

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

Maple Height Senior Center

February 15, 2023

MEETING CAUCUS

Council President Jackson called the meeting to order at 6:37 p.m. with the following Council Members present: Shenett, Tatum, Anderson, Madden, Trojanski and Agee. Councilwoman Jones was absent and excused. Also present were Law Director Frank Consolo, Police Chief Todd Hansen, Service Director Tony Ciresi, City Engineer Ed Hren and Council Clerk Leonette Cicirella Johnson. Mayor Annette M. Blackwell arrived at 6:50 p.m. Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, Finance Director Tinita Tillman and Planning and Development Director Joe Duffy were absent and excused.

Mr. Jackson said Councilwoman Anderson will have the Innovation and lead the Pledge of Allegiance for tonight's meeting. He announced that there was no Addendum for tonight's meeting. Mr. Jackson said there were Minutes to be approved, but no Communications or Council Committee Reports.

Moving to the Legislation on the Agenda, Mr. Jackson said **Ordinance No. 2023-10** approving a purchasing card policy to be added to the City's financial policies and procedures was on Second Reading and asked if there were any questions or comments on this legislation.

Councilman Shenett said he had reviewed the policy and procedures regarding purchasing cards that had been submitted to Council by Finance Director Tillman and said he thought Ms. Tillman had done a good job covering how the purchasing cards should be used and what paperwork would need to be filed. He said Ms. Tillman also described the procedures if there was a mishap and had included language that covered if a card was misused or used mistakenly. Mr. Shenett said it was good that employees would be given options to correct any of these problems. Mr. Shenett concluded his comments by stating that he supported what was presented in this legislation.

Mr. Jackson asked if there were any other questions or comments from Council. There being no other questions, Mr. Jackson asked Council to vote on **Ordinance No. 2023-10** at tonight's meeting.

Mr. Jackson said **Ordinance No. 2023-13** concerned legislation for a Charter Amendment issue to be placed on the ballot for the May 2, 2023 primary election. He said this legislation would grant Council the power to change the salaries of all elected officials at any time during their terms. He asked if there were any questions on this legislation. There were no questions.

Mr. Jackson said this Ordinance would need to be passed on emergency at tonight's meeting so it could be submitted to the Board of Elections in time to be placed on the ballot. He asked if there were any objections to passing this legislation on emergency. There were no objections from Council.

Moving to **Resolution No. 2023-14** authorizing the contract with Rusty Oak Nursery, Ltd for the purchase of trees for the Northeast Quadrant Tree Planting Project, Mr. Jackson asked City Engineer Ed Hren to discuss this legislation.

In response, Mr. Hren said the City had received a grant in the amount of \$44,000.00 from Cuyahoga County under the Healthy Tree Canopy Program (HTCP) for the purchase and installation of trees in the Northeast Quadrant of the City, specifically Hansen Road, Watson Road and Raymond Street from Northfield Road to Warrensville Center Road. Mr. Hren said that as he had discussed in his recommendation letter to Council, this legislation only authorized the purchase of trees for this Project. He said there will be a separate proposal for the installation of the trees by a landscaper.

Mr. Hren said the City solicited three (3) proposals from three (3) different nurseries and that the lowest and best bid was determined to be in the amount of \$24,523.00 as submitted by Rusty Oak Nursery, Ltd. He said another RFP will be used to select a landscaper to install the trees.

Mr. Hren said that as part of these grant requirements representatives from the Cuyahoga County Soil and Water Conservation District and the Mill Creek Partners will go out to the nursery to tag the species of trees to be selected for this project.

Mr. Jackson asked if there were any questions regarding **Resolution No. 2023-14**.

Councilman Trojanski said residents will be concerned about trees that may interfere with their sewers and sidewalks and asked what tree species will be used to avoid these problems.

Mr. Hren said the species of trees to be selected were listed in the Master Tree Plan that had been prepared by the Mill Creek Partners with the Cuyahoga County Soil and Water Conservation District. He said these trees have been specifically selected for suburban areas so that the roots will not affect the tree lawns and so that the tree canopy will not encroach on the roadways.

Mr. Trojanski said the project has a completion date of June 30th but asked how long will the process take.

In response, Mr. Hren said that although the grant had a completion date of June 30th the City will be going out for RFPs to landscaping companies as soon as possible. He said the goal was to have the project completed by May 31, 2023.

Mr. Trojanski asked Mr. Hren if the residents getting the trees will receive a notice about this project, to which Mr. Hren responded in the negative. Mr. Hren said a notice could be posted on the City's social media and that he could draft something for that purpose and for Mr. Trojanski to use to notify the residents.

Mr. Jackson asked if there were any other questions.

Mr. Shenett asked Mr. Hren about the bid submitted for this Project by Klein Nursery.

Mr. Hren said Klein Nursery could not supply the particular trees needed for this Project. Mr. Hren said that although Klein Nursery had supplied the trees for last year's Project, they could not supply trees with a 2" caliper as required for this project.

Mr. Trojanski asked to be added as a Co-Sponsor of this legislation.

Mr. Jackson asked if the trees would be wrapped to protect them from the deer, to which Mr. Hren responded in the affirmative. Mr. Hren said that although the arborist advised that the wrapping would not make a difference the City still asked that the trees be wrapped.

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

Mr. Jackson asked Mr. Hren to also discuss **Resolution No. 2023-15** authorizing the Mayor to sign an agreement regarding the Schreiber Road Sewer Improvements & SSO Elimination Project.

In response, Mr. Hren said this legislation would authorize the Mayor to apply for, accept and enter into a Water Pollution Control Loan Fund (WPCLF) agreement which was a program developed by the Ohio EPA's Division of Environmental and Financial Assistance (DEFA) and the Ohio Water Development Authority (OWDA). Mr. Hren said this was the first year for this program and that it was developed as a loan forgiveness program which means it will be similar to a grant program. He said the documents are prepared as loan documents, but that at the end of the project the loan will be forgiven.

Mr. Hren said he had been informed of this program by the Northeast Ohio Regional Sewer District (NEORS), which was looking for projects that were ready to be bid. Mr. Hren said the City was prepared to bid the Schreiber Road Sewer Project and that the project costs were estimated to be \$380,000.00. Mr. Hren said **Resolution No. 2023-15** will allow the Mayor to enter into this loan agreement.

Mr. Hren said the funds for this project will be available by May 25, 2023, but he has asked to be able to bid the project now so that once the agreement has been signed the project could start as soon as possible. Mr. Hren said he will be bidding the Schreiber Road Project in early March so that the contract award legislation would be presented to Council either the second Council Meeting of March or the first Council Meeting in April.

Mr. Jackson asked if there were any questions on this legislation. There being no questions from Council regarding **Resolution No. 2023-15**, Mr. Jackson asked Council to vote on it at tonight's meeting.

Mr. Jackson said **Resolution No. 2023-16** will authorize the City to expend public funds and accept private donations for 2023 community events similar to the previous legislation regarding the Community Life and Education Committee. He asked if there were any questions on this legislation. There were no questions from Council. Mr. Jackson said if there were no objections

he would ask Council to vote on this Resolution at tonight's meeting. There were no objections from Council.

Mr. Jackson said there was only one (1) Expenditure over \$25,000.00 for review at tonight's meeting and asked if there were any questions from Council regarding it. There were no questions from Council.

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: Shenett, Tatum, Anderson, Madden, Trojanski and Agee. Councilwoman Jones was absent and excused. Also present were Mayor Annette M. Blackwell, Law Director Frank Consolo, Police Chief Todd Hansen and Council Clerk Leonette Cicirella Johnson. Fire Chief Vito Kavaliunas, Human Services Director Linda Vopat, Finance Director Tinita Tillman, Service Director Tony Ciresi, Planning and Development Director Joe Duffy 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 was no Addendum for tonight's meeting.

MINUTES: Mr. Trojanski made a motion, seconded by Mr. Tatum, to approve the Regular Meeting of Council Minutes of February 1, 2023.

ROLL CALL: Mr. Shenett: Yes; Mr. Tatum: 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 were no Communications for tonight's meeting:

COMMITTEE REPORTS: There were no Council Committee Reports for tonight's meeting.

DEPARTMENT REPORTS: There were no Department Reports for tonight's meeting due to a change in the meeting format to present Department Reports only the first Council Meeting of the month.

CITIZENS' COMMENTS:

The floor was opened at 7:03 p.m. for Citizens' Comments.

Ms. Dolores Catchings of Cleveland said she was Datwuan Catchings aunt and that she had many things to say. She said her brother was disgusted and that the family was hurting. Ms. Catchings said the grand jury made its decision, but the Catchings family was still hurting. She said there was no justice in this case and that they felt cheated. Ms. Catchings said Datwuan

was gone and asked what was their family going to do. Ms. Catchings said her brother was disappointed with the Mayor and that there will be no closure for the family. She said they were dissatisfied with the verdict. Ms. Catchings closed her comment by thanking everyone for listening.

Mr. Tony Hatcher residing at 2181 E. 97th Street, Cleveland, Ohio said he was Datwuan's cousin and that the grand jury verdict did not surprise him. He said we need people to do their job, including police officers, and that this was a rogue officer. Mr. Hatcher replayed the body cam footage and said there was no excuse for the police officer to talk the way he did to Datwuan. He said closure did not mean anything, since you never forget a loved one. Mr. Hatcher said the residents needed to do something about this.

The Citizens' Comments were closed at 7:13 p.m.

LEGISLATION:

ORDINANCE NO. 2023-10

AN ORDINANCE APPROVING A PURCHASING CARD POLICY TO BE ADDED AS EXHIBIT 10 TO THE CITY'S FINANCIAL POLICIES AND PROCEDURES, AND DECLARING AN EMERGENCY.

Ms. Anderson made a motion, seconded by Mr. Trojanski, 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 and pass this Ordinance on emergency. 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 additional 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; Tatum: 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. 2023-13

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF MAPLE HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE IV TO ADD THAT COUNCIL SHALL HAVE THE POWER TO CHANGE THE SALARIES OF ALL ELECTED OFFICIALS AT ANY TIME, INCLUDING DURING THE ELECTED OFFICIALS' TERM, OR TERMS, OR ANY PART THEREOF; AND DECLARING AN EMERGENCY.

Mr. Trojanski made a motion, seconded by Mr. Shenett, 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 and pass this Ordinance on emergency. 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 additional 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; Tatum: Yes. The motion passed by the vote of six (6) ayes to zero (0) nays.

RESOLUTION NO. 2023-14

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH RUSTY OAK NURSERY, LTD. TO PURCHASE TREES FOR INSTALLATION ON HANSEN ROAD, WATSON ROAD AND RAYMOND STREET, FROM NORTHFIELD ROAD TO WARRENSVILLE CENTER ROAD, AS PART OF THE CUYAHOGA COUNTY HEALTHY TREE CANOPY PROGRAM NORTHEAST QUADRANT TREE PLANTING PROJECT (COUNTY PROJECT NO. MAP-22-01), AND DECLARING AN EMERGENCY.

Mr. Trojanski made a motion, seconded by Mr. Tatum, 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 and pass this Resolution on emergency. 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 additional 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; Tatum: 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. 2023-15

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF MAPLE HEIGHTS FOR

CONSTRUCTION OF WASTEWATER FACILITIES, DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND AUTHORIZING THE SIGNING OF CONTRACTS AND OTHER DOCUMENTS RELEVANT THERETO, 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 and pass this Resolution on emergency. 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 additional 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; Tatum: 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. 2023-16

A RESOLUTION AUTHORIZING THE CITY TO EXPEND PUBLIC FUNDS AND ACCEPT PRIVATE DONATIONS TO HOST THE FOLLOWING 2023 COMMUNITY EVENTS: EASTER FEST; MUSIC IN THE PARK; FALL FEST AND HOLIDAY LIGHTING EVENT, AND DECLARING AN EMERGENCY.

Mr. Trojanski made a motion, seconded by Ms. Anderson, 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 and pass this Resolution on emergency. 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 additional 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; Tatum: 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.

EXPENDITURES OVER \$25,000.00:

Mr. Jackson said there was one (1) Expenditure over \$25,000.00 and no Disclosures of Purchase Orders over \$10,000.00 for review at tonight's meeting. He asked if there were any questions or discussion regarding the **List of Expenditures over \$25,000.00**. There being no questions or discussion, Ms. Anderson made a motion, seconded by Mr. Tatum, to approve the **List of Expenditures over \$25,000.00**.

ROLL CALL on the motion to approve the List of Expenditures: Shenett: Yes; Tatum: 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 said that beginning with tonight's Council Meeting there will be a change in the format of the Council Meeting so that Department Reports will be presented only the first Council Meeting of the month. She said Council had discussed this change at prior Committee of the Whole Meetings and advised the Administration of it. The Mayor said Directors will still attend Council Meetings if there will be legislation on the agenda pertaining to their department or if they do have information to present to Council.

COUNCIL REPORTS:

Councilwoman Dana D. Anderson, District 4 announced that the Community Life and Education Committee will be hosting a local African-American display in commemoration of Black History Month this Saturday, February 18, 2023 from 2:00 p.m. to 4:00 p.m. at the Maple Heights Library, Second Floor. She said this display will honor local African-American individuals from Cleveland and Cuyahoga County.

Ms. Anderson said she had the opportunity to do a robo call for the schools stressing the importance of school attendance for education.

Councilwoman Tanglyn Madden, District 5 announced that the District 5 Block Watch Meeting will be held Thursday, March 16, 2023 from 6:00 p.m. to 8:00 p.m. at the Maple Heights Library, 2nd Floor Meeting Room. Ms. Madden encouraged District 5 residents to attend this meeting.

Councilman Richard Trojanski, District 6 announced that a new business will be opening in District 6 in early March that will be a barbershop located at 5242 Warrensville Center Road. Mr. Trojanski said the owner was a former resident of Maple Heights and a graduate of Maple Heights High School.

Mr. Trojanski also reported that the Planning and Zoning Commission recently approved variances for two (2) new houses to be built at 20806 Hansen Road and 21206 Hansen Road. Mr. Trojanski said he was very excited about this new investment being made in District 6.

Mr. Trojanski concluded his report by announcing that he was starting to work on a community survey for District 6 residents and that more information will be forthcoming regarding educational workshops to be held for the residents in District 6.

Councilwoman Edwina Agee, District 7 – No Report.

Councilman Stafford L. Shenett, District 1 announced that the Annual Districts 1 and 7 Combined Block Watch and Fellowship Meeting will be held on Wednesday, February 22, 2023 at the Maple Heights Library, Large Meeting Room from 6:00 p.m. to 8:00 p.m.

Councilwoman Toni Jones, District 2 – On behalf of Ms. Jones, Ms. Anderson asked the residents of District 2 to cooperate with Dominion East Ohio and their contractors during the gas meter replacement project that was taking place in District 2. Ms. Anderson said Ms. Jones had requested that residents be available to allow the gas company access to their properties.

Councilman Timothy Tatum, District 3 announced that on Monday, February 20th there will be a celebration of Black History Month at St. Andrew Eastern Orthodox Church from 1:00 p.m. to 5:00 p.m.

Council President Ron Jackson thanked everyone for attending tonight’s meeting and asked residents to e-mail him if they had any comments regarding the new format for the Council Meetings.

There being no further business to come before this Council, Council President Jackson adjourned the meeting at 7:26 p.m.

Passed: March 1, 2023

ATTEST:

S/S Leonette Cicirella Johnson
Leonette Cicirella Johnson Clerk of Council