

MEETING CAUCUS

Council President Jackson called the meeting to order at 6:31 p.m. with the following Council Members present: Jackson, Shenett, Jones, Tatum, Anderson, Madden, Trojanski and Agee. Also present were Assistant Law Director John Thomas on behalf of Law Director Frank Consolo, Ex. Lt. Brian Kevern on behalf of Police Chief Todd Hansen, Fire Chief Dan Syphen, Human Services Director Linda Vopat, Service Director Tony Ciresi, Planning and Development Director Joe Duffy and Council Clerk Leonette Cicirella Johnson. Mayor Annette M. Blackwell, Finance Director Tinita Tillman, and City Engineer Ed Hren were absent and excused.

Mr. Jackson said that Councilwoman Agee would have the Invocation and lead the Pledge of Allegiance for tonight’s meeting. He said there will be a motion to change the order of business for tonight’s meeting to move the Legislation to first on the agenda. Mr. Jackson said there also was an Addendum for tonight’s meeting and said if there were no objections it would be added to the Agenda. There were no objections. Mr. Jackson said Council would be approving minutes of the Special Meetings of Council of June 27, 2023 and June 28, 2023.

Moving to the legislation on tonight’s meeting Agenda, Mr. Jackson said **Resolutions Nos. 2023-69, 2023-70 and 2023-71** concerned the special assessments for the boarding-up of houses and other unsafe structures, the fee for garbage and trash collection and the fees for weed and grass control would each be on Second Reading at tonight’s meeting.

Mr. Jackson said **Resolution No. 2023-74** concerned the Planning and Zoning Appeal in Case No. 2023-PZ-26 requesting approval of a variance to install a 10’ x 16’ utility shed in a Residential Single Family- Medium Density (RSF-M) Zoning District. He asked if there were any questions on this legislation. There being no questions on **Resolution No. 2023-74**, Mr. Jackson asked Council to vote on this Resolution at tonight’s meeting.

Mr. Jackson asked if there were any questions on **Resolution No. 2023-75** authorizing an agreement with Patrick Enterprises LLC to sell one (1) vacant City-owned lot at 14520 Tokay Avenue for the construction and sale of a single family, owner-occupied home on the property. There being no questions on this Resolution, Mr. Jackson asked Council to vote on it at tonight’s meeting.

Mr. Jackson said **Resolution No. 2023-76** authorizing the Mayor to enter into an Amendment to the professional services agreement with SafeBuilt Ohio, LLC to provide consulting services will be on First Reading at tonight’s meeting.

Moving to **Resolution No. 2023-77** authorizing the Mayor to enter into a contract to provide for the 2023 Concrete Roadway Repair Program, Mr. Jackson asked if there any questions or comments on this legislation. There were no questions from Council. Mr. Jackson asked Council to vote on this Resolution at tonight’s meeting.

Mr. Jackson said **Resolution No. 2023-78** authorizing the Mayor to enter into a contract to provide for the 2023 Asphalt Roadway Repair Program was also on First Reading, but asked Council to vote on this legislation at tonight's meeting if there were no objections. There were no objections from Council.

Ms. Jones asked if based upon the discussion at last evening's Committee of the Whole Meeting would this legislation be "As Amended."

In response, the Clerk of Council said Law Director Consolo had advised her office that the legislation did not need to be noted "As Amended" since the correction to the language of the legislation was done before it will be read at tonight's meeting.

Mr. Jackson said **Resolution No. 2023-79** would authorize the Engineer to begin the preparation of plans and specifications and to advertise for bids for the Southgate Park Boulevard Reconstruction Project. He said if there were no objections from Council, he would request that this legislation be passed on emergency at tonight's meeting. There were no objections from Council. Mr. Jackson asked if there were any questions or comments regarding **Resolution No. 2023-79**. There were no questions or comments.

Mr. Jackson said **Resolution No. 2023-80** authorized the Mayor to accept funding from the Northeast Ohio Areawide Coordinating Agency (NOACA) under the Congestion Mitigation and Air Quality (CMAQ) Program and authorize the City Engineer to coordinate with the Ohio Department of Transportation (ODOT) to prepare plans, bid specifications, cost estimates and bid the Citywide Signals and Efficiency Project and asked Council to vote on this legislation at tonight's meeting if there were no objections. There were no objections from Council.

Mr. Jackson said **Resolution No. 2023-81** authorized an Addendum to the purchase agreement with Jan and Shawn Jones to sell the vacant lot (PPN 785-15-042) located on Carol Drive for the construction of a single family, owner-occupied home and asked if there were any questions regarding this legislation.

Councilman Shenett said he had talked with Planning and Development Director Duffy earlier about this legislation but asked if the original contract amount was \$10,000.00 to which Mr. Duffy responded in the affirmative.

Mr. Duffy said the Buyers were working through a realtor and had secured a mortgage for this project through the VA. He said the appraised value from the VA had increased to \$350,000.00 so the Buyer was requesting a decrease in the cost of the lot by \$5,000.00 and also a decrease of \$5,000.00 from the bank.

Mr. Duffy said it was not the usual procedure for the City to negotiate these terms but in this case the City was willing to make this adjustment. He said this was a unique aspect of housing valuation in the City.

Mr. Jackson asked if there were any other questions or comments on **Resolution No. 2023-81**.

Me. Shenett asked to be added as a Co-Sponsor of this legislation.

Councilman Tatum also asked to be added as a Co-Sponsor of this legislation.

Mr. Jackson asked if there was any further discussion on this legislation. There being no additional discussion, Mr. Jackson asked Council to vote on **Resolution No. 2023-81** at tonight's meeting.

Mr. Jackson said there were no Expenditure over \$25,000.00 for review, only three (3) Disclosure of Purchase Orders over \$10,000.00.

Mr. Jackson asked if there were any other questions or comments from Council.

There being no other questions or comments, the Caucus Meeting was adjourned at 6:41 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, Jones, Tatum, Anderson, Madden, Trojanski and Agee. Also present were Mayor Annette M. Blackwell, Assistant Law Director John Thomas on behalf of Law Director Frank Consolo, Ex. Lt. Brian Kevern on behalf of Police Chief Todd Hansen, Fire Chief Dan Syphen, Human Services Director Linda Vopat, Service Director Tony Ciresi, Planning and Development Director Joe Duffy and Council Clerk Leonette Cicirella Johnson. Finance Director Tinita Tillman and City Engineer Ed Hren were absent and excused.

Councilwoman Edwina Agee 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.

At this time, Mr. Jackson asked for a Motion to amend the Agenda to change the order of business to move the Legislation to be the first item on the Agenda.

So moved, by Councilman Trojanski and seconded by Councilwoman Anderson.

ROLL CALL on the Motion to amend the Agenda: Mr. Shenett: Yes; Ms. Jones: Yes; Mr. Tatum: Yes; Ms. Anderson: Yes; Ms. Madden: Yes; Mr. Trojanski: Yes; Ms. Agee: Yes. The motion passed by the vote of seven (7) ayes to zero (0) nays.

LEGISLATION:

RESOLUTION NO. 2023-69

A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH

WERE EXPENDED FOR BOARDING UP HOUSES AND OTHER UNSAFE STRUCTURES PURSUANT TO CODIFIED ORDINANCE SECTIONS 680.06, 1440.27 AND 1440.28, AND DECLARING AN EMERGENCY.

This Resolution was on Second Reading.

RESOLUTION NO. 2023-70

A RESOLUTION DECLARING THE NECESSITY OF ASSESSING THE EXPENSE OF GARBAGE AND RUBBISH COLLECTION AND DISPOSAL WITHIN THE CITY OF MAPLE HEIGHTS AND CERTIFYING TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY OF MAPLE HEIGHTS FOR GARBAGE AND RUBBISH COLLECTIONS, AND DECLARING AN EMERGENCY.

This Resolution was on Second Reading.

RESOLUTION NO. 2023-71

A RESOLUTION CERTIFYING TO THE CUYAHOGA COUNTY FISCAL OFFICER THE SUMS DUE TO THE CITY OF MAPLE HEIGHTS WHICH WERE EXPENDED FOR WEED AND GRASS CONTROL PURSUANT TO CODIFIED ORDINANCE SECTIONS 660.15 AND 680.05, AND DECLARING AN EMERGENCY.

This Resolution was on Second Reading.

RESOLUTION NO. 2023-74

A RESOLUTION OVERRULING THE DECISION BY THE PLANNING AND ZONING COMMISSION IN CASE NO. 2023-PZ-26 TO DENY THE APPLICATION OF SHAINA HORTON FOR APPROVAL OF A VARIANCE FROM THE REQUIREMENTS OF SECT. 1298.15 OF THE MAPLE HEIGHTS CODIFIED ORDINANCES TO INSTALL A 10' X 16' UTILITY SHED IN THE BACKYARD OF PROPERTY LOCATED IN A RESIDENTIAL SINGLE FAMILY – MEDIUM DENSITY (RSF-M) ZONING DISTRICT AT 5150 STANLEY AVENUE, MAPLE HEIGHTS, OHIO.

Mr. Tatum made a motion, seconded by Ms. Jones to approve **Resolution No. 2023-74.**

ROLL CALL on the Motion to approve this Resolution: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes. The motion to overrule **Case No. 2023-PZ-26** passed by the vote of seven (7) ayes to zero (0) nays and pursuant to Sect. 1262.03(F) of the MH Codified Ordinances this Resolution shall take effect and be in force immediately upon its passage by Council. The decision of the Planning and Zoning Commission in **Case No. 2023-PZ-26** has been overruled.

RESOLUTION NO. 2023-75

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH PATRICKS ENTERPRISES LLC TO SELL ONE (1) VACANT LOT LOCATED AT 14520 TOKAY AVENUE (PPN 785-03-101) FOR THE CONSTRUCTION AND SALE OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON THE PROPERTY, AND DECLARING AN EMERGENCY.

Mr. Tatum 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.

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

Mr. Jackson asked if there were any other questions or discussion. 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: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes. Trojanski: Yes. The motion passed by the vote of seven (7) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2023-76

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT TWO TO THE PROFESSIONAL SERVICES AGREEMENT WITH SAFE BUILT OHIO, LLC TO PROVIDE CONSULTING SERVICES IN CONNECTION WITH THE CITY'S BUILDING AND ZONING CODES, AND DECLARING AN EMERGENCY.

This Resolution was on First Reading.

RESOLUTION NO. 2023-77

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE 2023 CONCRETE ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Ms. Jones 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: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes. The motion passed by the vote of seven (7) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2023-78

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PROVIDE FOR THE 2023 ASPHALT ROADWAY REPAIR PROGRAM IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Ms. Jones 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: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes. The motion passed by the vote of seven (7) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2023-79

A RESOLUTION AUTHORIZING THE ENGINEER TO BEGIN THE PREPARATION OF PLANS AND SPECIFICATIONS AND TO ADVERTISE FOR BIDS FOR THE SOUTHGATE PARK BOULEVARD RECONSTRUCTION PROJECT LOCATED IN THE CITY OF MAPLE HEIGHTS AND DECLARING AN EMERGENCY.

Ms. Jones 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.

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

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

Mr. Jackson asked if there were any other questions or discussion. 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: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes. The motion passed by the vote of seven (7) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2023-80

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE NORTHEAST OHIO AREAWIDE COORDINATING AGENCY (NOACA) UNDER THE CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM AND AUTHORIZING THE CITY ENGINEER TO COORDINATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) AS REQUIRED TO PREPARE PLANS, BID SPECIFICATIONS, COST ESTIMATES AND BID THE CITYWIDE SIGNALS AND EFFICIENCY PROJECT IN THE CITY OF MAPLE HEIGHTS, 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.

Mayor Blackwell said the City had originally been approved for a grant in the amount of \$200,000.00 for this program to help the City have cleaner air since the signals would operate when cars were detected. The Mayor said the City now had the full amount to fund this project.

Ms. Jones asked to be added as a Co-Sponsor of this legislation.

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

Ms. Anderson asked to be added as a Co-Sponsor of this legislation

Mr. Jackson asked if there were any other questions or discussion. There being no other 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: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes. The motion passed by the vote of seven (7) ayes to zero (0) nays. The Resolution passed on emergency and will become law upon the Mayor's signature.

RESOLUTION NO. 2023-81

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN ADDENDUM TO THE PURCHASE AGREEMENT WITH JAN AND SHAWN JONES TO SELL THE VACANT LOT (PPN 785-15-042) LOCATED ON CAROL DRIVE FOR THE CONSTRUCTION OF A SINGLE FAMILY, OWNER-OCCUPIED HOME ON THE PROPERTY, AND DECLARING AN EMERGENCY.

Ms. Jones 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.

Ms. Jones said since the City would be selling this vacant lot for less than the normal amount of \$10,000.00 she wanted to know what would be the hardship that the buyer needed to reduce it to \$5,000.00. Ms. Jones said she was concerned that this legislation would be setting a precedent.

Mayor Blackwell asked Mr. Duffy to address Ms. Jones' concerns.

Mr. Duffy said the original agreement for the purchase of this lot was negotiated by the City as they do all others and that the City viewed these agreements as binding. He said it was the policy of the City not to be flexible after the fact. He said this situation involved a unique home that the owners would be using VA financing to build. He said it was reasonable to be flexible in this situation to achieve this goal and that the owners would still be making a return on their investment. Mr. Duffy assured Council that this will not be a precedent.

Mr. Shenett said the home was being valued at \$350,000.00 so the value of the home will benefit the City. Mr. Shenett said he supported this legislation if the reduction by \$5,000.00 would help the Buyers secure their loan.

Ms. Jones said she was still concerned because the negotiations were with a realtor and not with the Buyers. Ms. Jones said she was concerned about making one exception.

Mayor Blackwell said she wanted Council to know that the realtor had advised the City that the contractor for this home was looking at other vacant lots in the City.

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

Mr. Jackson asked if there were any other questions or discussion. There being no other 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: Agee: Yes; Shenett: Yes; Jones: Yes; Tatum: Yes; Anderson: Yes; Madden: Yes; Trojanski: Yes. The motion passed by the vote of seven (7) 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 were no Expenditure over \$25,000.00 for review at tonight's meeting, only three (3) Disclosure of Purchase Orders over \$10,000.00.

MINUTES: Mr. Trojanski made a motion, seconded by Ms. Anderson, to approve the Special Meeting of Council Minutes of June 27, 2023.

ROLL CALL: Mr. Shenett: Abstain; Ms. Jones: Yes; Mr. Tatum: Yes; Ms. Anderson: Yes; Ms. Madden: Abstain; Mr. Trojanski: Yes; Ms. Agee: Abstain. The motion passed by the vote of four (4) ayes to zero (0) nays with three (3) abstentions.

Ms. Jones made a motion, seconded by Ms. Anderson, to approve the Special Meeting of Council Minutes of June 28, 2023.

ROLL CALL: Mr. Shenett: Abstain; Ms. Jones: Yes; Mr. Tatum: Yes; Ms. Anderson: Yes; Ms. Madden: Abstain; Mr. Trojanski: Yes; Ms. Agee: Abstain. The motion passed by the vote of four (4) ayes to zero (0) nays with three (3) abstentions.

Dated: October 18, 2023

ATTEST:

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