blackwell said there has been recent dialogue with Maple Heights School Superintendent Dr. Keenan regarding a year-round youth recreation program or activities to best utilize the new schools.

Mayor Blackwell concluded her report by announcing that under a new program administered by Cuyahoga County through the Ohio Public Works Commission the City has been approved for a grant up to Thirty-Five Thousand Dollars (\$35,000.00) to do street patching, crack filling, etc. The Mayor thanked City Engineer Ed Hren for his work on this grant which was done at no additional cost to the City.

COUNCIL REPORTS:

Councilwoman Ebony Miller, District 3 said she has received multiple calls from businesses on Dunham Road regarding break-ins at their businesses. Ms. Miller said she has also received numerous complaints of dumping near the train tracks, including tires, siding, etc. She encouraged people to call if they see anything suspicious. Ms. Miller concluded her report by announcing that the first District 3 Block Watch Meeting will be held on February 20th at 2:00 p.m. in Room 1 at the Maple Heights Library and said she is still looking for block watch captains.

Councilman Ron Jackson, District 4 said he had one announcement on behalf of Pastor Harper of the New Cornerstone Missionary Baptist Church located at 18900 Libby Road. Mr. Jackson said the Church would like to invite the community to a “Slamming Saturday Event” this Saturday from Noon to 2:00 p.m. He said the event is free and open to the public and will include a forum and Bible Study.

Councilwoman Tanglyn Madden, District 5 reported that a vacant house on Gerard Avenue had been vandalized and was secured by the Service Department. She said the door was forced open again, so the Service Department was called to re-secure the property. Ms. Madden also encouraged people to call if they see anything suspicious so the City can handle the situation. Ms. Madden said that Mapletown has a new owner and is under new management who is looking for development ideas for the property. Ms. Madden said a number of residents want a grocery store there.

Councilwoman Sharri Thomas, District 6 responded to Mr. Hardwick’s inquiry stating that at the time council information was being submitted, it was discussed as being an option. She said since it is to be included she will add her address. Ms. Thomas said she too has been walking her district and saw a vacant house unsecured. She asked residents to contact the City whenever they see an unsecured property and to call especially when they see anything suspicious. Ms. Thomas announced that the first District 6 Community Meeting will be held on February 6th from 11:45 a.m. to 1:00 p.m. in Room 4 at the Maple Heights Library. She said this meeting will be an opportunity not only to discuss issues but also to “meet and greet.” Ms. Thomas said there

will be a luncheon and encouraged residents to invite their neighbors. Ms. Thomas concluded her report by encouraging residents to vote in the March primary election.

Councilwoman Edwina Agee, District 7 reported that on January 25th she, Councilwoman Madden and Councilwoman Thomas met with the store manager of Giant Eagle located at Southgate to discuss residents' concerns such as long lines and employee conduct. Ms. Agee said as a result of this meeting, she will be conducting a survey, copies of which are available at the back table. She requested that residents take the survey and said the surveys will need to be returned to your council representative by February 23rd. Ms. Agee said once the surveys are compiled, there will be another meeting with the store manager to review the results. Ms. Agee concluded her report with a Black History Month Fact regarding the passage of the 15th Amendment which granted black citizens the right to vote. This legislation was passed on February 3, 1870.

Councilman Stafford L. Shenett, Sr., District 1 reported that on January 29th he received a call from a resident regarding an unsecured, abandoned house located at 6000 Dunham Road. He said the Service Department was called to secure the property and in researching the situation he learned that the house is owned by the land bank and is scheduled for demolition. Mr. Shenett complimented Ms. Jones for her work with the vacant properties in the City and said that the City is trying to be proactive so that vacant houses do not become a danger to the neighborhoods. Mr. Shenett announced that his District 1 newsletter is available online via Facebook and that hard copies are available in businesses in District 1 and on the back table. Mr. Shenett said the first District 1 Block Watch Meeting will be scheduled sometime in March and will be held at the Maple Heights Library. He said the emphasis will be on seniors regarding social safety and health tips, and will be in conjunction with Council's Community Life Committee. Mr. Shenett announced that a free Youth Christian Sports League will be formed in April. He said it will be for youths ages 9 to 18 and will also include a mentoring program to encourage college and job placement. In honor of February being Black History Month, Mr. Shenett concluded his report with a quote from Martin Luther King, Jr.

Councilwoman Toni Jones, District 2 said she was excited about the City's new website and asked Mayor Blackwell if it will be possible for Council to add information to the website. Ms. Jones announced that under Neighborhood Housing Services of Greater Cleveland free income tax services will be available for people with incomes up to Fifty-Three Thousand Dollars (\$53,000.00). Ms. Jones said these services are by appointment only and the process to contact NHS is by calling 211, the "First Call for Help" which will then contact NHS. Ms. Jones also announced that on Saturday, March 5, 2016, at Garfield Heights Public Library Judge Pianka from Cleveland Municipal Housing Court will be conducting a Landlord Training Class. She said this was a good program for both landlords and tenants to attend since it discusses the rights and responsibilities of both parties and explains rental applications, the eviction process, etc.

Council President Richard Trojanski responded to Mr. Hardwick by stating that his report had been filed in January. Mr. Trojanski announced that on January 27th Council appointed Ms. Pequita Hansberry to the City's Planning and Zoning Commission. Mr. Trojanski introduced Ms. Hansberry who was in attendance and said she was a resident of District 6. He said she will be sworn in at the next Planning and Zoning Commission meeting by Law Director Mr. Montello

and would be completing the term of former member Stafford L. Shenett, Sr. now Councilman of District 1. Mr. Trojanski also announced that he is working to develop a Citizens' Advisory Committee so that residents have a voice within the community. He said the Committee would be comprised of eleven (11) members who are residents, community leaders and/or pastors or individuals who work in the City or own businesses in the City. Mr. Trojanski said the Committee would be tasked to assess problems in the community and make suggestions to Council to help create a more positive quality of life in the City. Mr. Trojanski concluded his report by announcing the following upcoming meetings: Council Committee of the Whole Meeting for February 8th at 6:30 p.m. in Room 7; NOCCA forum on February 11th discussing Planning for Strong Safety Initiatives. The NOCCA forum begins with dinner at 6:00 p.m., with the program at 7:00 p.m.; NOCCA meetings are open to the public, but there is a fee for non-members; next regular meeting of Council will be Wednesday, February 17th at 7:00 p.m.

There being no further business to come before this Council, Council President Trojanski adjourned the meeting at 7:48 p.m.

Passed: April 6, 2016

ATTEST:

S/S Leonette F. Cicirella, Clerk of Council

