

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

Maple Height Senior Center

October 20, 2021

MEETING CAUCUS

Council President Jackson called the meeting to order at 6:32 p.m. with the following Council Members present: Jackson, Shenett, Ostenson, Anderson, Madden, Trojanski and Agee. Councilwoman Jones was absent and excused. Also present were Law Director Frank Consolo, Fire Chief Vito Kavaliunas, Police Chief Todd Hansen, Human Services Director Linda Vopat, Acting Service Director Bob Dloniak, Economic Development Director Patrick Grogan-Myers, City Engineer Ed Hren and Council Clerk Leonette Cicirella Johnson. Mayor Annette M. Blackwell and Finance Director Tinita Tillman were absent and excused.

Mr. Jackson said that Councilwoman Anderson would have the Invocation and lead the Pledge of Allegiance for tonight's meeting. He said there was an Addendum that would be added to the Agenda if there were no objections from Council. There were no objections. Mr. Jackson said there was one (1) Communication for tonight's meeting and one (1) Council Committee Report from the Community Life and Education Committee.

Moving to the Legislation on tonight's Agenda, Mr. Jackson asked Councilman Ostenson if **Ordinance No. 2019-61, As Amended** regarding the tree program would be staying in the Finance Committee to which Mr. Ostenson responded in the affirmative.

Mr. Jackson said Council would discuss the legislation on tonight's agenda out of order to allow City Engineer Ed Hren to discuss the legislation he had requested.

Mr. Jackson asked Mr. Hren to discuss **Resolution No. 2021-126** authorizing Change Order No. 4 for Metis Construction Service for the City Hall New Vestibule & Elevator Addition Project.

Mr. Hren thanked Mr. Jackson for allowing him to go first on the agenda and said that **Resolution No. 2021-126** concerned Change Order No. 4 for Metis Construction by increasing the contract in the amount of \$9,128.70. He said part of the construction work for the City Hall New Vestibule & Elevator Addition Project involved work to bring the first and second floor bathrooms at City Hall up to Code to be ADA compliant. Mr. Hren said when the contractor went to shut off the water to do this work it was found that there was not a working shut-off valve for either of the bathrooms in City Hall. He said the Cleveland Water Department needed to be called to shut-off the water at City Hall.

Mr. Hren said this Change Order would authorize the contractor to install isolation valves to shut the water off at the first and second floor bathrooms separately and would also add a backflow preventer valve that was required on all commercial buildings by Code. He said the additional work would also replace the pressure reducer valve at City hall that had not been functioning for over a decade.

Mr. Hren said that even without the elevator project this additional work was needed to bring City Hall into Code compliance but was definitely needed to complete the New Vestibule & Elevator Addition Project.

Mr. Hren asked that this legislation be passed on emergency to avoid delay in the completion of this project.

Mr. Jackson asked if there were any questions on this Resolution. There were no questions. He asked Council to vote on this legislation at tonight's meeting.

Mr. Jackson asked Mr. Hren to discuss **Resolution No. 2021-127** regarding the sprayground and pool house at Stafford Park.

Mr. Hren said this legislation would authorize him to begin the preparation of plans and specifications and to advertise for bids for repairs to the sprayground and pool house at Stafford Park. He said that previously the City had planned to open the sprayground in 2020 or 2021 until covid hit. Mr. Hren said the City would now like to open the sprayground in 2022 so he would like to start working on this project as soon as possible because of the supply chain problems.

Mr. Hren said this Resolution could be on First Reading at tonight's meeting but he would prefer that Council pass it on emergency so he could start the planning process. He said the City was already aware of a filter problem with the pool and there may be other problems as well that will need to be addressed. Mr. Hren said this Resolution only authorized the plans and the advertising for bids. Mr. Hren said he would notify Council regarding any cost information, etc. and Council would need to authorize any contracts for the repairs.

Mr. Hren said the earlier project to re-open the pool at Stafford Park anticipated \$50,000.00 in costs which was prior to the covid pandemic and the recent supply chain problems. He said another consideration was that a lot of other cities had also closed their pools during the pandemic and will now be going out to bid projects to prepare their pools, etc. for 2022 and 2023.

Mr. Jackson asked if there were any questions regarding this legislation. There were no questions. Mr. Jackson asked Council to vote on this Resolution at tonight's meeting.

Moving to **Resolution No. 2021-128**, Mr. Jackson asked Mr. Hren to discuss this legislation also.

Mr. Hren said this Resolution would authorize the Mayor to enter into a contract for the Rowena Watermain Replacement Project. He said the bids for this project were opened on October 15th and that seven (7) bids had been received ranging from a high bid proposal of approximately \$1.4 million dollar to a low bid of \$1,155,799.69. Mr. Hren said the lowest and best bid was submitted by Terrace Construction Company who has done similar projects for the City. Mr. Hren said that in addition to the watermain repairs this project would also include video

inspection and repairs to the sewer lines. He said at the end of the project, Rowena Avenue would be resurfaced to Dunham Road.

Mr. Hren asked Council to pass this Resolution on emergency so a pre-reimbursement request could be made to the Cleveland Water Department prior to their October 27, 2021 deadline for project certification. He said emergency passage of this legislation would allow his company to invoice the Cleveland Water Department for their portion of the project. Mr. Hren said the project was being funded in part by grants from the Cleveland Water Department SWMR program, the Ohio Public Works Commission (OPWC) and the Cuyahoga County Department of Public Works.

Mr. Jackson asked if there were any questions.

Mr. Shenett asked if this legislation would get the project started to which Mr. Hren responded in the affirmative. He said the legislation would start the contract process but the earliest start date for this project was given as January 31, 2022 and that the estimated completion time would be ninety (90) days. He said the sewer repairs and watermain work would be completed first and then the road resurfacing. Mr. Hren said this would be good timing for the asphalt plants to be opened for the 2022 season.

Mr. Hren said the City would also be bidding out the Mendota Avenue Project too but that this work would have a later start date because of the temporary main in that area.

Mr. Shenett asked if the resurfacing work would also include curb repairs to which Mr. Hren responded in the affirmative.

Mr. Jackson asked if there were any other questions. There being no other questions, Mr. Jackson asked Council to vote on this Resolution tonight.

Mr. Jackson asked Mr. Hren if he had any information for Council regarding **Resolution No. 2021-129** authorizing the City to participate in the Ohio Department of Natural Resources (ODNR) Urban Canopy Restoration Grant Program for the Stafford Park Tree Canopy Project.

Mr. Hren said he had worked with Mr. Grogan-Myers regarding this application, but would defer to Mr. Grogan-Myers to respond to Mr. Jackson's inquiry.

Mr. Grogan-Myers said the City had just received the information regarding the Urban Canopy Restoration Grant Program late last week that made funding available to restore trees affected by the Emerald Ash Borer in specified areas. He said the area identified by the City for this program application was Stafford Park since the Service Department had estimated that about a dozen trees in the Park had been lost to the Emerald Ash Borer (EAB) infestation.

Mr. Grogan-Myers said this legislation would authorize the application for this grant which was a 50-50 cost share grant under which the ODNR will pay 50% of the costs up to \$25,000.00.

Mr. Grogan-Myers said the work under this grant would begin next year to be completed by December 31, 2022, but the deadline to submit the grant application was October 29, 2021. He apologized that the legislation needed to be added to tonight's meeting agenda by addendum.

Mr. Jackson asked if there were any questions. There were no questions or comments.

Mr. Jackson said if there were no objections, he would ask Council to vote on this legislation tonight. There were no objections.

Returning to the beginning of the agenda, Mr. Jackson said **Ordinance No. 2021-114** enacting new Chapter 853 of the Codified Ordinances regulating Mobile Food Service Operation would be on Second Reading. He asked if there were any questions on this Ordinance.

Mr. Shenett asked if the legislation addressed the issue of a mobile food service operation located on a business's private property.

In response, Mr. Consolo said more research would need to be done regarding this issue and suggested that this Ordinance remain on Second Reading.

Moving to **Ordinance No. 2021-115**, Mr. Jackson said this Ordinance concerned the issuance and sale of general obligation refunding bonds. He said this legislation had been discussed at Monday's Committee of the Whole Meeting and would also be on Second Reading.

Mr. Jackson said **Resolution No. 2021-121** set the time for Halloween observance in the City to be on October 31st from 5:00 p.m. to 7:00 p.m. He asked Council if there were any questions on this Resolution. There being no questions, Mr. Jackson asked Council to vote on this legislation at tonight's meeting.

Mr. Jackson said **Resolution No. 2021-122** would adopt the recommendation of the Planning Commission that the City-owned parcel at 16506 Maple Heights Boulevard be re-zoned from Residential Single Family-Medium Density (RSF-M) Zoning District to Institutional-Office (I-O) Zoning District. He asked Councilwoman Madden if she had any questions regarding this Resolution to which Ms. Madden responded in the negative. Ms. Madden said she was clear on this legislation. Mr. Jackson said if there were no objections he would ask Council to vote on this legislation tonight. There were no objections.

Mr. Jackson said **Resolution No. 2021-123** went along with the previous Resolution and that if approved would adopt the recommendation of the Planning Commission that the City-owned parcel at 5387 Lee Road be re-zoned from Neighborhood Commercial (NC) Zoning District to Institutional-Office (I-O) Zoning District. He asked if there were any questions regarding this Resolution.

Ms. Madden said she was clear on this legislation also and had discussed both **Resolutions Nos. 2021-122** and **2021-123** with Mr. Grogan-Myers since they concerned her District. Mr. Jackson asked Council to vote on this legislation tonight also.

Mr. Jackson asked Ms. Madden if she had any comments regarding **Resolution No. 2021-124** determining that the unimproved residential City-owned lots on Lafayette Avenue were not needed for municipal purposes.

Ms. Madden said the resident had been trying to get these lots for a few years and that the resident was very excited that she had the opportunity now to do so.

Mr. Jackson said **Resolution No. 2021-125** concerned another Side Lot Program Application requiring Council to determine that the unimproved residential City-owned lot at 5505 Grasmere Avenue was not needed for municipal purposes. He said this property was also in District 5 and asked Ms. Madden if she had any comments.

Ms. Madden said she was in support of this application also and that the resident wanted to extend her property by acquiring this lot.

Mr. Jackson asked if there were any questions regarding either **Resolutions Nos. 2021-124 or 2021-125**.

Mr. Shenett asked if **Resolutions Nos. 2021-122 through 2021-125** could all be approved by unanimous consent since they all concerned Ms. Madden's District and she was in support of all of them.

In response, Mr. Consolo said the Side Yard Program resolutions could be passed by unanimous consent, but he would prefer that the zoning amendment legislation not be passed by unanimous consent.

Mr. Jackson said **Resolutions Nos. 2021-126 through 2021-129** had already been discussed by Mr. Hren and Mr. Grogan-Myers.

Mr. Jackson asked Mr. Shenett if he will make the motion on the agenda to which Mr. Shenett responded in the affirmative.

Moving to the List of Expenditures, Mr. Jackson asked if Council had any questions on the expenditures. There were no questions. Mr. Jackson said Council would vote on both of those tonight.

There being no other questions or comments, the Caucus Meeting was adjourned at 6:53 p.m.

REGULAR MEETING OF COUNCIL

Council President Jackson called the meeting to order at 7:00 p.m. with the following Council members present: Jackson, Shenett, Ostenson, Anderson, Madden, Trojanski and Agee. Councilwoman Jones was absent and excused. Also present were Law Director Frank Consolo, Fire Chief Vito Kavaliunas, Police Chief Todd Hansen, Human Services Director Linda Vopat, Acting Service Director Bob Dlaniak, Economic Development Director Patrick Grogan-Myers

and Council Clerk Leonette Cicirella Johnson. Mayor Annette M. Blackwell arrived at 7:06 p.m. Finance Director Tinita Tillman and City Engineer Ed Hren were absent and excused.

Councilwoman Dana D, Anderson gave the Invocation and led the Pledge of Allegiance to the Flag. Council Clerk Leonette Cicirella Johnson called the roll.

ADDENDUM: There being no objections, the Addendum was added to the Agenda for tonight's meeting.

MINUTES: Ms. Anderson made a motion, seconded by Mr. Trojanski, to approve the Regular Meeting of Council Minutes of October 6, 2021.

ROLL CALL: Mr. Shenett: Yes; Mr. Ostenson: Yes; Ms. Anderson: Yes; Ms. Madden: Yes; Mr. Trojanski: Yes; Ms. Agee: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays.

COMMUNICATIONS: There was one (1) Communication for tonight's meeting:

From the Cuyahoga County Board of Elections:

Petition Certification Form regarding a petition to recall Maple Heights District 6 Councilman Richard Trojanski dated October 14, 2021

COMMITTEE REPORTS: There was one (1) Council Committee Report for tonight's meeting.

Community Life and Education Committee

Mr. Shenett, Chairman of the Community Life and Education Committee, reported on behalf of Committee Members Councilwoman Madden and Councilwoman Agee that the Community Life and Education Committee met on Thursday, October 7, 2021. He said the meeting was called to order at 6:40 p.m. with Committee Members Madden, Agee and Shenett present.

Mr. Shenett said the Committee discussed three (3) agenda items regarding the following community events to be sponsored by the Community Life and Education Committee:

1. Trunk or Treat Event to be held on Sunday, October 24th from 3:30 p.m. to 5:30 p.m. at Stafford Park. He said there will be a costume parade for the youth, with the line-up for the parade to start at 3:00 p.m. Mr. Shenett said the parade will again be led by the MHHS drum line. He said City Officials, School Officials, and Members of the Planning and Zoning Commission have been invited. Mr. Shenett said flyers will be delivered to the schools to be distributed to the students.
2. Thanksgiving Turkey and Ham Giveaway will be held on Tuesday, November 23rd from 6:00 p.m. to 8:00 p.m. at Southgate USA. He said this will be a drive-thru event like last year.

3. Youth Christmas Event has been tentatively scheduled for Friday, December 17th from 6:00 p.m. to 8:00 p.m. He said this year's event will be adding a "Drop Your Letter to Santa" Box. Mr. Shenett said more information about this part of the event will be forthcoming. He said this event has also been tentatively scheduled as a drive-thru event similar to last year's activity. Mr. Shenett said Santa and Mrs. Claus were looking to return this year.

DEPARTMENT REPORTS:

Fire Department - Fire Chief Vito Kavaliunas said that Fire Department calls for service to date were 4,664 and that calls continued to rise at a steady pace of 200 per year. The Chief said we may have seen on the news the delays at hospital emergency rooms, but this has not impacted our region as much as some other locations. He said the Fire Department has had delays transferring patients but nothing as long as some areas have experienced.

The Fire Chief said that recently the Fire Department had one resignation and were currently interviewing to replace that position.

Fire Chief Kavaliunas said the Fire Department wanted to remind residents that open burning of trash and leaves was prohibited in the City. He said that with the cooler temperatures residents need to make sure that their furnaces have been cleaned and serviced by an authorized service technician. The Chief said now was the time to check and see if it was functioning properly. He said the Fire Department also wanted to remind residents to change their smoke detector batteries and replace the detector if it was more than 8-10 years old. The Fire Chief said residents should make sure they have a functioning carbon monoxide detector and to make sure they were aware how it operated.

Fire Chief Kavaliunas concluded his report by wishing everyone a Happy and Safe Halloween.

Law Department – Law Director Mr. Frank Consolo announced that on October 13, 2021 the bid opening was held for the trash collection, disposal and recycling contract. He said the low bidder for the contract was Waste Management of Ohio, Inc. Mr. Consolo said the City has communicated with Waste Management regarding the concerns with the recent trash collection program. He said other cities have the same complaints with other collection companies and that basically the complaints were due to a lack of employees.

Mr. Consolo said the contract bid included a 2% increase which was less than other contracts. He said Waste Management was advised to come up with a contingency plan to address the City's concerns regarding the weekly trash pick-up. Mr. Consolo said the contract will be presented to Council at the November 3, 2021 Council Meeting.

Mr. Consolo said that over the past couple of weeks the Law and HR Departments have also been working on the renewal of the employee health insurance contract. He said the current proposal received by the City from Medical Mutual was for a two (2) year agreement with a fixed price increase of 9.5% which averaged out to a 4.75% increase per year. Mr. Consolo said

this was a good proposal but the City had some reservations since lower contracts in the past had been followed by high rate ones.

Mr. Consolo said the Formfire data was also sent to another insurance broker with the goal to get the City into a health insurance pool with other cities. He said premium increases would be more consistent for health insurance pools. Mr. Consolo said this broker was looking into a consortium in Summit County and The Fedeli Group was considering the City for a consortium of cities on the east side. He said the City was working hard to get its insurance costs under control.

Mr. Consolo concluded his report by wishing everyone a Happy Halloween.

Police Department – Police Chief Todd Hansen reported that the Police Department has responded to approximately 1,300 calls for service since the last Council Meeting and approximately 24,000 calls for service to date. The Chief said that the number of calls for service per day for the Police Department averaged about 90 calls per day including 5 reports a day and 13 tickets per day. The Police Chief also reported that the Police Department made 20 arrests and took 7 guns off the streets. He said that for the month of October to date the Police Department has issued 176 parking tickets.

Chief Hansen thanked the Fraternal Order of Eagles (FOE) for their generous donation to the Police Department.

The Police Chief announced that the Police Department had also been working a bus patrol since bus safety was very important.

Police Chief Hansen reported that the Police Department assisted in an ATV chase that started on Broadway Avenue in Bedford that ended on Thomas Street near Mapleboro. He said the Police Department also arrested the perpetrator involved with a felonious assault of a juvenile female. The Chief said he had an update in an earlier case concerning a shooting on Applegate Avenue. He said Maple Heights Police Officers took one (1) of two (2) suspects into custody regarding this shooting.

Police Chief Hansen reminded everyone that Halloween will be observed in the City of Maple Heights on Sunday, October 31st from 5:00 p.m. to 7:00 p.m. and that the Police Department will have all Police Officers and Auxiliary out on the road. He asked motorists to be extra careful with children out and reminded Trick or Treaters to look both ways before crossing the streets, to wear light-colored costumes and to only go to houses with front porch lights on. The Chief reminded parents to check all the candy.

The Chief said the Police Department recently participated in a SEALE training program. He said SEALE was a regional group that included the SWAT team. Police Chief Hansen said SEALE provided instructors for a live fire training exercise for the Police Department with the scenario of a resident down. The Chief said this type of training was one of the benefits of being part of the SEALE organization.

Police Chief Hansen concluded his report by stating that all of the Flock cameras had been installed and were just waiting to be connected to power. He also announced that Chagrin Valley Dispatch (CVD), the City's dispatch center, would be part of a television program airing on the Oxygen station. The Chief said to Save the Date for a party at the Winking Lizard to be held Saturday, November 6th at 7:00 p.m. Police Chief Hansen said people could RSVP to CVD at 440-703-3421 and that a trailer for this program could be seen on the CVD website or Facebook page.

Human Services Department – Human Services Director Mrs. Linda Vopat reminded residents that on Wednesday, October 27, 2021, Mayor Blackwell, the Economic Development Department and the Department of Human Services will be sponsoring “Information Destination Community Resource Fair” at the Senior Center from 5:30 p.m. to 7:30 p.m. She said information will be available regarding utilities, property tax programs, financial assistance, etc. Mrs. Vopat said a number of agencies and organizations would be participating in this event including Legal Aid, Cleveland Housing Network (CHN) and the County Treasurer's Office Real Estate Tax Division. She said City Departments would also be involved and that residents will be able to get a number of questions answered.

Mrs. Vopat also thanked the Bedford Federation of Eagles (FOE) for their generous donation of \$1,500.00 to the Maple Heights Food Pantry. She said the Food Pantry operated completely by donations and that this past year has been challenging. Mrs. Vopat said the pandemic has posed problems for the Food Pantry to be able to meet residents' needs.

Mrs. Vopat announced that the Department of Human Services in cooperation with The Cleveland Clinic Tussig Cancer Center will be sponsoring another Maple Heights Mammogram Clinic on Friday, November 19th from 9:30 a.m. to 2:30 p.m. at the Senior Center. She said residents without insurance or who are underinsured will be covered. Mrs. Vopat said Marymount and South Pointe Hospitals will be involved and that mammograms will be by appointment only. She said for more information or to schedule a mammogram, residents should call 216-346-8511 and that flyers regarding this event were available on the back table.

Mrs. Vopat also announced that the next Mobile Farmers' Market will be held tomorrow, Thursday, October 21st at St. Andrew Eastern Orthodox Church from 9:30 a.m. to 11:30 a.m.

Mrs. Vopat concluded her report by announcing that the Food Pantry was still looking for volunteers and asked anyone who may be interested to call her. She said the Pantry was opened Tuesday, Wednesday and Thursday.

Finance Department – Mayor Blackwell, on behalf of Finance Director Ms. Tinita Tillman, said that last meeting Ms. Tillman had reported that the City closed the month of September with an unexpended balance in the General Fund of approximately \$6.5 million dollars. The Mayor said the Finance Department was in the middle of the budgeting process and that Ms. Tillman has met with the Directors to discuss their budgets. She said Ms. Tillman will be working with the Council Finance Committee to schedule a Finance Committee Meeting to discuss the proposed budget with Council.

Mayor Blackwell said the Finance Department was also working to upload the Financial Reports to the City website as had been suggested by State Auditor Keith Faber.

Service Department – Acting Service Director Mr. Bob Dloniak reported that the Service Department completed twelve (12) more water dig jobs to bring the total completed to date to seventy-three (73). He said the Service Department has also continued making asphalt repairs to potholes on various City streets.

Mr. Dloniak reported that Service Department staff were still cutting grass and that the street sweeper has been out, especially on the streets with the locust trees to keep the sewers and catch basins clean. He announced that the Leaf Collection Program will begin next Monday, October 25, 2021, starting North of Libby Road, then work South of Libby Road and then go to the West side of the City.

Economic Development Director: Economic Development Director Mr. Patrick Grogan-Myers announced that the City website included a webpage regarding the Backflow Preventer Program that was available to City residents. He said this webpage offered a step-by-step guide to getting a backflow preventer installed. Mr. Grogan-Myers said it also included contact people who can guide residents through this process. He said the webpage was accessible under the Service Department tab, under Office of Engineer. Mr. Grogan-Myers said this was a City, not County, program so it was an example of local tax dollars at work.

Mr. Grogan-Myers said the Economic Development Department was also working on a webpage for Construction Zones that would give project updates on street resurfacings, water main replacement projects, etc. He said the City would use this webpage to try to give updates as soon as possible.

CITIZENS' COMMENTS:

A Maple Heights Boulevard resident thanked the Police Department for all their work, but said there have been several accidents that have occurred at the corner of Maple Heights Boulevard and South Boulevard, usually between the hours of 10:00 p.m. and 3:00 a.m. She said there was a serious problem regarding speeding and drivers running the STOP signs in the area. The resident asked if the City would consider installing a guardrail at Maple Heights Boulevard and South Boulevard to prevent drivers from running into people's yards and houses. She said a guardrail would protect the yards and the houses/porches of homes in the area that have been damaged more than once.

In response, Police Chief Hansen gave his business card to the resident and asked her to call him to discuss this matter in more detail.

Mr. Lewis Jones of 16113 Raymond Street said he wanted to commend Mr. Ostenson for his assistance. He said his house had been damaged in a similar incident and that Mr. Ostenson helped him through this situation and had continued to check on him. He said Mr. Ostenson has made a huge difference for him.

Mr. Ozell Dobbins residing at 19608 Longview Avenue asked if the new garbage collection contract could include recycling to be collected every week instead of the current twice monthly.

Mr. Dobbins said there has been a problem with a van parked on Longview Avenue for the past three (3) or four (4) months and asked what could be done about it.

Mr. Dobbins complimented the Police Department on the work they've been doing throughout the City but said the problem of speeding on Raymond Street and Maple Heights Boulevard was very bad. He said this was a serious problem with all the kids in the area.

In response, Mayor Blackwell said that in 2016 when she took office the City owed Waste Management quite a lot of money and when the City was able to bring recycling back for the residents the twice-a-month program was negotiated to keep it affordable. The Mayor said the City just received the new contract and if residents wanted to pay more for trash collection and disposal the City could add recycling every week. She said the recycling was a different pick-up and was disposed of at a different location.

Ms. Sandy Roberts of 14975 Carol Drive said she received a property inspection report from the Building Department requiring her to repair certain items on her property. She said the condition of the sidewalk listed in this report was that way before she even moved in. She asked when this program began and said that money was tight. Ms. Roberts asked if there were programs available to help home owners make these repairs. She said there also was a problem with the condition of the street right by her driveway and that the pot hole had been repaired by the City with asphalt. Ms. Roberts asked if the street would be repaired by the City.

In response, Mayor Blackwell said the City was trying to improve the housing stock in the City so last month it started a street-by-street inspection program of every house. She said the program will not be punitive and that the City was looking for money to help home owners. The Mayor said the City was trying to partner with the Cleveland Housing Network (CHN) and also our Cuyahoga County Representative. She said residents should not take these inspection reports personally.

In response to the resident's inquiry regarding the street repair, Mr. Shenett said the City was working on a side street repair program using State funds but that the resurfacing of the whole street would probably not be possible. Mr. Shenett said the Administration and Council were working to address the problems with the condition of the streets. He said there was a rating scale used by the City Engineer and the Service Director to rank the street conditions.

Regarding the inspection program, Mr. Shenett said he had been contacted by other residents who had received similar letters. He said Council will work with the residents and the Administration regarding this matter.

LEGISLATION:

ORDINANCE NO. 2019-61, As Amended

AN ORDINANCE ENACTING NEW CODIFIED ORDINANCE SECTION 660.16(C) CREATING A COST-SHARING PROGRAM WITH PRIVATE PROPERTY OWNERS FOR REMOVAL OF DEAD, DISEASED, OR DAMAGED TREES AND THOSE TREES WHOSE ROOTS HAVE ADVERSELY IMPACTED SIDEWALKS AND SEWERS FROM TREE LAWNS, AND DECLARING AN EMERGENCY.

This Ordinance remained in the Finance Committee upon the recommendation of Mr. Ostenson, Chairman of this Committee.

ORDINANCE NO. 2021-114

AN ORDINANCE ENACTING NEW CHAPTER 853 – MOBILE FOOD SERVICE OPERATION OF THE CODIFIED ORDINANCES OF THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

This Ordinance was on Second Reading.

ORDINANCE NO. 2021-115

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY OF MAPLE HEIGHTS, OHIO IN A PRINCIPAL AMOUNT NOT TO EXCEED \$7,115,000 TO REFUND A PORTION OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT AND REFUNDING BONDS, SERIES 2010, AND DECLARING AN EMERGENCY.

This Ordinance was on Second Reading.

RESOLUTION NO. 2021-121

A RESOLUTION PROCLAIMING OCTOBER 31, 2021 FROM 5:00 P.M. TO 7:00 P.M. AS HALLOWEEN OBSERVANCE IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Mr. Ostenson made a motion, seconded by Mr. Shenett, to suspend the rules and pass this Resolution on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Resolution on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Resolution. There being no discussion, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

ORDINANCE NO. 2021-122

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION THAT PERMANENT PARCEL NO. 781-13-004 (16506 MAPLE HEIGHTS BOULEVARD) BE RE-ZONED FROM RESIDENTIAL SINGLE FAMILY-MEDIUM DENSITY (RSF-M) ZONING DISTRICT TO INSTITUTIONAL-OFFICE (I-O) ZONING DISTRICT, AND DECLARING AN EMERGENCY.

Ms. Madden made a motion, seconded by Mr. Ostenson, to suspend the rules and pass this Ordinance on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Ordinance on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Ordinance. There being no discussion, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Ordinance passed on emergency and will become law upon the Mayor's signature.

ORDINANCE NO. 2021-123

AN ORDINANCE ADOPTING THE RECOMMENDATION OF THE PLANNING COMMISSION THAT PERMANENT PARCEL NO. 781-13-068 (5387 LEE ROAD) BE RE-ZONED FROM NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT TO INSTITUTIONAL-OFFICE (I-O) ZONING DISTRICT, AND DECLARING AN EMERGENCY.

Ms. Madden made a motion, seconded by Mr. Ostenson, to suspend the rules and pass this Ordinance on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Ordinance on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Ordinance. There being no discussion, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Ordinance passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2021-124

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOTS OWNED BY THE CITY AT 5615 AND 5619 LAFAYETTE AVENUE, PPN 784-09-040 AND 784-09-041, ARE NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Mr. Jackson said if there were no objections, this Resolution would pass by unanimous consent. There being no objections, this Resolution was passed by unanimous consent.

RESOLUTION NO. 2021-125

A RESOLUTION DETERMINING THAT THE UNIMPROVED RESIDENTIAL LOT OWNED BY THE CITY AT 5505 GRASMERE AVENUE, PPN 781-18-061, IS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Mr. Jackson said if there were no objections, this Resolution would pass by unanimous consent. There being no objections, this Resolution was passed by unanimous consent.

RESOLUTION NO. 2021-126

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 FOR METIS CONSTRUCTION SERVICE, INCREASING THE CONTRACT BY \$9,128.70 FOR THE CITY HALL NEW VESTIBULE & ELEVATOR ADDITION PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Ostenson made a motion, seconded by Mr. Trojanski, to suspend the rules and pass this Resolution on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Resolution on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Resolution. There being no discussion, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2021-127

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR REPAIRS TO THE STAFFORD PARK SPRAYGROUND AND POOL HOUSE LOCATED WITHIN STAFFORD PARK IN THE CITY OF MAPLE HEIGHTS, AND DECLARING AN EMERGENCY.

Mr. Trojanski made a motion, seconded by Mr. Ostenson, to suspend the rules and pass this Resolution on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Resolution on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Resolution.

Mr. Shenett said that with this legislation it was nice to see the City getting back to normalcy and working to get activities back for the youth. Mr. Shenett said he was glad to see the City moving forward.

Mr. Jackson asked if there was any other discussion. There being no further discussion on this Resolution, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2021-128

A RESOLUTION AUTHORIZING THE MAYOR, TO ENTER INTO A CONTRACT TO PROVIDE FOR THE ROWENA AVENUE WATERMAIN REPLACEMENT PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Mr. Shenett made a motion, seconded by Mr. Trojanski, to suspend the rules and pass this Resolution on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Resolution on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Resolution. There being no discussion, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2021-129

A RESOLUTION AUTHORIZING THE MAYOR, DIRECTOR OF ECONOMIC DEVELOPMENT, AND CITY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) URBAN CANOPY RESTORATION GRANT PROGRAM FOR THE STAFFORD PARK TREE CANOPY PROJECT IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY

Mr. Ostenson made a motion, seconded by Mr. Trojanski, to suspend the rules and pass this Resolution on emergency. Mr. Jackson asked if there were any questions or discussion on this legislation.

There being no questions or discussion, Mr. Jackson asked for the vote to suspend the rules. On the motion to suspend the rules and pass this Resolution on emergency, all voted aye, none opposed, the motion passed.

Mr. Jackson asked if there was any discussion on this Resolution. There being no discussion, Mr. Jackson asked for the vote for passage on emergency.

ROLL CALL on the vote for passage on emergency: Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

MOTION: MOTION OF COUNCIL OF THE CITY OF MAPLE HEIGHTS

A MOTION hereby fixing the day for holding a recall election as Tuesday, November 23, 2021 to determine whether Richard Trojanski of the City of Maple Heights should retain

his office as Councilman for District 06, and further directing the Clerk of Council to immediately deliver to the Cuyahoga County Board of Elections a certified copy of this Motion; the Board of Elections is hereby directed to provide for the voting upon said recall the ballots for said election which shall, at the top thereof, be entitled “City of Maple Heights Member of Council District 06 Recall Election” and the first question to be submitted on said ballot shall be in the following words: “Shall Richard Trojanski be removed from the office of Member of Council District 06 by recall?”, with provision on the ballot for electors to vote FOR or AGAINST on such question, and directly underneath this question shall appear the names of the candidate(s) nominated to succeed Richard Trojanski as Councilman for District 06, however Richard Trojanski’s name shall not appear on the ballot below this question as a candidate to succeed himself; the filing deadline for successor candidates to file candidate petitions with the Board of Elections is October 29, 2021 at 4:00 PM with a minimum of 25 valid signatures obtained from qualified electors of District 6 .

So Moved by Mr. Shenett and seconded by Mr. Ostenson.

ROLL CALL on the Motion to fix the day of Tuesday, November 23, 2021 for holding the recall election: Anderson: Yes; Madden: Yes; Trojanski: No; Agee: Yes; Shenett: Yes; Ostenson: Yes. The motion passed by the vote of five (5) ayes to one (1) nay.

EXPENDITURES OVER \$3,500.00: 2021-047 through 2021-048

Mr. Jackson asked if there were any questions or discussion regarding the **List of Expenditures over \$3,500.00: 2021-047 through 2021-048**. There were no questions or discussion.

There being no questions or discussion on the List of Expenditures over \$3,500.00, Mr. Ostenson made a motion, seconded by Mr. Shenett, to approve the **List of Expenditures over \$3,500.00**.

ROLL CALL on the motion to approve the List of Expenditures: Shenett: Yes; Ostenson: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes; Agee: Yes. The motion to approve passed by the vote of six (6) ayes to zero (0) nays.

MAYOR’S REPORT: Mayor Blackwell thanked everyone who attended the Joint State of the City and State of the Schools Presentation. The Mayor said she was pleased to hear about the 90% graduation rate from the High School.

Mayor Blackwell said she was a Board Member of the Northeast Ohio Regional Sewer District (NEORS) and that a new rate study had been prepared for 2022 through 2026. The Mayor said the study included a proposed rate increase for water and sewer charges of 4.7% annually for 2022 to 2026. Mayor Blackwell said she tried to be proactive to help residents with increased property tax payments which were one of the sources of revenue for the City. The Mayor said the NEORS will be working with the Cleveland Housing Network (CHN) to develop a sewer affordability program. She said such a program would use a higher threshold of perhaps 250% of the poverty rate. Mayor Blackwell said this threshold increase would increase help to 50,000 residents. The Mayor said as a frame a reference, a family of four at 200% of the poverty rate

could earn up to \$51,000.00 per year. She said at 250%, a family of four could earn up to \$64,000.00 per year. She said it was critical for residents to have water and sewer services.

Mayor Blackwell said the City was also reaching out to day cares to check for lead to make sure the water was safe in Maple Heights.

The Mayor concluded her report by stating that she would be participating in the Community Life and Education Trunk or Treat Event on Sunday, October 24th and wished everyone a Happy and Safe Halloween. She reminded residents to follow Chief Hansen's advice for a safe Halloween.

COUNCIL REPORTS:

Councilwoman Dana D. Anderson, District 4 apologized that she did not vote as she had wanted on the Motion to set the date for the recall election.

Ms. Anderson announced that on October 28th Districts 4 will host a combined Town Hall Meeting from 6:00 p.m. to 8:00 p.m. at the Maple Heights Library. She said Mayor Blackwell, Mr. Grogan-Myers and Council President Ron Jackson will be the guests.

Ms. Anderson concluded her report by stating that her Newsletter was out and by announcing that the District 4 Clean-up Day had been rescheduled to Saturday, October 30th from 10:00 a.m. to Noon.

Councilwoman Tanglyn Madden, District 5 said that although she did not want to diminish the seriousness of the complaints regarding Waste Management and the City's trash collections, she wanted to share some good news regarding Waste Management. Ms. Madden said that recently she had received calls about a situation where the owner of a vacant home on Paine Avenue placed trash in both the regular container and the recycling container and left them on the driveway. She said the owner had placed trash bags on the curb. Ms. Madden said Waste Management had already gotten to the street when she arrived, so she asked the driver to stop and pick up the trash. Ms. Madden said she tried to move the containers to the curb but they were too heavy so the driver moved the trash containers from the driveway to his truck for pick-up. She said this driver went beyond the usual scope of their work to resolve this problem for the neighboring residents.

Ms. Madden said there has been an issue with High School students parking on the streets near the school on Thursdays when Waste Management was scheduled to pick up the trash and recycling. Ms. Madden said she has contacted Dr. Keenan and the President of the School Board to contact the students and work with her to resolve this problem.

Ms. Madden concluded her report by wishing everyone a good evening.

Councilman Richard Trojanski, District 6 said the recall situation was disappointing news but that he will not address it in this forum. He said this too shall pass.

Mr. Trojanski announced that the District 6 Community Clean-Up Day has been rescheduled for Saturday, October 30th from 10:00 a.m. to Noon. He said District 6 volunteers will meet at Longview and Maple Heights Boulevard. Mr. Trojanski said everyone needed to be involved to improve the curbside appeal of their neighborhood.

Mr. Trojanski also announced that the Joint District 6 and District 4 Town Hall Meeting will be held on Thursday, October 28th from 6:00 p.m. to 8:00 p.m. at the Maple Heights Library.

Councilwoman Edwina Agee, District 7 said that Ms. Adams, a District 7 resident, wanted to thank everyone for the resurfacing of Donnybrook Avenue.

Ms. Agee announced that on Saturday, October 30th, Fresh Fruits and Vegetables will be distributed from 10:00 a.m. to Noon. Ms. Agee said the fresh produce will be available under the tent located at 5345 Warrensville Center Road in Southgate.

Councilman Stafford L. Shenett, District 1 said that a dump truck recently knocked down the pole and wires on Dunham Road and that he wanted to thank the Fire Department, Police Department and First Energy for their quick response to clean-up and make repairs in the area.

Mr. Shenett also thanked the Building Department for their assistance and prompt actions regarding a bulk trash pick-up in District 1. He said a tenant had moved out and left everything on the tree lawn.

Mr. Shenett said he wanted to thank Fire Chief Kavaliunas for his concern regarding a resident whose house was in very bad shape.

Mr. Shenett said he was excited about the new trees to be added to Dunham Road and that he was also looking forward to the new LED lighting on Dunham Road.

Mr. Shenett said he has worked closely with the Administration and the City Engineer to address water and sewer problems in his District. Mr. Shenett thanked Mr. Hren for his efforts to secure grants for these various projects. He said the Rowena Avenue and Mendota Avenue Projects will be completed using a combination of County, State and Cleveland Water Department funds.

Mr. Shenett concluded his report by stating he would also continue to work with the Administration to repair all the City streets.

Councilman Christian Ostenson, District 3 thanked Mr. Grogan-Myers for his work to address one of the worst properties in his District on Friend Avenue. Mr. Ostenson said there were animals living there and that by the end of the year the structure should be demolished.

Mr. Ostenson concluded his report by wishing everyone a Safe and Happy Halloween.

Council President Ron Jackson said that there were two (2) weeks before the November election that included six (6) Charter Amendment issues on the ballot for Maple Heights. He reminded voters to get out and vote.

Mr. Jackson concluded his report by wishing everyone a Safe and Happy Halloween.

There being no further business to come before this Council, Council President Jackson adjourned the meeting at 8:16 p.m.

Passed: November 3,, 2021

ATTEST:

S/S Leonette Cicirella Johnson, Clerk of Council